



***Tulare Joint Union  
High School District***

***STUDENT BODY FUND  
PROCEDURES MANUAL***

**Board of Education**

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**TULARE JOINT UNION HIGH SCHOOL DISTRICT  
STUDENT BODY PROCEDURES  
MANUAL**

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**SECTION I - ORGANIZATION AND GENERAL POLICIES**

Student body organizations acquire their purposes, powers, and privileges from the rights conferred upon them by the school board and the Education Code. The purposes and privileges of student body organizations pursuant to the California Education Codes are as follows (EC. 48930, 48931, 48932).

**Purposes and Privileges of Student Body Organizations - State Law**

Education Code 48930. Any group of students may organize a student body association within the public schools with the approval and subject to the control and regulation of the governing board of the school district. Any such organization shall have as its purpose the conduct of activities on behalf of the students approved by the school authorities and not in conflict with the authority and responsibility of the public school officials. Any student body organization may be granted the use of school premises and properties without charge subject to such regulations as may be established by the governing board of the school district.

**Student Body Policies**

In addition to the requirements of the Education Code, the Tulare Joint Union School Board of Trustees adheres to the following general policies regarding the conduct of student body affairs: BP 1321, BP 1325, BP 3450, BP 3452, BP 3554, BP 4135 and BP 5030

1. A student government must be established in each secondary school (Grades 9-12).
2. The District Superintendent shall act as the general supervisor of the activities of all District student body organizations, and shall be responsible for the implementation of policies adopted by the school board. The Superintendent may request periodic internal fiscal or operations audits of student bodies to assure compliance with district policy, regulations, and procedures.
3. Although ownership of student body funds rests with the student body, the principal of each school, through authority delegated to them, shall be directly responsible for the proper conduct of all student body activities at his/her school. The Principal shall also be responsible for supervising student body record keeping. The Principal may, however, appoint student body advisors from among the members of the school staff to assist him/her. These advisors shall assure that required policies, regulations, and procedures are followed. Whenever the Principal delegates his/her authority, the Principal shall nevertheless retain ultimate authority and responsibility.

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4. The business manager or his/her designee shall serve as a consultant in financial matters for the student body activities as a whole and for each of its parts. The business manager or his/her designee shall periodically review the general financial status, structure, and internal control procedures of the various student body activities. Internal controls are those systems, procedures and devices through which temptations are curbed and errors and defalcations are prevented or detected.
5. To the extent possible, the student body activities should be self-supporting. The determination of General Fund supplied support will be at the direction of the District Superintendent in consultation with the District business staff. Individual student bodies should not accumulate excessive ending fund balances. Student body funds must, in general, be expended for the benefit of those students currently enrolled in school who have contributed in one way or another to the accumulation of such funds. If a long-range project is planned, funds may be carried forward and documented for this project.
6. The Board of Education is legally responsible for establishing a standard student body accounting system and for providing an independent audit of student body funds. The District's finance department shall establish the standardized accounting system, nomenclature, and procedures. The term "Student Body Finances" relates to the management, collection, and disbursement of all student body funds of any school, class organization, or department within the school.
7. In order that student body activities may provide the highest type of practical training for students, all student body finances and operations shall be conducted with the highest standards of business ethics.
8. Since the student body fund is controlled by the local governing board, the District is the employer, not the student body organization. Hence, individuals hired to perform work for the student body organization function under regulations, salary schedules and benefits, and so forth that apply to all District employees. (Reference Education Code 48930)



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**SECTION II - ESTABLISHING A STUDENT BODY ORGANIZATION**

**Constitution**

Each secondary student body organization shall have a formal constitution. The constitution adopted by a student body organization must state the name and purpose of the organization and must present the framework within which the organization will operate. An official copy of the constitution shall be kept on file in the school office. The elected officers of a student body organization shall consist of at least a student body President and a student body Treasurer. The following outline should be employed at a minimum in developing a constitution:

- Article 1.     Organization
  - a.   Name of organization
  - b.   Purpose and means of accomplishment
  - c.   Time, place, and frequency of meetings of officers
  - d.   Definition of quorum
  
- Article 2.     Membership
  - a.   Eligibility for membership
  
- Article 3.     Officers and Elections
  - a.   Titles and duties of officers
  - b.   Election of officers
  - c.   Term of office
  - d.   Requirements for eligibility
  - e.   Appointment of committee
  
- Article 4.     Representatives To Student Council Other Than Officers
  - a.   Method of selection
  - b.   Qualifications for eligibility
  - c.   Term of office
  
- Article 5.     Adult Advisors
  - a.   Appointment by superintendent, principal, faculty, or student council
  
- Article 6.     Financial Activities
  - a.   Budgets/Adoption date
  - b.   Revenue
  - c.   Disbursements
  - d.   Statements and reports
  
- Article 7.     Clubs Within The Student Body Organization
  - a.   Purpose of clubs
  - b.   Method of organization and discontinuance

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- c. Financial activities
- d. Constitution and/or Bylaws

- Article 8. Amendments to Constitution
- a. Method of origination
  - b. Requirements for adoption

### **Minutes of Meetings**

The student body organization and each club within the organization shall keep minutes of each business meeting. The minutes shall include details of proceedings, including financial matters pertaining to the budget; approval of fundraising ventures; and expenditure authorizations. The following outline indicates how the minutes might be organized.

- I. Introductory Data
  - A. Location of meeting
  - B. Date and time of meeting
  - C. Attendance at meeting
    - 1. Presiding officer
    - 2. Number of members present
    - 3. Advisor(s)
    - 4. Guests
- II. Report of Business
  - A. Minutes of previous meeting
  - B. Activities of standing and/or special committees
  - C. Communications
  - D. Old business
  - E. New business
  - F. Authorization of payments

Each motion shall be reported. In the report the motion must be stated, the person who made the motion and the person who seconded it must be named, and the result of voting must be given.

### **Organization of Clubs**

To become a recognized part of the student body organization, a club must be composed entirely of students enrolled in district schools. Any group of students may apply for permission to form a club by submitting for approval to the student council or other student governing body, a proposed charter or constitution, which must specify at least the following information:

- (1) the title, powers, and duties of the officers and the manner of their election;
- (2) the scope of proposed activities or purpose;
- (3) the name of the organization; and

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- (4) how the activities are to be financed.

Upon approval of the application, an employee of the school district must be appointed to act as supervisor of the activities of the club. (See Education Code 48905 which prohibits membership in secret clubs.)

The Principal or his/her designee should maintain a complete file of all active student body organizations that are sponsored by a school. A copy should also be kept by the Business Manager in the administration office. The file should be kept up-to-date by the addition of any new organizations that may be approved each year and deletion of any clubs which have terminated. Annually, the Principal should report to the Governing Board the standing of all clubs and organizations on the campus.

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**SECTION III - BUDGET REQUIREMENTS**

**Responsibility**

The responsibility for fiscal administration of all student body activities shall be delegated to the Principal of the school.

**Finance Committee**

Each high school student body organization must establish a finance committee.

The student body organization finance committee is made up of the administrator in charge of student body activities and the elected student body officers. The Student Body Treasurer and the administrator of student body activities shall serve as the co-chairpersons of the finance committee. The committee must prepare and submit to the student council a budget for adoption. The committee must also inform the council of the requirement that the council maintain records of its actions. Finally, the committee should act in an advisory capacity regarding the management of student body organizations funds.

**Preparation and Control of Student Body Budgets**

Each high school must prepare an annual budget. A preliminary budget prepared by the school finance committee must be submitted to the student governing body at a time specified in the school's constitution. The preliminary budget shall provide estimated revenues, expenditures, and surplus to be on hand at the end of the year. A final or adopted budget shall be approved by the student governing body by a time specified in the school's constitution.

To develop an effective budget, those individuals responsible for budget performance or for the collection and disbursement of funds should be consulted in the preparation of the budget. Included should be the administrator in charge of student body activities, the student body officers and other students who may be in charge of fundraising ventures. Through the efforts of these individuals, a basic plan of income and expenditures can be compiled. Although the amounts budgeted should be adequate, over budgeting should be avoided since it may eliminate allocations to other functions.

Throughout the year, periodic budget reports shall be submitted to the student governing body.

**Audits and Supervision**

The Education Code requires the following in relation to audits and supervision of student body funds:

Education Code 48937. The governing board of any school district shall provide for the supervision of all funds raised by any student body or student organization using the name of

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the school. The cost of supervision may constitute a proper charge against the funds of the district. The governing board of a school district may also provide for a continuing audit of student body funds with school district personnel.

In addition, Education Code Section 41020 requires the school board to provide for an annual audit by a certified public accountant or a public accountant licensed by the State Board of Accountancy. Education Code Section 41020 states in part "the cost of the audit provided for by a governing board shall be paid from the district funds." A copy of the annual audit shall be provided to each school involved. At the secondary schools, the audit shall be presented to the student governing body at a formal meeting of the school governing body.

The audit shall determine the following:

1. Proper accounting. That the funds of the student body have been properly accounted for, including a verification of cash receipts, disbursements, and balances.
2. Solvency. That the student body is solvent or in satisfactory financial condition, with special reference to cash on hand and unpaid obligations.
3. Efficiency. That efficient methods and procedures are used in accounting and controlling transactions.
4. Compliance with policy. That the conduct of student body affairs is in accordance with school board policy and the Education Code.
5. Reserves. That excessive reserves have not been accumulated. (See definition of excessive balances on page 2.)

### **Insurance for Student Body Organizations**

The responsibility for seeing that the student body organization receives adequate insurance protection rests with the District's governing board. This responsibility is delegated to the District business department, which should further assist in determining the types of insurance needed by the student body organization. All persons who handle student body funds must be covered adequately by a blanket fidelity bonding insurance policy. The District's Business Manager will determine the types and amounts of insurance that will be needed.

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**SECTION IV - REGULATIONS FOR STUDENT BODY FINANCES**

**Accounting System**

In order to insure adequate accounting procedures, supervision, and auditing, the Board of Trustees has authorized uniform systems for high school sites. These standardized systems are established by the District's business department.

The high school student body funds shall be managed, maintained and accounted for by the designated faculty advisor at each school site. The control of student body funds shall be under the supervision of the school Principal in accordance with the Education Code and Board Policy.

**Designation of Student Body Accounts**

Student body monies are to be tracked in two types of accounts, trust accounts and administrative accounts. Each type is described below.

Trust Accounts - Trust accounts are funds that are raised by either a limited group of the general student body (a club) or the entire general student body. A limited group is defined as a group whose activities are for the purpose and benefit of that group only, such as C.S.F., Pep Club or classes. The general student body may also raise trust funds. These are funds raised by the entire student body for a specific purpose or purposes and turned over to the student body as trustee. Trust funds should be represented by cash at all times. Trust accounts should not be overdrawn, and always should be secured by cash or inventory. A trust account may never show a deficit balance. Trust account funds may not be loaned to administrative or other trust accounts.

Administrative Accounts - Administrative accounts are those accounts held in the name of the student body for general student body purposes or for activities where any or all students may participate. These accounts should operate on a yearly budget basis. Funds accumulated by students should be enjoyed by those same students insofar as is practicable. Administrative accounts may not be loaned to trust accounts or other administrative accounts without prior approval of the student council.

Inactive Student Body and Scholarship Accounts - When a club becomes inactive for two consecutive years, its account shall be closed and the funds transferred to the Student Council. If the club is reactivated, the Student Council shall decide whether or not to restore said funds to the new club.

Accounts left by graduating classes shall be closed at the end of five years and funds shall be transferred to the Student Council for the purpose of campus improvement projects. Whenever practical, the class shall be given recognition for participating in the improvement project selected by the Student Council. Amounts which are in arrears shall be assumed immediately by the Student Council. The Class Council may make provisions at the time of graduation to earmark a

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limited amount of money for use in arranging for the first class reunion. (Postage and cost of mailers is acceptable.)

Designated scholarship accounts not used for three consecutive years shall be cleared and the account balance transferred to a general scholarship fund maintained by the district. Funds from the general scholarship account shall be available to the school scholarship committees in amounts proportional to the size of each student body. The amounts to be released each year will be determined by the School Principal. Reasonable efforts will be made to contact the original donor of the designated scholarship prior to closing the account.

### **Cash Collections**

All money received by the school for any student body activity must be properly receipted. "Money" includes coin, currency, checks, money orders, etc. The original receipt copy is issued to the person or firm from whom cash is received immediately upon receipt. All monies should be receipted on the actual date of receipt, not the date of deposit to the bank.

If any errors are made on receipt forms, the copy must be voided and kept in a file. All receipts must be accounted for. All receipts are to be used in strict numerical order. All items on receipt forms must be completed and all copies legible. Only authorized personnel may sign and issue receipts. The Principal's Secretary shall maintain a list of personnel authorized to issue receipts. Careful control of blank receipts shall be exercised to prevent their use by unauthorized personnel.

### **Investments**

Education Code 48933. The funds of any student body organization established in public schools of any school district shall, subject to approval of the governing board of the school district, be deposited or invested in one or more of the following ways:

1. Deposits in a bank or banks whose accounts are insured by the Federal Deposit Insurance Corporation.
2. Investment certificates or withdrawable shares in state-chartered savings and loan associations and savings accounts of federal savings and loan associations provided such associations are doing business in this state and have their accounts insured by the Federal Savings and Loan Insurance Corporation.
3. Purchase of repurchase agreements issued by savings and loan associations or banks.
4. Purchase of bonds, notes, bills, certificates, debentures, or any other obligations issued by the United States of America.
5. Shares or certificates for funds received or any form of evidence of interest or indebtedness issued by any credit union in this state, organized under the provisions

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of Division 5 (commencing with Section 14000) of the Financial Code or the statutes of the United States relating to credit unions insured by the administrator of the National Credit Union Administration of a comparable agency as provided by a state government.

No excess of funds should be maintained over and above that necessary to finance ongoing student body activities. All cash, other than that necessary for cash flow, shall be deposited in interest-bearing and protected saving accounts.

Whenever new investment accounts are established by a student body fund, an opening letter should be sent to the financial institution. The opening letter should state that any disbursements be made payable to the student body fund and delineate the authorized signatures.

### **Uses of Student Body Funds**

Education Code 48934 does not allow expenditures for curricular or classroom use.

### **Additional Uses of Student Funds**

Education Code 48936. In addition to deposit or investment pursuant to Section 48933, the funds of a student body organization may be loaned or invested in any of the following ways:

- (1) Loans, with or without interest, to any student body organization established in another school of the district for a period not to exceed three years.
- (2) Invest money in permanent improvements to any school district property including, but not limited to, buildings, automobile parking facilities, gymnasiums, swimming pools, stadiums and playing fields, where such facilities, or portions thereof, are used for conducting student extracurricular activities or student spectator sports, or when such improvements are for the benefit of the student body. Such investment shall be made on condition that the principal amount of the investment plus a reasonable amount of interest thereon shall be returned to the student body organization as provided herein. Any school district approving such an investment shall establish a special fund in which moneys derived from the rental of school district property to student body organizations shall be deposited. Moneys shall be returned to the student body organization as contemplated by this section exclusively from such special fund and only to the extent that there are moneys in such special fund. Whenever there are no outstanding obligations against the special fund, all moneys therein may be transferred to the general fund of the school district by action of the local governing board.

Two or more student body organizations of the same school district may join together in making such investments in the same manner as is authorized herein for a single student body. Nothing herein shall be construed so as to limit the discretion of the



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local governing board in charging rental for use of school district property by student body organizations as provided in Section 48930.

In addition to the requirements of the Education Code noted above, the following principles should be adhered to in spending student body funds:

Veto of expenditures - The Principal or his/her designee of the school shall have the power to veto any authorized student body expenditure that in his/her judgment is prejudicial to the best interests of the school or district.

Supplies and equipment - Student body funds may be expended for supplies and equipment necessary for conducting authorized student body activities and for such other purposes as receive the approval of the school board, the governing body of the student body organization, and the school principal. Except for authorized "gifts", all funds expended shall directly benefit the students enrolled at the school expending the funds. Student body funds cannot be used to purchase items associated with teacher in-service days such as refreshments, name tags, etc.

Gifts - No student body funds shall be used to purchase gifts of any kind for individuals. This shall not prohibit memorials, remembrances, contest prizes, athletic awards, scholarship awards or gifts to the school or school district, or similar purchases which have been authorized by the student governing body.

Loans - No student body funds shall be loaned to individuals or organizations for any purpose. Loans of funds pursuant to Education Code 48936 as cited on Page 10 shall require approval of the Superintendent or higher designee.

Unusual venture - Before any unusual venture is undertaken, authorization shall be secured from the Tulare Joint Union High School District Administrative Staff. Unusual venture is defined as an activity not normally undertaken by a student body and which involves excessive risks for students or excessive liability for the district.

### **Authorization for Expenditures**

No individual shall obligate the student body in any way without first having obtained the proper written authority from the faculty sponsor, student representative, and Principal or his/her designee.

Education Code 48933. requires the following approval each time an expenditure is made from student body funds:

The funds shall be expended subject to such procedure as may be established by the "organized" student body organization subject to the approval of each of the following three persons which shall be obtained each time before any of such funds may be expended: an employee or official of the school district designated by the governing board, the certificated

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employee who is the designated advisor of the particular student body organization, and a representative of the particular student body organization.

Therefore, all expenditures of student body funds shall be authorized in advance by the student body through its regularly elected officers and governing body, with the approval of the principal or his/her designee, and such other faculty member as may represent or supervise the student body organization involved. This shall be construed to mean that student body checks may not be mailed without the proper express authorizations.

It is recognized, however, that student body officers are not always available during vacation or other periods during which times business must still be conducted. To the extent possible, arrangements should be made with officers to be available for the purpose of authorizing warrants.

Where it is deemed impractical to make such arrangement, proposed expenditures and estimated amounts shall be formally approved in writing by the officers in advance. A copy of this approval shall be kept on file in the school office. The actual expenditures shall be reviewed and approved by student body officers upon such time as they return to school.

In the event that a student body organization shall refuse to validate a legitimate expenditure which it had previously authorized in its budget and purchase order system, to the extent possible, supplies and materials shall be returned to the vendor for credit. If credit is not available, then the authorization of the budget shall be construed as authorization for the expenditure or expenditures, but no further expenditures may be made from the funds without proper authorization.

### **Contracts**

Contracts by student body associations shall not extend beyond the current school year and shall not be for multiple school years; any exceptions to this policy must have the special approval of the Superintendent or his/her designee. All student body contracts which are for the operations and on-going activities of the Associated Student Body shall be expressly approved by the Principal or his/her designee. All contracts that involve the use of school property must be approved by the governing board. School employees entering into contracts on behalf of student body organization are cautioned that minors may not have the capacity to enter into legally binding contracts. It is possible that school employees could become personally liable for contracts. For that reason, care should be exercised before entering into contracts involving student body funds.

### **Payments to Contractors**

A student body organization may not hire employees or be an employer. However, a student body organization may utilize the services of general contractors and other self-employed individuals. Associated Student Body organizations are not authorized to hire employees. Payments made by the ASB for various services such as officiating at sports events are payments to contractors. The amounts paid are taxable and must be reported to the federal and state agencies for any individual who exceeds \$600.00 in income from the District during the calendar year.

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A record of each individual must be maintained, recording every payment for the calendar year. It will be necessary to obtain a social security number and a signed W-9 Internal Revenue Service form before payment is processed. Only one W-9 form per individual is needed. W-9 forms can be obtained from the business department.

### **Payments to District Employees**

Employees who provide services to the ASB cannot be paid directly by the Associated Student Body.

Any payments to District employees must be processed through the District payroll department via a district timesheet for miscellaneous duty. All compensation must be paid in accordance with Administrative Regulation and as provided by the miscellaneous labor timesheet agreed upon rates.

The following process is used to compensate District employees for services provided to Associated Student Bodies:

1. The student Council must approve the activity and estimated salary expense for District employees who provide services for the Associated Student Body.
2. Upon completion of the activity, the employee completes a time sheet and submits it to the Principal or his/her designee for approval. In the comments section, indicate payment will be reimbursed by student body. The approved time sheet is forwarded to payroll for processing.
3. The employee is paid by payroll in accordance with the Supplemental Services Salary Schedule or agreed upon rate.
4. The business department will bill the Associated Student Body for salary and applicable benefits.

CIF Bylaw Section 503 F (1) Coaching Compensation States:

A coach shall not be reimbursed for coaching services from any source other than the school funds without the approval of the school's governing board, nor be subject to any bonus arrangement dependent upon the success of the school's team.

CIF Bylaw Section 503 F (2) Penalty for Improper Coaching Compensation States:

Any team, coached by any person receiving any part of the salary for coaching from other than school funds without the approval of the school's governing board, **is ineligible**. (Revised February 2009 Federated Council)

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### **Employee vs. Independent Contractor**

On April 30, 2018, the Supreme Court established an ABC test in which a worker is presumed to be an employee unless the employer can show that:

- A. The worker is free from control and direction of the hiring entity in connection with the performance of the work, both under the contract for the performance of the work and in fact;
- B. The worker performs work that is outside the usual course of the hiring entity's business ("independent, separate, and distinct business from that of the employer"), regardless of where the work occurs; and
- C. The worker is customarily engaged in an independently established trade, occupation or business of the same nature as the work performed for the hiring entity.

### **Expenditure Procedures for Student Body Purchases**

All expenditures of student body funds will be made through the use of purchase orders. An expenditure request must be approved and signed by faculty sponsor, Principal or his/her designee and student representatives. A copy of the purchase order must be kept on file in the school and attached to the receipted bill after it has been paid.

Payment of bills - Payment of all bills shall be made by Account Clerk. All expenditures will be supported by invoices or other appropriate statements. Invoices and statements must be checked for accuracy in (1) quantity received (2) quantity ordered (3) price (4) extension of price and quantity. Statement or invoice must be signed by faculty sponsor or Principal or his/her designee and indicate that the invoice is "OK to pay."

Reimbursement of expenditures - Sponsors may request reimbursement for items that were pre-approved by school councils. In all cases an itemized invoice and proof of payment shall be required of the sponsor. Any purchases made by a teacher, sponsor, advisor or other district employee which was not pre-approved may not constitute a proper charge against student body funds and may not be reimbursed.

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**SECTION V - INTERNAL CONTROL PROCEDURES**

**Control of Cash Receipts**

Each school in the District that maintains a student body fund shall adhere to the following general policies in regard to the receipt of cash: (See AR 3452)

1. Only preprinted receipts authorized by the District may be used.
2. Only authorized personnel shall have access to the receipt books and there shall be strict control over all books issued.
3. Receipts issued shall be reconciled to deposits made.
4. Deposits should be made daily and intact. If daily deposits are impractical, large sums of cash should not be accumulated. Collections should not be left in the school over weekends, holidays or the summer.
5. Student groups must promptly deposit with the switchboard/receptionist all cash collections. In no case will disbursements be made from receipts.
6. Teachers should not collect cash or receive funds for unauthorized or non-student council approved fundraisers.
7. Care should be exercised in the storing of cash. Physical facilities for the safeguarding of cash must be adequate and properly used.
8. Overages and shortages must be reported to the Principal or other responsible administrator. The loss of tickets must be regarded in the same manner as the loss of cash.

**Control of Cash Disbursements**

All disbursements of a student body organization's funds, including club, trust, and scholarship accounts, must be made in accordance with the established system that encompasses sound elements of internal control, generally accepted accounting practices, and conformity with regulations prescribed by the school district Governing Board. (See Education Code Section 48933)

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### **Control of Cash Accounts**

At each school in the District that maintains a student body fund, the following procedures shall be adhered to in regard to cash accounts:

1. All receipts and disbursements should be posted into the Student Body Financial System in a timely manner.
2. Bank statements must be reconciled monthly. The ending cash in bank should agree to the financial report. Any discrepancies should be resolved immediately.

### **Control of Trust Accounts**

The following procedures shall be adhered to in regard to student body trust accounts:

1. All receipts and disbursement should be verified for accuracy of posting into the general ledger.
2. Advisors shall reconcile their assigned accounts. Any discrepancies should be resolved immediately.
3. Such reconciliation shall include:
  - a. Verification of cash disbursement, noting the correctness of payee, amount and proper account code.
  - b. Verify deposits to make sure that all cash receipts issued are accounted for.
4. Advisors will complete the Monthly Checklist and return copy to the Student Activities Director.

### **Inventory**

All schools that have a student store, snack bar, vending machine or other student activity that has an inventory shall adhere to the following general principles:

1. An inventory of all items on hand shall be taken on the following dates:
  - Beginning of school year.
  - End of the first semester.
  - Ending of school year.
2. Forward a copy of the completed Inventory Control Form to the Business Secretary.
3. Any major discrepancies are to be reported to the business department immediately.

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**Student Body Records**

Care should be taken to ensure that student body fund accounting books are properly safeguarded. All supporting documentation for both receipts and disbursements should be available for review by District personnel or representatives at all times.

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**SECTION VI - STUDENT BODY EQUIPMENT**

Equipment is defined as tangible property of a more or less permanent nature (other than land, buildings, or improvements other than buildings), which is useful in carrying on operations. Examples of equipment are machinery, tools, trucks, cars, furniture, and furnishing, which are not integral parts of a building or a building service system. Equipment has a useful life of at least two years or more. (For further information, see the California School Accounting Manual, published by the California State Department of Education).

Student body equipment with an individual cost or unit value of \$500 or more, acquired by purchase or donation must have prior approval from the Director of Facilities in order that district standards for installation and maintenance are strictly observed.

**Responsibility for Equipment**

If a student body has received all required authorizations for the acquisition of equipment, then that equipment should be gifted to the District when it is acquired. Equipment that has been acquired without obtaining proper authorization or not gifted to the district may not be maintained by the District if it does not meet District standards. Property acquired by a student body shall be marked and inventoried by appropriate District personnel in order to facilitate its recovery if it is lost or stolen.

**Formal Donation of Student Body Equipment**

In order to insure that equipment will meet district standards, student body organizations should secure an approval from the Director of Facilities prior to acquiring the equipment. It is recommended that equipment acquired by student body funds be gifted to the District. Adherence to this procedure will insure that the equipment will be maintained by the District and also be covered by the District insurance. Board Policy 3290 outlines the procedure to be followed in donating to the district.



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**SECTION VII - REQUIRED REPORTS**

**Sales and Use Tax**

Information regarding student body liability for sales and use tax is available from the State Board of Equalization. Recent legislation has made more items taxable than in previous years. General information regarding sales taxes is as follows:

1. Items purchased for use and not for resale are generally subject to use tax, such as trophies, awards, etc. Generally, the vendor applies the use tax to the bill at the time of purchase and no further action on the part of the student body is required.
2. Items purchased by a student organization for resale are not subject to sales tax. Schools engaging in this type of activity are required to hold a resale certificate obtained from the State Board of Equalization. Each school site must obtain their own individual resale number from the State Board of Equalization Office.
3. Sales of snack foods are exempt from sales tax when sold on an irregular basis and the profits from such sales are used exclusively for the student body organization. "Irregular" basis is defined to mean sales made at particular events, such as fairs, galas, games, and similar activities, which are not conducted on a regularly scheduled basis. Sales made at refreshment stands and booths of organized youth sport leagues are considered made on an irregular or intermittent basis. However, sales made in storefront or mobile retail outlets which ordinarily require local business licenses do not qualify.

Sales Tax Reports are also required, whereby taxable sales are reported, and the appropriate sales tax charged and collected is remitted to the State.

Vendors charging sales tax on items purchased for resale should be furnished with the school's resale permit number. Do not pay the sales tax to the vendor in these cases. The accounting office will charge and remit to the State at regular periods the sales tax collected.

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**SECTION VIII - SALE OF FOOD BY STUDENT ORGANIZATIONS**

**Authorization**

Education Code 48931. The governing board of any school district may authorize any organization composed entirely of pupils attending the schools of the district to maintain such activities as may be approved by the governing board. The governing board of any school district may authorize student organizations to sell food on school premises, subject to policy and regulations of the State Board of Education. The State Board of Education shall develop policy and regulations for the sale of food by student organizations in kindergarten and grades 1 through 12, which shall insure optimum participation in the school district's nonprofit food service programs and shall be in consideration of all programs approved by the governing board of any school district.

Nothing in this section shall be construed as exempting from the California Restaurant Act, food sales which are authorized pursuant to this section and which would otherwise be subject to the California Restaurant Act.

District policy provides that the governing board may, by resolution, authorize student body organizations to sell specific food items during the school day. Sales of food items sold should adhere to school board policy, the Education Code, and Title V of the Administrative Code. The applicable section of the Education Code is 48931. The applicable sections of the Administrative Code are noted as follows:

**Advertising Food and Beverages**

Effective January 1, 2018 a new law was put into effect regarding the advertisement of food and beverages on school campuses.

AB 841 (Education Code 48931, BP 1325) prohibits a school, school district or charter school from advertising food or beverages during the school day, as provided, and from participating in a corporate incentive program that rewards pupils with free or discounted food or beverages that do not comply with those nutritional standards when the pupils reach certain academic goals.

The Smarter Snack Program complies with the nutritional standards and these guidelines must be followed when advertising on campus during the school day:

- Grain product that contains 50% or more whole grains by weight (must have a whole grain as the first ingredient listed); or
- Have as the first ingredient a fruit, a vegetable, a dairy product, or a protein food; or
- Be a combination food that contains at least 1/4 cup of fruit and/or vegetable; and
- The food must meet the nutrient standards for calories, sodium, sugar, and fats:

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- 200 calories or less per serving
- 200 mg or less sodium per serving
- 35% of calories or less total fat per serving
- Less than 10% of calories from saturated fat per serving
- 0% trans fat per serving
- 35% or less by weight of sugar per serving

### **Competitive Food Sales Guidelines**

The following guidelines have been prepared for two reasons. One is to protect students and staff members from accusations of financial mismanagement, and the other is to bring us into compliance with the California Education Code. Your cooperation in maintaining a high degree of professionalism in this area is very important for your and the district's protection.

#### 1. General Rules – California Education Code Section 48931

- A. There can be only one non-profit student organization per day selling any food item on campus. The group and scheduling must be approved by the ASB organization. No one group may have a continuous food sale.
- B. An exception to "A" above may occur on only four days during any one school year. Multiple groups may sell food or drink items on only the following four approved days at each school.

<u>Tulare Union High School</u>	<u>Tulare Western High School</u>	<u>Mission Oak High School</u>
Cinco de Mayo	Cinco de Mayo	Cinco de Mayo
Union Days (1day)	Western Week (1 day)	Mission Madness (1 day)
Club Fair Day	Multi-Cultural Day	Club Fair Day
Bell Game Week (1 day)	Bell Game Week (1 day)	

- C. All food and beverages sold must meet the District's Wellness Policy (BP 5030).
- D. No food may be prepared on the premises.
- E. No food item may be sold that is also being sold in the foodservice program on the same day.

#### 2. District Specific Rules

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- A. No vending machines may be located on the campus except by the cafeterias, the gymnasiums, the band rooms, the Agriculture Farm premises and the faculty rooms. The vending machines are allowed in these locations due to the heavy activities after school and on weekends. They are not to be used during class times.
- B. No food or drink items may be sold out of any classrooms by teachers or students.
- C. All money from sales must be deposited with the switchboard/receptionist on the same day as the sale. No money shall be kept overnight in a classroom or by a student or staff member.
- D. All proceeds from fundraisers must be deposited through the student accounting system. All payments to suppliers must be by student requisition and not by cash, which means that cash from sale proceeds must not be used to pay for sale items or other suppliers directly.
- E. No food may be sold on campus that is not prepared by an establishment that is subject to the California Uniform Retail Food Facilities Law, which means no homemade food.

As its policy regarding sales of food by student groups, the governing board has adopted the requirements of Title V of the California Administrative Code. In implementing the provision of Title V, the Food Services Department will determine whether food items are nutritious or whether food sales are proper.

### **Student Stores**

The transactions of the student store must be recorded in the journals and ledgers of the Associated Student Body as a general student body account, and must be subjected to the same accounting used for other transactions.

Receipts of money must be recorded on a cash register or a handwritten log. The cash register tape must be machine-totaled. Daily cash register tapes or handwritten logs must be kept on file by the student store advisor and be made available for audit. Cash must be deposited on a daily basis with the switchboard/receptionist. The switchboard/receptionist counts the cash in the presence of the student store representative and renders a receipt.

Inventories of the student store must be taken at a minimum, three times per year (see page 17), under the supervision of the student store advisor. The inventory must contain a description of each item, the unit of issue, the quantity, the unit price, and the inventory value. The total inventory value must be shown. Inventory must be reconciled on the Inventory Control Form.

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**SECTION IX - SOLICITATION AND FUNDRAISING ACTIVITIES**

**Authorization**

Education Code 48932. The governing board of any school district may authorize any organization composed entirely of pupils attending the schools of the district to maintain such activities, including fundraising activities, as may be approved by the governing board. The governing board of any school district may, by resolution, authorize any student body organization to conduct fundraising activities on school property during school hours provided that the governing board has determined that such activities will not interfere with the normal conduct of the schools.

In carrying out the provisions of the Education Code and the policies of the school board, the following general policies should be observed in soliciting or raising funds:

1. Class time or regular school time should not be used for soliciting or selling purposes.
2. Schools should not compete with each other in fund raising events or in membership drives.
3. Student body funds must be used to benefit directly the students enrolled in the school that raised the funds.

The following general rules shall pertain to all students who participate in solicitation or fund raising:

1. Selling shall be on a strictly voluntary basis.
2. No solicitation shall be conducted after dark.
3. Courtesy, good salesmanship and safety shall always be stressed.

**Solicitations on School Premises**

Education Code Section 41020 states in part "Nothing in this section shall be construed as prohibiting the solicitation of pupils of the public school on school premises by pupils of that school for any otherwise lawful purpose."

**Fundraising Projects**

Education Code 51521: No person shall solicit any other person to contribute to any fund or to purchase any item of personal property, upon the representation that the money received is to be used wholly or in part for the benefit of any public school or the student body of any

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public school, unless such person obtains the prior written approval of either the governing board of the school district in which such solicitation is to be made or the governing board of the school district having jurisdiction over the school or student body represented by such solicitation, or the designee of either of such boards.

### **Revenue Projections from Fundraising Projects**

Prior to conducting any fundraising activity, a Request for Fundraiser Approval Form must be completed as indicated. At the conclusion of the fundraiser, a Revenue Analysis/Fundraising Recap Form must be completed so that actual monies raised can be compared to the projection and variances reviewed and approved by Activities Director. Revenue Analysis/Fundraising Recap Forms are due to the District Office no later than 10 working days from completion of fundraiser.

### **Prohibited Activities**

In general a student body organization may engage in any and all activities that are permitted by the Education Code and are consistent with school board policy. However, the following types of activities shall not be engaged in:

1. Activities that subject the district to legal or financial risk; or activities that can place students in excessively hazardous or unsafe positions. Examples of these types of activities are those that involve students in the handling of dangerous chemicals, dangerous machines, explosives, or other hazardous activities.
2. Activities that are contrary to laws and regulations governing the general public.
3. Activities or sale that would imply school or district endorsement of specific brand name products or services.
4. Raffles or any activity involving an exchange of money for a chance to win a prize.
5. It is unlawful for any person to loiter in, on or near any public place in a manner and under circumstances manifesting the purpose of engaging in panhandling, soliciting and begging for money, goods, food, shelter and any other tangible objects (City of Tulare Municipal Code § 7.56.030)

### **Social Events**

All social events shall, unless prior approval has been given by the Assistant Superintendent of Student Services, be held on school grounds and in school buildings. Social events should seldom be held during the time normally scheduled for instructional purposes.

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All social events shall be adequately supervised by certificated personnel, but the supervision may be augmented by parents and other interested parties. All persons in attendance shall be adequately supervised during the entire time the social event is in progress. All social events shall be conducted with proper social amenity and decorum and shall reflect credit upon the schools, the students, teachers, administration, and the Board of Education.

### **Event Ticket-Control Log**

A ticket control log should be utilized to account for the revenues of an event each time tickets are sold. The log should reconcile the number of tickets and note the event utilizing the tickets. A sales analysis should then be performed by the club advisor to account for the actual cash received and deposited to the bank.

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**SECTION X - AFFILIATION WITH OTHER ORGANIZATIONS**

**Booster Clubs**

The following guidelines are to be utilized by principals as they interact with booster club officers:

Prior to the beginning of school in the fall, or within the first few weeks of the school year, principals are to meet with booster club presidents and the faculty advisors to these booster clubs to:

1. Ensure that a booster club representative attended the district's mandatory booster meeting.
2. Explain how the school's calendar of activities operates; who must be contacted to place events on the calendar; and when and how events are placed on the calendar.
3. Explain school regulations on use of facilities.
4. Explain school and district regulations and procedures related to fundraising when the school day, school personnel, or high school students are involved.
5. Explain that booster club funds and accounts are to be kept completely separate from student body accounts.
6. Indicate the types of student trips that require administration and/or board approval.

**Gifts**

Cash or merchandise gifts shall not be given to booster clubs or parent/teacher associations from student body funds. Student body funds are to be used for the direct benefit of students.

When a booster club purchases goods for the sole use and benefit of any school, club or organization, e.g., athletics, the items should be donated to the District to ensure adequate insurance coverage and proper maintenance.



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**SECTION XI – FREQUENTLY ASKED QUESTIONS**

Every Day, someone in a student club, at a student council meeting, or in a school district office has a question about ASB administration. Frequently, the question begins, “Can the ASB...” or “Why can’t the ASB...” The following frequently asked questions are intended to be a guide. We caution each person using it to check with the district business staff and auditors to be certain that the answers provided complement the district’s policies.

This list will be updated and expanded in future updates of this manual. Questions raised at the ASB workshops will be noted and the questions of general interest will be added. Questions and answers have been grouped into specific categories.

**Fundraising Questions**

**Q. Our business office has told the school sites to prepare a schedule of student body fundraising events before the next school year so that it can ensure that the number of events is within the limits and so the board of education can approve the schedule in advance. This is a lot of extra work. Is this necessary?**

A. Yes, this is necessary if requested by the board. Education Code section 48932 allows the governing board to authorize student body organizations to conduct fundraising activities, so it is clear that the governing board has responsibility to approve fundraising events. The board must consider many issues prior to approving any events, such as student safety, whether the insurance company is comfortable with the event and whether the event is appropriate for the overall educational experience of the students. Board members may also have concerns about the number and type of fundraising events and whether these events interfere with the normal conduct of the schools. The governing board should review and approve the ASB fundraising events at the beginning of each school year, or designate another administrator to do so. If changes occur during the school year, those will need to be approved as well. Another method used in some districts is for the board to approve policies and administrative regulations that delineate allowable and prohibited fundraising events, and then designate another individual to approve fundraising events rather than requiring the information to be submitted to the board. However, it is the board’s decision which method of approval to use.

**Q. Why must I complete all this paperwork for the fundraiser?**

A. All fundraisers must be properly documented to ensure internal controls, which are designed to protect all the people involved in the fundraiser and the assets (money and goods); another reason is to provide an adequate audit trail.

**Q. What are the general guidelines that apply to student body funds?**

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- A. Student body funds must be used to promote and finance a program of worthwhile activity for current students beyond those activities provided by the district.
- Q. Can the ASB rent out the school parking lot as a fundraising activity?**
- A. Usually not. In most school districts, all revenue from the rental of district property is deposited into the district's general fund because the property is owned by the district, not the students.
- Q. As a teacher, why can't I do my own fundraising for my own account at the school?**
- A. State law prohibits any solicitation – sales or other requests for money – of students on school grounds except by district-controlled programs, such as the cafeteria, student groups or other board-approved groups. Teachers and other employees do not fall into these categories. In addition, a teacher's fundraising would be taxable income to that teacher, reportable to the Internal Revenue Service and Franchise Tax Board. Student body groups may participate in the district's special income tax exempt status, but teachers may not.
- Q. We could make quite a bit of money for our elementary music club if we could sell popcorn and ice cream every Friday after school. Why does our principal keep nixing this idea?**
- A. Education Code Section 15500 is specific. You should meet with your principal and review the district's board policies related to food sales by student groups. If your proposed sale is no sooner than 30 minutes after the school day is over, there is no state law that prohibits this activity. Education Code 15500 applies only to food sales conducted during the school day. Education Code 35182.5 requires such fundraising to occur no sooner than 30 minutes after the end of the school day. However, there may be a board policy stating that the activity is not allowable. Boards are able to adopt policies that are stricter than the Education Code.
- Q. Our government club wants to take a trip to Washington, D.C. We have several fundraisers planned and want to track each student's fundraising revenue to determine whether a particular student has raised enough to pay his or her own way. Is this allowable?**
- A. No. Funds are raised to benefit the entire club or student group; they cannot be attributed to individual students. You cannot require students to participate in fundraising, nor can you bar them from participating in an activity because they did not raise funds.
- Q. Are there any restrictions on after-school fundraising in secondary schools?**

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A. If the fundraising is done after the school day, meaning no sooner than one-half hour after school ends, the food laws are not in effect, so there are not any restrictions unless board policy limits what you do. You must also make sure that you are not breaking any law by holding activities such as raffles.

**Q. Is it legal to charge fines for overdue library books?**

A. The California Code of Regulations Title 5, Section 16042 states in part, “a school district shall make no charge for the late return of library materials unless authorized to do so by the governing board of such district”. Thus, if the board has authorized late fees by enacting board policy, they are allowable. However, even if allowable, the fees would normally not belong to the ASB because the books were probably paid for by the general fund, not the ASB.

**Q. Schools in our district have asked if they can sell school uniforms at the student stores as a fundraiser. Do you see a problem with the student stores doing this?**

A. Student stores are often seen as a fundraising mechanism. Items with the school logo (i.e. hats, scarves and sweatshirts) are popular. By school uniform we assume you mean these types of garments with the school logo. Items sold at the store cannot be mandatory, such as mandatory physical education clothes. Education Code section 49066 states, “No grade of a pupil participating in a physical education class may be adversely affected due to the fact that the pupil does not wear standardized physical education apparel where the failure to wear such apparel arises from circumstances beyond the control of the pupil”, such as lack of sufficient funds. The California Department of Education has stated the position that a school district may require students to purchase their own gym clothes of a district specified design and color so long as the design and color are of a type sold for general wear outside of school (i.e. blue shorts and a white top, which can be purchased at stores like Wal-Mart, Target and/or Macy’s). Once the required gym uniforms become specialized in terms of logos, school name or other similar characteristics not found on clothing for general use outside of school, they are considered school supplies and the district must provide the uniform free of charge.

**Q. I have a question about fundraising. I always thought that it was a “where” question, not a “who” question. If students are raising funds for their booster club, I thought that their item had to be sold off campus; if they were selling for an ASB trust account, it could be sold both on campus and off campus. I have very recently heard that it depends on who is doing the selling. If parents are selling the item, that the money is boosters, but if the students are selling and handling money, that it is ASB money. I’m confused. I couldn’t find a clear, concise answer that would clear the muddy water for me and my teacher advisors.**

A. Education Code section 51520 states:

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*51520. (a) During school hours, and within one hour before the time of opening and within one hour after the time of closing of school, pupils of the public school shall not be solicited on school premises by teachers or others to subscribe or contribute to the funds of, to become members of, or to work for, any organization not directly under the control of the school authorities, unless the organization is a nonpartisan, charitable organization organized for charitable purposes by an act of Congress or under the laws of the state, the purpose of the solicitation is nonpartisan and charitable, and the solicitation has been approved by the county board of education or by the governing board of the school district in which the school is located.*

So, based on Education Code, students can work at a boosters' fundraiser and the funds remain with Boosters, if the fundraiser is not during school hours (or within one hour before or after) or on school grounds during these times. Students can be involved in fundraising for a booster club or other outside organization if it is not during the school day and it is clear that they are raising funds for another organization.

Per the above section, outside organizations can fund-raise on campus during the school day, but only if they are a nonprofit organization and have previous approval from the governing board. Some booster clubs do have nonprofit status, but many do not. Do not assume that any club that asks to sell on campus during the school day is an official nonprofit organization.

**Q. The Class of 2008 would like to have a 50/50 fundraiser. They would sell tickets for \$1.00 for one ticket and \$5.00 for six tickets. The tickets would say "Donation not Required" and they would hand out a lollipop with each sale. The winner would receive half of the total money collected. Would these procedures make this fundraiser legal?**

A. It is possible for private nonprofit groups, such as a parent group, education foundation or booster club (which do not include ASB or school districts), to conduct raffles as long as the organization is a tax-exempt nonprofit organization with an approved tax identification number, pursuant to Revenue and Taxation Code 23701d. The organization also must have been licensed to do business in California for at least one year, must register with the Attorney General's Registry of Charitable Trusts and must receive written confirmation of the annual registration before holding the initial raffle. These nonprofit groups must register every 12 months and distribute at least 90% of the profits to beneficial or charitable purposes. They must submit an annual report with gross receipts, expenses, net profit and the charitable purpose for which they used the money. The raffle may not be conducted over the Internet. Adults must supervise the drawing, though students can sell tickets.

School districts, including student clubs, are not authorized to participate in raffles because they are not nonprofit organizations exempt from state tax as defined in the

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Franchise Tax Code. Rather, school districts are exempt from tax by virtue of being governmental entities of the State of California.

Many school groups print out tickets with the words “suggested donation” on them and call it a drawing rather than a raffle. This really doesn’t make it legal unless you are prepared to give anyone who asks for a ticket as many tickets as they want for free (no donation). Even if your district gives away tickets for free, you still run the risk if someone wants to challenge the issue because it is still legally a raffle. The only way to have a legal raffle is to work with an eligible nonprofit organization that has its own tax identification number, registers with the Attorney General on an annual basis and disburses 90% of the profits to a charitable purpose.

In your specific question, in addition to the tickets stating “donation not required”, you are also giving a lollipop with each ticket. This is often done in the field, but the reality is that a lollipop costs a lot less than \$1, and it is clear that the real reason the tickets are purchased is for a 50/50 raffle, not the lollipop. If each ticket were 25 cents, then it would be more realistic to state that the purchaser is really purchasing a lollipop for 25 cents, and then there is a chance something else might be won as a “door prize,” but when that “door prize” is a 50/50 type it again looks like a raffle. A raffle can be defined as paying for a chance to win something of value.

It is best not to conduct anything that could be considered a raffle. Have an outside group do it to avoid any potential issues.

### **Expenditure Questions**

- Q. Why do I have to get approval for every purchase in advance?**
- A. State law requires that all student body expenses (purchases) be pre-approved. For an unorganized ASB, it’s the principal’s pre-approval that is required; for an organized ASB it’s a student representative, the principal and the advisor. Good business practices also require this pre-approval to ensure that the purchase is allowable and that sufficient funds are available.
- Q. What is the correct protocol to follow if the original invoice for supplies is lost?**
- A. You should request a duplicate invoice from the vendor and mark it duplicate.
- Q. Last year our high school ASB had a business volume of over \$700,000. Can the ASB hire a part time employee over and above the staffing provided by the district to help manage our ASB operations?**
- A. Yes. This is an appropriate use of ASB funds as long as the students, advisor and principal approve the cost and it is not in violation of contract or district protocol. The

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employee would be hired through the district's hiring process. The employee would be paid using the district payroll system because they are officially a district employee. The ASB would reimburse the district for the employee's salary and benefits after being invoiced by the district.

### **Q. Is there a formal list of prohibited expenditures to guide ASB operations?**

A. No, there is no formal listing. We suggest you check your board policy to see if there are any local prohibitions.

### **Q. Our class wants to set aside funds for a five year reunion. Is there a proper way to hold money for the activities of a class after it is graduated?**

A. Yes, in accordance with AR 3452, the Class Council may make provisions at the time of graduation to earmark a limited amount of money for use in arranging postage and cost of mailers for the first class reunion.

### **Q. Can ASB funds pay for a new computer for the ASB secretary?**

A. The "quick" answer is that it depends on how the computer for the ASB secretary was paid for in the past. If the computer was originally paid out of the district's general funds and the ASB is now being asked to pick up the cost because of budget cuts, then our general response would be that this is not an allowable expenditure because the students are being asked to pick up an expenditure that has been the responsibility of the district in the past.

However, if the computer for the ASB secretary is a new expenditure or if it is being replaced not because it is broken but because it was determined something newer and/or better was needed to assist the ASB and its operations, and if the student body organization votes to pay for this expenditure and the students feel that the expenditures promote the general welfare, morale and/or educational experience of the students, it could be considered an allowable expenditure. If this is the case, board policy or other documentation should be updated so that it contains these types of expenditures for future reference.

### **Q. Can an ASB pay for substitute teachers?**

A. Generally, the ASB cannot pay for substitute teachers because this cost is the responsibility of the district, unless the substitute is required because the teacher is attending an activity organized and funded by the ASB.

### **Q. If a school is conducting a fundraiser to raise funds for the family of a deceased student, how should those funds be delivered to the family? Can the collected funds be deposited into the ASB account and then a check be written to the family?**

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- A. Student groups should not donate funds to an individually needy student or use school equipment for a charity fundraising drive. Those types of donations are not tax-deductible unless a legal foundation has been established for that student or family.

Donations to nonprofit organizations, students or families in need are generally not allowable because they are considered a gift of public funds, no matter how worthy the cause.

**Q. Can the ASB pay additional stipends to coaches from our athletic club accounts?**

- A. You must first discuss payment of any additional stipends with your district's personnel department or legal counsel, as such payments may need to be approved through collective bargaining or through your district's governing board. Unapproved stipends could set a dangerous precedent for your district.

**Q. The district has asked our ASB to pay part of the school secretary's salary because she does the accounting for us. Do we have to pay this cost?**

- A. Generally, the district is responsible for certain costs, including the supervision of student body funds (as noted in Education Code 48937). The student body funds are used to fund costs that promote the general welfare, morale, or educational experience of the students. If the ASB requests supplemental services, such as asking the school secretary to work at the games collecting funds for ticket sales, it would be appropriate to charge this cost to the ASB. However, basic accounting costs that the district has paid in the past should continue to be the responsibility of the district. ASBs should pay for supplementary services that benefit the students, not existing costs that the ASB has not paid for in the past.

**Q. Can our club make a donation to a charitable organization such as The Red Cross? We want to do something to support this charity.**

- A. Such donations are usually not allowable because they are considered a gift of public funds. If your student group wants to organize a fundraiser to help a charity, they might consider holding a fundraiser that is clearly identified as supporting that charity, and ask that all proceeds be paid by checks made payable directly to the charity. These checks would then be delivered to the charity. Any funds collected in cash must be immediately deposited into ASB and then a check in the same amount can be requested for the charity.

**Q. We hold several big athletic events each year and our ASB makes a substantial profit from these events. The vice principal insists that there be additional security at these events and sends the ASB the bill for security. Is this legal?**

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A. Like all ASB expenses, the security costs must be preapproved by the students, certificated advisor, and principal, and security may be a reasonable cost of such a fundraising event. The vice principal should obtain an estimate of these costs to present to the students for preapproval. The school principal has the ultimate responsibility for events on campus. If school administrators believe that the event is unsafe without added security, they have the authority to discontinue the event if the ASB chooses not to pay for security.

**Q. One of our schools wants to purchase classroom supplies with its ASB funds. Is this okay?**

A. ASB organizations have tremendous flexibility and discretion about how they may use their funds. The principal and ASB advisors are responsible for ensuring that the funds are used to purchase goods and services that promote the general welfare, morale and educational experiences of the students. In general, ASB expenses that meet these criteria are allowable if they are directly linked to the students' benefit. The expenditures must be outside of what the school district should provide from their own general funding sources.

In high schools and middle schools, the students are involved in making the decisions about how the ASB funds are spent. This helps ensure that the interests of the students are protected. In elementary schools, the students are often not involved in the decision making and operation. Regardless of the school type, the principal or designee is responsible for protecting the interests of the students and ensuring that the funds are spent for their benefit.

In the case of your specific question, classroom supplies are a district expense, not an appropriate ASB expense, unless the purchases are in addition to what the district provides. Thus ASB funds should not be used for the regular classroom supplies, but an ASB expenditure could be considered appropriate for supplemental class materials.

**Q. Our coach wants to attend a coaching conference and wants the ASB football club to pay for the conference, including hotel, airfare, and meals. Is this allowable?**

A. ASB funds must be spent to benefit the students. If several of the football players were attending the conference with the coach as the chaperone, this would be an allowable expense, provided the students preapprove the cost. However, if the coach attends the conference with no students, there is no direct benefit to the students and the cost would not be allowable.

**Q. Our students want to host a teacher appreciation lunch for all the teachers in the school. I understand ASB funds cannot be used to pay for faculty costs. Is there a way we can do this?**



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A. Probably not, because it could be considered a gift of public funds. A 1978 legal opinion issued by the California Attorney General concluded that a governing board is not authorized by Education Code section 44032 to provide for reimbursement to its employees of the cost of meals purchased for community leaders, including public officials, irrespective of whether such acts are deemed to be in the best interest of the school district. The Attorney General concluded that the foregoing expenditures were not “actual and necessary” expenses within the meaning of Education Code section 44032 and thus could not be reimbursed. Absent special circumstance, it is unlikely that a court would conclude that an expenditure for employee appreciation meals which do not qualify as awards would serve a “direct’ and/or “substantial” public purpose.

**Q. Our Ski Club takes an annual trip to Heavenly Valley to ski. Last year, we voted to pay for the graduating ski club members to join us on the trip this year. Is this okay?**

A. No. You cannot use ASB funds to pay for students who have already graduated because they are no longer part of the student body.

**Q. Our high school principal asks our student council to set aside \$500 every year in a “Principal’s Discretionary Account” for him to make certain expenditures. We don’t know what these funds are used for. Is this allowable?**

A. No. This is not allowable. The ASB funds are to benefit the students, and expenditures must be preapproved by the students.

**Q. An advisor purchased choir dresses without having the expenditure preapproved, and there was not enough money in the club account to cover the cost. Can we leave the bill unpaid since the advisor didn’t have approval via a purchase order to buy the dresses? Our district office has said that the advisor needs to be personally responsible for the entire cost.**

A. Because the advisor did not receive preapproval prior to purchasing the dresses, your district office’s mandate that the advisor be personally responsible for the entire cost is allowed. The vendor will need to be notified of who is responsible for the expenditure because they may begin sending delinquent notices to the district for nonpayment and the district does not want to get a negative credit rating because the advisor did not follow the proper approval procedure. If the vendor is used often by the district, this would be a good opportunity to explain that they should not sell items to the district or district staff without a district or ASB purchase order.

**Q. Can ASB pay chaperones who are also staff members?**

A. Paying chaperones at ASB events is an allowable ASB expenditure if the proper approval is given, because they support the educational experience and is not an obligation of the

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district. If these chaperones are existing district staff members, they will need to be paid through the district payroll system, then the district will need to invoice the ASB for their chaperone time. District staff cannot be paid both through the payroll system and via the vendor payment system as a consultant; if they did they would receive both a 1099 and a W-2 from the same employer, which is a red flag to the IRS.

### **Accounting Questions**

**Q. Is the ASB required to have reserve funds similar to those required for the school district?**

A. Although no such reserve is required by law, it is a good business practice to maintain a reserve of at least 5% of annual expenditures.

**Q. We have often found that we need additional supplies during our fundraising events. Can the student council authorize, in advance, someone to take some of the cash proceeds collected and purchase the things we need the day of our fundraiser?**

A. No. All cash collected must remain intact for the audit trail. However, the student council may authorize someone to purchase items and then be reimbursed afterwards through the ASB purchasing process.

**Q. What are some accounting software programs that are appropriate for an ASB that serves a student body of 1,000 high school students?**

A. Several firms market software programs designed for high school ASBs. While FCMAT does not endorse a specific product, several large secondary schools are using Blue Bear successfully. Some ASBs use their district's financial information system by establishing a district fund within the system for the ASB.

**Q. Can commissions be paid to district employees or students on any ASB contracts, such as those for class photos or vending machines?**

A. No. All revenue from ASB fundraising activities must be deposited into the ASB accounts. Individual students and district employees should not profit monetarily from the ASB. This could be perceived as a conflict of interest.

**Q. Our ASB has approved the purchase of sweatshirts with our school logo from a company in Pennsylvania. The bill came and there was no sales tax charged. Do we add California sales tax when we pay the invoice to the vendor?**

A. No. You do not pay the tax to the supplier on this out of state purchase if not included on the invoice. However, when the sweatshirts are sold, sales tax at the current California rate, by jurisdiction, must be added to the sales price. The tax collected must be paid to

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the Department of Tax and Fee Administration. The district business office and/or the district auditor can provide additional guidelines.

**Q. Our school has a small ASB operation. Can we keep our accounting records on an electronic spreadsheet such as Excel or Quattro Pro?**

A. Yes. A good business practice is for the district to define and support the software standards for ASB management, providing options tailored to the size or volume of the individual school operations. If you use a spreadsheet application at your school site, remember to back up your documents regularly.

**Q. Our auditors wrote us up because one of our clubs overspent its account. The district says the ASB is responsible for this deficit. Why did we get written up and who is responsible for the deficit?**

A. Good business practices dictate that no club or group is ever allowed to deficit spend. In addition, state law requires that all expenses be preapproved. Part of the preapproval process should include checking that the club has sufficient funds. If one club deficit spends, the other groups or the general student council/leadership class are forced to cover that deficit if the district does not, even though the other groups have not approved such an expense.

**Q. The auditors recommended that we complete an equipment inventory list for our high school ASB. What do they mean?**

A. Many ASB groups have purchased equipment that must be inventoried. State law requires that inventory records be maintained for all equipment that costs more than \$500 and lasts longer than one year. Inventory records must include the equipment's cost, date of acquisition, location, description, name and identification number. Examples of such equipment include a computer, a sound system such as is used at dances and athletic events, digital or video cameras and yearbook printing equipment. The inventory records should be kept in a permanent file.

### **Policy Questions**

**Q. What are the general guidelines that apply to student body funds?**

A. Student body funds must be used to promote and finance a program of worthwhile activities for current students, beyond those activities provided by the district.

**Q. Would you please tell me how to get an ASB organization into a nonprofit status?**

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A. The ASB is part of the school district, so it uses the district's tax identification number and is a nonprofit organization just as the district is. No additional steps are needed. Contact your district's business office to obtain the necessary information.

**Q. Can we withhold a diploma for a student whose parents have nonsufficient funds check on file with me in the ASB office or for merchandise sold? If so, can you tell me the legal citation?**

A. A review of the education code indicates that a diploma can be legally withheld for the following reasons:

- A pupil has willfully cut, defaced or otherwise injured personal property belonging to a school district or private school
- A pupil has not returned school property loaned to them, even upon demand of an employee of the district or private school who is authorized to demand such return

Once a student has been afforded their due process rights, his or her grades, diploma and transcripts can be withheld for the damage until the pupil or the pupil's parent or guardian has paid for the damages or has completed voluntary work that the school district or private school has provided in lieu of monetary payment.

The applicable Education Code sections are 48904 and 48904.3.

Because these are the only two reasons and sections found in the education code that state when withholding a diploma is allowable, FCMAT does not believe that a diploma can be withheld because of a nonsufficient check.

**Q. The teachers at our school have a "Sunshine Club". Can they deposit their money into our ASB bank account for safekeeping?**

A. No. Because the ASB is operating under the district's tax exempt status, non-ASB deposits into the ASB bank account are not allowed.

**Q. We cannot find all the keys for the back room of the student store where we keep our vending machine and student store inventory. The central district office said that the room will need to be re-keyed and that the ASB must pay this cost. Is this correct?**

A. Yes. This is an appropriate expense for the ASB. However, the district may choose to bear such expenses, so practices will vary from one district to another.

**Q. Is it legal for the district to charge the ASB an annual fee for the indirect costs of providing support services such as purchasing (reviewing bids), accounting**

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**(providing workshops, verifying bank reconciliations) and personnel (coordinating overtime and additional duty days for district staff members)? We do not always want the service and prefer not to be charged the fee.**

- A. Yes, it is an appropriate charge. The governing board should approve the fee and document in the district's board policy or administrative regulations the practice of charging the ASB for indirect costs so that it is clearly understood what the charge is for.

**Q. If there is a new club and they would like to do a fundraiser but they have no money to purchase the product(s) they want to sell, how do they purchase the products?**

- A. Your question is a clear example of why board policy, ASB constitutions and bylaws are important. These documents should be the place to guide people on many ASB-related issues such as this.

There must be a realization that clubs need money to make money, and this needs to be addressed for new clubs. Many ASBs set aside money for new clubs with the expectation it will be repaid. This involves some risk. Some ASBs will not front money like this; instead, they have the rule that the new club will have to get donations to front the money. It's a policy decision that needs to be discussed.

Ongoing clubs should have some money left at year end to begin the next year. It's not practical to spend every cent, knowing some will be needed to support fundraisers. While excessive carryover should not exist, there should be some left as seed money.

Many graduating senior classes leave their remaining ASB funds to incoming freshman to start their clubs with. This could be a policy decision.

**Q. Our sites have disregarded our warnings about student body compliance, stating that if they comply their programs will be under-funded, resulting in their closure. Please tell me the extent of trouble we could face if we don't comply.**

- A. The district's governing board is ultimately responsible for everything that happens in the district, including the activities of the student organizations. Under Education Code section 48930, the governing board has the authority to approve the formation of a student body organization within the district. This means that governing boards are not required to allow student body organizations within the district. Many districts have chosen to stop student fundraising and organizations district wide or at specific school sites as a last resort because of continuous and severe out-of-compliance issues, including fraud.

**Q. Our high schools offer classes for band, choir, orchestra and drama. These groups often raise money for activities during and outside the regular school day. Because**

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**these are classes versus clubs, should the funds raised be run through ASB accounts, or should they run through the district's regular financial system?**

- A. To become a recognized part of the student body organization, a club, like a student organization, must be composed entirely of students currently enrolled at the site. These clubs, also known as trust accounts for financial purposes, must have the approval of the student council and the principal, at the board's direction. All aspects of a student organization must be included in one of its trust accounts. All clubs should follow regulations in the ASB constitution related to the formation of school clubs. Any group of students may apply for permission to form a club by submitting a proposed charter of constitution to the ASB, or by submitting an application as discussed above. The general ASB constitution should state what needs to occur.

There are generally three types of trust accounts in schools:

- Class groups, such as freshman class, or the class of 2007
- Scholarships and memorials
- Clubs

All clubs must have a purpose and hold regular meetings. They must be formed as outlined in the ASB constitution and board requirements. Each club should also have a purpose and a constitution that outlines policies and rules. Bylaws should also be in place outlining specific operational parameters. Education Code section 48933 requires that the club supervisor or sponsor be a certificated employee. All clubs operate under the same regulations as the ASB organization.

If the band, choir, orchestra and drama classes are holding fundraisers, it sounds like an ASB club. However, the above requirements – such as having a constitution, receiving approval from the student council, including only currently enrolled students, etc. – must be met.

- Q. Our high schools offer extracurricular sports, FCMAT's ASB Accounting Manual indicates that these activities are considered clubs. These clubs don't have officers or formal meetings, and financial decisions are made by the coaches. Is this appropriate or should the students in these athletic clubs play more of a role?**

- A. The students must play more of a role. The whole idea of ASB is to get students involved. In secondary schools, the students are to make the decisions and the adults are to assist, so they need to have officers, formal meetings and be making the financial decisions. The adults need to co-sign preauthorization of expenditures, just as the students do. However, this is the students' money, not the adults'.

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Many athletic clubs are not run correctly. If the adults want to make the decisions, then these fundraising events and revenue belong in a parent or booster club.

### **Operational Questions**

**Q. I have told our high schools, which are selling the discount ASB cards that allow students to attend events at a lesser charge, that they cannot require a student to purchase one of these cards in order to receive their varsity or JV letter from ASB-sponsored activities such as sports, band, etc. Am I correct in my statement?**

A. Yes. You are correct in saying that ASB organizations cannot charge dues or fees to join groups or activities, or charge for membership to participate in activities supported by ASB funds. There are actually very few times that it is legal to charge fees, and those exceptions are only authorized because they are specifically listed in the law. The situation you describe is not one of the exceptions.

It is legal to charge students for lost or destroyed materials, so if a student loses their original ASB card, the student can be charged for a replacement card. But the first ASB card must be free. The discount cards which are sold to allow students to attend events at a lesser charge are different and separate from an ASB card and are thus allowable. However, as stated above, requiring the purchase of such a card for participation in activities supported by ASB funds is not allowed.

**Q. Why can't I open my own bank account for my student group?**

A. It is illegal for any bank account associated with the district to be opened unless it meets specific criteria and is board-approved.

**Q. Why did the district auditors write us up for holding a raffle last year? We raised over \$2,000 raffling a digital camera. This was one of our best money makers.**

A. A raffle is considered a lottery and lotteries are not allowed in school districts under the Penal Code. The law allows private nonprofit groups, such as parent-teacher associations and booster clubs, to hold raffles if they follow specific procedures.

**Q. Are there any guidelines on how much inventory we should maintain for our student store? Our sales are heaviest the first two and last two months of school. Our main stock includes pencils, paper, pens, binders and general school supplies.**

A. No convenient guidelines exist. The amount of inventory you maintain depends on the storage space you have, the shelf life of the items and the volume of sales in your student store.

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**Q. What is the difference between a commission and a kickback?**

A. A commission is an amount paid to an organization, company, club or person, generally linked to sales volume or for procuring a business contract. For a commission to be appropriate for an ASB, it must be stated in the terms of a written agreement that has been approved by the student council (and district legal counsel, if this is a district requirement). The ASB approval should be noted in the student council minutes. Commission payments are shown in the ASB accounting records as an expense. A kickback is an illegal payment, generally to an individual, for helping set up a contractual relationship.

**Q. We have just hired a new bookkeeper for our school ASB. Where can we find a training class for her?**

A. FCMAT regularly offers ASB courses statewide. In addition, FCMAT can provide on-site training for a district's ASB bookkeepers and advisors. Other professional organizations such as the California Association of School Business Officials (CASBO) and school district audit firms provide similar training sessions.

**Q. Why do we need a teacher to be our club advisor? Why can't our classified walk-on coach or a volunteer parent be the club advisor?**

A. Education Code 48933(b) describes "the certificated employee who is the designated advisor" and requires that the club advisor be a certificated employee of the district. The advisor doesn't have to be a teacher, but could be another certificated employee. A classified employee or properly screened volunteer may be an assistant advisor to a certificated employee.

**Q. Should our Booster Club follow the ASB Accounting Manual rules?**

A. No. Booster Clubs are legally separate organizations. They must obtain their own tax identification numbers, open their own bank accounts, perform their own accounting functions, and refrain from fundraising on school premises during the school day without board approval.

**Q. Is the student body required to bid large contracts like a school district does? What about a yearbook contract – does that have to go to bid?**

A. Yes, the student body must follow the same procurement (purchasing) laws that school districts follow. Large purchases may require a formal bid process. Certain types of contracts are exempt from bidding requirements, such as contracts for professional services. The student body should contact the district business office to verify whether their larger contracts must follow the bid process.



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**Q. Our school charges a variety of fees at the beginning of the year for items including, but not limited to, band uniforms and art and woodshop supplies. Our business office personnel told us to stop charging the fees and to never penalize students for not paying them (i.e. no admittance to the dance or the year-end Magic Mountain trip). Can they do this?**

A. Yes, they can and should do this. The California Constitution provides for a free school system. Since 1874, the California Supreme Court has interpreted this to mean that students are entitled to be educated at the public's expense. Title 5, California Code of Regulations, section 350, specifically states:

A pupil enrolled in a school shall not be required to pay any fee, deposit, or other charge not specifically authorized by law.

The State Board of Education has also reiterated that no fees are to be charged except where specifically authorized by law. This understanding is based on the authority in Article IX, Section 5 of the California Constitution. The Attorney General has also made it clear in many opinions that school districts cannot levy fees as a condition for participation in any class, whether elective or compulsory. Such prohibited fees include security deposits for locks, lockers, books, class apparatus, musical instruments, uniforms or other equipment. Clearly, students may not be charged fees for participation in either curricular or extracurricular activities. Whenever a particular curriculum or extracurricular program is adopted, all supplies, both necessary and supplemental, must be provided free of charge by the district.

Without question, the fee for the band uniform is not allowable.

The fee for the woodshop supplies is also not allowable if charged at the beginning of the school year. However, Education Code section 17551 allows (but does not require) the district to charge for the actual cost of the materials used to make a project at the end of the school year if the student wishes to take the item home. This practice means that all students receive the same amount of materials and are able to make the same projects during the school year. At the end of the year students may take the items home for free or, if the governing board has authorized sales of the projects via board policy, it is allowable to charge a fee for the actual cost of the materials used. Thus if board policy is in place, the projects can be sold to a student at a price that does not exceed the direct cost of the materials. This education code section applies to classes such as woodshop or sewing where an item is taken home by the students, but not when the items remain at school. It also does not apply to food in home economic classes, which is eaten as part of the coursework.

If this materials fee is charged after the fact, the money would belong to the district, not the ASB, because the district purchased the materials in the first place.

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**Q. Our high school requires its AP students to prepay nonrefundable AP exam fees. These fees are kept in an ASB account. Shouldn't these fees be processed through the district's regular financial system?**

A. This question is often asked. Throughout the state about 50% of schools deposit the fees in ASB accounts and about 50% deposit them in district accounts. FCMAT believes that it is more appropriate to deposit the fees in district accounts.

**Q. Is it OK for athletic groups to charge members fees for transportation, uniforms, etc.?**

A. No. These are not appropriate fees. The California Constitution provides for a free school system. Since 1874, the California Supreme Court has interpreted this to mean that students are entitled to be educated at the public's expense. Title 5, California Code of Regulations, section 350, specifically states:

A pupil enrolled in a school shall not be required to pay any fee, deposit, or other charge not specifically authorized by law.

The State Board of Education has also reiterated that no fees are to be charged except where specifically authorized by law. This understanding is based on the authority in Article IX, Section 5 of the California Constitution. The Attorney General has also made it clear in many opinions that school districts cannot levy fees as a condition for participation in any class, whether elective or compulsory. Such prohibited fees include security deposits for locks, lockers, books, class apparatus, musical instruments, uniforms or other equipment. Clearly, students may not be charged fees for participation in either curricular or extracurricular activities. Whenever a particular curriculum or extracurricular program is adopted, all supplies, both necessary and supplemental, must be provided free of charge by the district.

The only transportation fees allowed by the education code have to do with home-to-school transportation and transportation to summer employment (which most school districts don't provide).

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**SECTION XII – LEGAL REFERENCES**

**BP 1230 SCHOOL-CONNECTED ORGANIZATIONS**

The Board of Trustees recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting the district's educational and extracurricular programs. The Board appreciates the contributions made by such organizations toward the Board's vision for student learning and for providing all district students with high-quality educational opportunities.

*(cf. 0200 - Goals for the School District)*

*(cf. 6020 - Parent Involvement)*

Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate within the district or at a district school.

A school-connected organization, including a booster club, parent-teacher association or organization, or other organization that does not include an associated student body or other student organization, shall be established and maintained as a separate entity from the school or district. Each school-connected organization shall be subject to its own bylaws and operational procedures or to the rules or bylaws of its affiliated state or national organization, as applicable.

In addition, activities by school-connected organizations shall be conducted in accordance with law, Board policies, administrative regulations, and any rules of the sponsoring school.

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

*(cf. 3290 - Gifts, Grants and Bequests)*

*(cf. 3554 - Other Food Sales)*

*(cf. 5030 - Student Wellness)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

The Superintendent or designee shall establish appropriate rules for the relationship between school-connected organizations and the district.

A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a district school or the students at that school. (Education Code 51521) Any school-connected organization seeking to engage in a fundraising activity in this regard must first complete a Request for Approval of Fundraising Activity Form to obtain prior written approval of the Superintendent or designee. The Superintendent or designee shall develop procedures and timelines for the review and consideration for approval of applicable fundraising activities by school-connected organizations.

*(cf. 1321 - Solicitation of Funds from and by Students)*

*(cf. 1330 - Use of School Facilities)*

*(cf. 3452 - Student Activity Funds)*

A school-connected organization may consult with the principal to determine school needs and priorities.

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Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)

(cf. 3260 - Fees and Charges)

### *Legal Reference:*

#### EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

35160 Authority of governing boards

38130-38138 Civic Center Act, use of school property for public purposes

48931 Authorization for sale of food by student organization

48932 Authorization for fund-raising activities by student organization

49011 Student Fees

49431-49431.7 Nutritional Standards

51520 Prohibited solicitation on school premises

51521 Fund-raising project

#### BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

#### GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

#### PENAL CODE

319-329 Lottery, raffle

#### CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

15575-15578 Requirements for foods and beverages outside the federal meals program

#### CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

#### UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

#### CODE OF FEDERAL REGULATIONS, TITLE 7

210.11 Competitive food services

220.12 Competitive food services

#### COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

### *Management Resources:*

#### FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS

2015 ASB Accounting Manual, Fraud Prevention Guide and Desk Reference

#### WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Fiscal Crisis and Management Assistance Team (FCMAT); <http://www.fcmat.org>

Policy

adopted: July 15, 2009

revised: October 20, 2016

revised: February 21, 2019

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**

Tulare, California

**Tulare Joint Union High School District  
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**AR 1230 SCHOOL-CONNECTED ORGANIZATIONS**

The purpose of this administrative regulation is to set out procedures governing the requirements for school-connected organizations to operate within the district or at a district school and to participate in fundraising activities to solicit funds to be used wholly or in part for the benefit of the district.

Request to Operate:

A school-connected organization's request for authorization to operate within the district or at a district school shall contain, as appropriate:

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records, either by district personnel or a certified public accountant, whenever any concern is raised regarding the use of the funds
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the principal of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability and/or directors and officers insurance when and in the manner required by law

*(cf. 1330 - Use of School Facilities)*

Requests for subsequent authorization shall be annually submitted to the Superintendent or designee, along with a financial statement showing all income and expenditures from fundraisers.

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If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his/her recommendation to the Governing Board for approval.

When deemed necessary by the Board or the Superintendent or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time.

Each school-connected organization shall abide by the following rules:

1. The organization shall not act as an agent of the district or school.
2. The organization shall not use the district's tax-exempt status and identification number. It shall be responsible for its own tax status, accounting, internal controls, financial reporting, retention of records, and other operations.
3. The organization shall use a separate name and logo. Any use of a name or logo affiliated with the district, a district school, or a school team shall require the prior consent of the Superintendent or designee.
4. Funds of the school-connected organization shall not be co-mingled with district funds, including associated student body funds.
5. The organization shall not hire or directly pay any district employee. If a school-connected organization wishes to pay for additional and/or extracurricular services, the person to provide the services shall be hired through the district's personnel department, provided the Board approves the position. At their discretion, employees may volunteer to perform activities for school-connected organizations during nonworking hours.

*(cf. 4127/4227/4327 - Temporary Athletic Team Coaches)*

### **Request to Engage in Fundraising Activities**

Any school-connected organization seeking to engage in a fundraising activity to solicit funds to be used wholly or in part for the benefit of a district school or the students at that school must first obtain written approval for that fundraising activity from the Superintendent or designee. To obtain written approval, the school-connected organization must complete a Request for Approval of Fundraising Activity Form subject to procedures developed by the Superintendent or designee.

A Request for Approval should clearly state the purpose of the fundraiser and how the proceeds will be used.

### **Prohibitions on Fundraising by School Connected Organizations**

**Tulare Joint Union High School District  
Student Body Activities Manual**

The following fundraising activities are prohibited by the District:

1. Activities that involve conduct that is lewd, obscene, libelous, or slanderous;
2. Activities that incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of schools;
3. Activities that are prohibited by law;
4. Activities that position the District on any side of a controversial issue;
5. Activities that promote the use or sale of materials or services that are illegal or inconsistent with school objectives;
6. Activities involving firearms, including, but not limited to, a raffle or action for a firearm;
7. Activities involving homemade food;
8. Activities involving soliciting donations on the streets or any form of panhandling; and
9. Activities that promote the use or sale of materials or services that are illegal or inconsistent with school objectives.

This is not an exhaustive list of all prohibited fundraising activities and all activities are subject to review and approval by the Superintendent or designee.

In addition, the following fundraising activities are allowed by the District with approval by the District's liability insurance carrier, but are prohibited from taking place on District property;

1. Activities involving fireworks, including a booth selling fireworks; and
2. Activities involving the possession, consumption, or sale of alcoholic beverages.

The district may refuse to permit the use of school facilities for non-school related purposes due to the safety or security reasons.

*(cf. 1330 – Use of School Facilities)*

Regulation  
approved: July 15, 2009  
revised: October 20, 2016  
revised: February 21, 2019

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**  
Tulare, California

## **Tulare Joint Union High School District Student Body Activities Manual**

### **BP 1321 Solicitation Of Funds From And By Students**

The Board of Trustees recognizes that student participation in fund-raising activities for the schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

*(cf. 1325 - Advertising and Promotion)*

*(cf. 4135/4235/4335 – Soliciting and Selling)*

*(cf. 5022 – Student and Family Privacy Rights)*

*(cf. 6142.4 – Service Learning/Community Service Classes)*

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fund-raising. Potential donors, including parents/guardians and members of the community, should not be unduly pressured to contribute to the school system or charitable organizations. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of fund-raisers.

### **Solicitations on Behalf of Charitable Organizations**

Because of the multiplicity of organizations and individuals seeking funds, in most instances for worthy purposes, all such groups or individuals shall be barred from directly soliciting contributions from school personnel and students, with the exception of any charity recommended by the California Department of Education. Other agencies, as recommended by the Superintendent and approved by the Board of Trustees may be granted the privilege of placing collection containers in each school outside the regular classrooms.

Additional direct solicitation of funds from school personnel and students tend to defeat the educational values, may embarrass children and frequently duplicates appeals made to the home.

All schools shall earnestly seek to educate students in the services performed by humanitarian agencies and shall encourage students to participate in their financial or other support as a social and community project, but no fund-raising drives are to be conducted by non-school agencies or for non-school activities among the school children, except as provided by law and approved by the Board.

### **Solicitations on Behalf of the School**

The Board believes that it is poor policy to use students for soliciting funds or in sales campaigns to finance extracurricular activities and desires to limit such activities to a minimum.

Students may engage in raising funds, under the control of the school, for certain approved student activities and for a limited number of charities, subject to the following conditions:



## **Tulare Joint Union High School District Student Body Activities Manual**

1. The project has the approval of the principal of the school involved.
2. The charity involved has been selected by the student body or student organization as one in which they wish to participate.

With the approval of the Superintendent or designee, school-support groups and organizations may organize fund-raising events involving students. A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a district school or the students at the school and comply with the requirements of the district's Board Policy and Administrative Regulation 1230. (Education Code 51521)

*(cf. 0420 – School Plans/Site Councils)*  
*(cf. 1230 – School-Connected Organizations)*  
*(cf. 1260 – Educational Foundation)*  
*(cf. 3290 – Gifts, Grants, and Bequests)*  
*(cf. 3554 - Other Food Sales)*

### *Legal Reference:*

#### EDUCATION CODE

*51520 Prohibited solicitations on school premises*

*51521 Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception*

#### BUSINESS AND PROFESSIONS CODE

*17510-17510.95 Charitable solicitations*

#### PENAL CODE

*319-329 Raffles*

#### REVENUE AND TAX CODE

*6361 Sales tax exemption for certain sales*

#### CODE OF REGULATIONS, TITLE 8

*11706 Dangerous activities and occupations*

### *Management Resources:*

#### CSBA PUBLICATIONS

*Healthy Food Policy Resource Guide, 2003*

#### ATTORNEY GENERAL PUBLICATIONS

*Guide to Charitable Solicitation, 1999*

*Attorney General's Guide for Charities, 1988*

#### WEB SITES

*Office of the Attorney General: <http://caag.state.ca.us>*

Policy  
adopted: July 15, 2009  
revised: February 21, 2019

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**  
Tulare, California

## **Tulare Joint Union High School District Student Body Activities Manual**

### **AR 1321 Solicitation Of Funds From And By Students**

The Superintendent or designee shall approve all fundraising activities at least 15 days before the activity. If the event involves a contract with a commercial vendor, the Superintendent or designee shall review the contract.

In order to minimize interruptions to the educational program, staff shall limit fundraising activities to appropriate time periods designated by the principal.

(cf. 6116 - Classroom Interruptions)

No student shall be required to raise a specified amount of money in order to participate in an activity sponsored by a school-related organization.

(cf. 1230 - School-Connected Organizations)

Students engaged in fundraising activities on behalf of the school or for school-related projects are expected to be courteous and respectful towards all individuals and businesses.

Regulation TULARE JOINT UNION HIGH SCHOOL DISTRICT

approved: July 15, 2009 Tulare, California

### **BP 1325 ADVERTISING AND PROMOTION**

The Board of Trustees establishes this policy to ensure effective and consistent standards for advertisements and promotions by nonschool groups in school-sponsored publications, on district and school web sites and social media, and on school facilities and grounds. Student speech shall be regulated in accordance with BP/AR 5145.2 - Freedom of Speech/Expression.

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 1330 - Use of School Facilities)*

*(cf. 5145.2 - Freedom of Speech/Expression)*

*(cf. 6145.5 - Student Organizations and Equal Access)*

#### **Limited Public Forum**

The Board desires to promote positive relationships between district schools and the community in order to enhance community partnerships, support, and involvement in the schools. The Superintendent or designee may, consistent with the criteria established in this policy, approve:

1. Distribution of noncommercial materials that publicize services, special events, public meetings, or other gatherings of interest to students or parents/guardians

## **Tulare Joint Union High School District Student Body Activities Manual**

*(cf. 1400 - Relations Between Other Governmental Agencies and the Schools)*

*(cf. 6162.8 - Research)*

2. Distribution of promotional materials of a commercial nature to students or parents/guardians

*(cf. 1700 - Relations Between Private Industry and the Schools)*

3. Paid advertisements on school property, including, but not limited to, advertisements on school buildings, athletic fields, scoreboards, and billboards
4. Paid advertisements in school-sponsored publications, yearbooks, announcements, and other school communications, web sites and social media
5. Products and materials donated by commercial enterprises for educational use, including those that bear the name and/or logo of the donor, as long as they do not unduly promote the donor or any commercial activity or product

*(cf. 3290 - Gifts, Grants and Bequests)*

*(cf. 6161.11 - Supplementary Instructional Materials)*

Prior to distribution, posting, or publishing of any nonschool group's promotional materials or advertisement, the Superintendent, principal, or designee shall review the materials or advertisement based on the criteria listed below. He/she may not disapprove materials or advertisement in an arbitrary or capricious manner or in a way that discriminates against a particular viewpoint on a subject that is otherwise allowed by Board policy.

All materials to be distributed shall bear the name and contact information of the sponsoring entity.

As necessary, the Superintendent, principal, or designee shall require a disclaimer on any nonschool group's promotional materials to be distributed, posted, or published, stating that the distribution, posting, or publishing of the materials does not imply district endorsement of the group's activities, products, or services. District- and school-sponsored publications shall include a disclaimer stating that the district or school does not endorse any advertised products or services.

### **Criteria for Approval**

The Superintendent, principal, or designee shall not accept for distribution, or allow on school property, any materials or advertisements that:

1. Are lewd, obscene, libelous or slanderous
2. Incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of the schools
3. Promote any particular political interest, candidate, party, or ballot measure, unless the

## **Tulare Joint Union High School District Student Body Activities Manual**

candidates or advocates from all sides are provided the opportunity to present their views to the students during school hours or during events scheduled pursuant to the Civic Center Act

*(cf. 1160 - Political Processes)*

*(cf. 4119.25/4219.25/4319.25 - Political Activities of Employees)*

4. Contain prayer or proselytizing language
5. Position the district on any side of a controversial issue

*(cf. 6144 - Controversial Issues)*

6. Discriminate against, attack or denigrate any group on account of any unlawful consideration

*(cf. 0410 - Nondiscrimination in District Programs and Activities)*

7. Promote the use or sale of materials or services that are illegal or inconsistent with school objectives, including, but not limited to, materials or advertisements for tobacco, intoxicants, and movies or products unsuitable for children

*(cf. 5131.6 - Alcohol and Other Drugs)*

*(cf. 5131.62 - Tobacco)*

8. Promote during the school day any food or beverage that does not comply with state nutritional standards pursuant to Education Code 49430-49434, including a corporate incentive program that offers free or discounted foods or beverages that do not meet nutritional standards as rewards for students who reach certain academic goals. This prohibition does not include advertising on clothing with brand images worn on school grounds, advertising contained in product packaging, or advertising of infrequent school fundraising events involving food or beverages that do not meet the nutritional standards. (Education Code 49431.9)

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 5030 - Student Wellness)*

9. Solicit funds or services for an organization, with the exception of solicitations authorized in Board policy

*(cf. 1321 - Solicitation of Funds from and by Students)*

10. Distribute unsolicited merchandise for which an ensuing payment is requested

The Superintendent or designee may also consider the educational value of the materials or advertisements, the age or maturity of students in the intended audience, and whether the materials

## **Tulare Joint Union High School District Student Body Activities Manual**

or advertisements support the basic educational mission of the district, directly benefit the students, or are of intrinsic value to the students or their parents/guardians.

(cf. 0000 - Vision)

Schools may establish additional criteria pertaining to the content of advertisements in school publications and yearbooks as deemed appropriate by the Superintendent or designee in accordance with law and Board policy.

### *Legal Reference:*

#### EDUCATION CODE

7050-7058 *Political activities of school officers and employees*

35160 *Authority of governing boards*

35160.1 *Broad authority of school districts*

35172 *Promotional activities*

38130-38139 *Civic Center Act*

49430-49434 *The Pupil Nutrition, Health, and Achievement Act of 2001, especially:*

49431.9 *Advertisement of non-nutritious foods*

#### BUSINESS AND PROFESSIONS CODE

25664 *Advertisements encouraging minors to drink*

#### CALIFORNIA CONSTITUTION

*Article 1, Section 2 Free speech rights*

#### U.S. CONSTITUTION

*Amendment 1, Freedom of speech and expression*

#### UNITED STATES CODE, TITLE 42

1751-1769j *School Lunch Program*

1773 *School Breakfast Program*

#### COURT CASES

*Hills v. Scottsdale Unified School District, (2003) 329 F.3d 1044*

*DiLoreto v. Downey Unified School District, (1999) 196 F.3d 958*

*Yeo v. Town of Lexington, (1997) 131 F.3d 241*

*Hemry v. School Board of Colorado Springs, (D.Col. 1991) 760 F.Supp. 856*

*Bright v. Los Angeles Unified School District, (1976), 18 Cal. 3d 450*

*Lehman v. Shaker Heights, (1974) 418 U.S. 298*

### *Management Resources:*

#### WEB SITES

CSBA: <http://www.csba.org>

Policy

adopted: July 15, 2009

revised: October 3, 2013

revised: May 3, 2018

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**

Tulare, California

**Tulare Joint Union High School District  
Student Body Activities Manual**

**BP 3450 MONEY IN SCHOOL BUILDINGS**

All monies collected by district employees and by student organizations shall be handled with good and prudent business procedures both to demonstrate the ability of employees to operate in that fashion, and to teach such procedures to the students.

All monies collected shall be receipted and accounted for and directed without delay to the proper location of deposit. In no case shall money be left overnight in schools or other sites except in safes provided for safekeeping of valuables.

*Legal Reference:*

EDUCATION CODE

*48933 Deposit or investment of student funds*

*48936 Additional uses of student funds*

*48937 Supervision and audit of student funds*

*48938 Trustee for funds of unorganized student body*

Policy  
adopted: January 23, 2003

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**  
Tulare, California

**BP 3452 Student Activity Funds**

The Board of Trustees recognizes that student organizations can provide students with an opportunity to conduct worthwhile cocurricular activities beyond those provided by the district and can also help students learn about effective financial practices. To that end, student organizations may raise and spend funds to support activities that promote the general welfare, morale, and educational experiences of the student body.

(cf. 3260 - Fees and Charges)

(cf. 5000 - Concepts and Roles)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.5 - Student Organizations and Equal Access)

**Fundraising Events**

At the beginning of each school year, each principal or designee shall submit to the Superintendent or designee a list of the fundraising events that each student organization proposes to hold that year. The Superintendent or designee shall review the proposed events

## **Tulare Joint Union High School District Student Body Activities Manual**

and determine whether the events contribute to the educational experience and are not in conflict with or detract from the school's educational program. When reviewing proposed events, the Superintendent or designee shall consider the effects of the activities on student health and safety, evaluate the risk of liability to the district, and ensure that the proposed activities are in compliance with law, Board policy, and administrative regulation.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 3530 - Risk Management/Insurance)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 5142 - Safety)

(cf. 5143 - Insurance)

### **Management of Funds**

Student body funds shall be managed in accordance with law and sound business procedures designed to encourage the largest possible educational return to students without sacrificing the security of funds.

The Superintendent or designee shall develop internal control procedures to safeguard the organization's assets, promote the success of fundraising ventures, provide reliable financial information, and reduce the risk of fraud and abuse. These procedures shall detail the oversight of activities and funds including, but not limited to, the appropriate role and provision of training for staff and students, parameters for events on campus, appropriate and prohibited uses of funds, and accounting and record-keeping processes, including procedures for handling questionable expenditures.

(cf. 3400 - Management of District Assets/Accounts)

The principal or designee shall be responsible for the proper conduct of all student organization financial activities. The budget adopted by the student body organization should serve as the financial plan for the school year and shall be submitted to the Superintendent or designee at the beginning of each school year. The Superintendent or designee shall periodically review the organization's use of funds to ensure compliance with the district's internal control procedures.

Funds derived from the student body shall be disbursed according to procedures established by the student organization. All disbursements must be approved by a Board-designated official, the certificated employee who is the student organization advisor, and a student organization representative. (Education Code 48933)

The Board shall provide an annual audit of student accounts by a certified public accountant or licensed public accountant. The cost of the audit shall be paid from district funds. (Education

## **Tulare Joint Union High School District Student Body Activities Manual**

Code 41020)

(cf. 3460 - Financial Reports and Accountability)

Legal Reference:

### **EDUCATION CODE**

35182.5 Non-nutritious foods and beverages, vending machines

35564 Funds, obligation of the student body

41020 Requirement for annual audit

48930-48938 Student body organization

49431 Sale of food and beverages, elementary school

49431.5 Sale of food and beverages, middle and high schools

51520 School premise, prohibited solicitations

51521 Fundraising projects

### **CODE OF REGULATIONS, TITLE 5**

15500 Food sales, elementary schools

15501 Food sales, middle and junior high schools

### **COURT DECISIONS**

Prince v. Jacoby, (2002) 303 F.3d 1074

Management Resources:

### **FISCAL CRISIS MANAGEMENT & ASSISTANCE TEAM PUBLICATIONS**

Associated Student Body Accounting Manual & Desk Reference, 2005

### **WEB SITES**

California Department of Education: <http://www.cde.ca.gov>

Fiscal Crisis Management & Assistance Team: <http://www.fcmat.org>

Policy TULARE JOINT UNION HIGH SCHOOL DISTRICT

adopted: July 15, 2009 Tulare, California



## **Tulare Joint Union High School District Student Body Activities Manual**

### **AR 3452 Student Activity Funds**

#### Student Body Funds

All student organizations which maintain a financial account shall follow the outlined procedures. The money shall be kept in the Student Body Fund under a separate account for each organization. The treasurer shall make periodic reports to the organization.

#### Cash Collections

To establish control of cash collections, the following procedures will be followed:

1. The treasurer of each organization will issue a prenumbered receipt in triplicate as funds are received. Copies of the receipts will be distributed, as follows:
  - a. Original to the person submitting the funds.
  - b. Duplicate to the district cashier.
  - c. Triplicate to remain in receipt book for auditing.
  - d. Mark spoiled receipt as VOID.
2. Prenumbered tickets will be used for all activities and strict accounting will be made of the numbers and the cash received.
3. Deposit of cash receipts from any source will be made to the school cashier as soon as possible after monies are received, and in no case will disbursements be made from receipts.

#### Expenditures

To establish control of expenditures, the following procedures will be followed:

1. All expenditures must be approved by the club members or executives of said club.
2. Approval for the expenditure must be recorded in the minutes, kept in a permanent file and made available to members on a regular basis.
3. Expenditures must be requested on student body purchase orders, signed by the sponsor and principal prior to disbursement of funds.
4. All expenditures will be supported by invoices or appropriate statements.

#### Records and Reports

Records and reports will be made by the organizational treasurer when an entry is made in the Cash Journal for each receipt issued, indicating:

1. Date received.

## **Tulare Joint Union High School District Student Body Activities Manual**

2. Receipt number.
3. From whom received.
4. Nature of the receipt.
5. Amount of receipt.

After completion of the listing of receipts in the cash journal by the class or club treasurer, the total cash covering the receipts shall be deposited with the cashier. A receipt will be issued by the cashier for the total of the receipts deposited which will be shown as a subtotal in the journal.

1. An entry will be made for each deposit made to the cashier showing:
  - a. Date of deposit.
  - b. Amount of deposit.
2. An entry will be made in the Cash Journal for each check issued, indicating the following information:
  - a. Date issued.
  - b. To whom issued.
  - c. Purpose of expenditure.
  - d. Check number and requisition number.
  - e. Amount of check.
3. Club sponsors and treasurers shall check with the Business Office at the beginning of the year to implement these procedures.
4. The district will arrange to have student body accounts audited annually.

### **Inactive Student Body and Scholarship Accounts**

When a club becomes inactive for two consecutive years, its account shall be closed and the funds transferred to the Student Council. If the club is reactivated, the Student Council shall decide whether or not to restore said funds to the new club.

Accounts left by graduating classes shall be closed at the end of five years and funds shall be transferred to the Student Council for the purpose of campus improvement projects. Whenever practical, the class shall be given recognition for participating in the improvement project selected by the Student Council. Amounts which are in arrears shall be assumed immediately by the Student Council. The Class Council may make provisions at the time of graduation to earmark a limited amount of money for use in arranging for the first class reunion. (Postage and

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cost of mailers is acceptable.)

Designated scholarship accounts not used for three consecutive years shall be cleared and the account balance transferred to a general scholarship fund maintained by the district. Funds from the general scholarship account shall be available to the school scholarship committees in amounts proportional to the size of each student body. The amounts to be released each year will be determined by the Assistant Superintendent for Business. Reasonable efforts will be made to contact the original donor of the designated scholarship prior to closing the account.

Regulation TULARE JOINT UNION HIGH SCHOOL DISTRICT

approved: January 23, 2003 Tulare, California

**BP 3554 Other Food Sales**

The Board of Trustees believes that sales of foods and beverages at school during the school day should be aligned with the district's goals to promote student wellness. Any food sales conducted outside the district's food service program shall meet nutritional standards specified in law, Board policy, and administrative regulation and shall not reduce student participation in the district's food service program.

(cf. 3550 - Food Service/Child Nutrition Program)

(cf. 3551 - Food Service Operations/Cafeteria Fund)

(cf. 3553 - Free and Reduced Price Meals)

(cf. 5030 - Student Wellness)

(cf. 5141.27 - Food Allergies/Special Dietary Needs)

The Board authorizes the Superintendent or designee to approve the sale of foods and beverages outside the district's food service program, including sales by student or school-connected organizations, sales through vending machines, and/or sales at secondary school student stores for fundraising purposes.

(cf. 1230 - School-Connected Organizations)

(cf. 1321 - Solicitations of Funds from and by Students)

When vending machines are sponsored by the district or a student or adult organization, the Superintendent or designee shall determine how and where vending machines may be placed at school sites, district offices, or other school facilities.

(cf. 3312 - Contracts)

Legal Reference:

## **Tulare Joint Union High School District Student Body Activities Manual**

### EDUCATION CODE

35182.5 Contracts, non-nutritious beverages

48931 Authorization and sale of food

49430-49436 Pupil Nutrition, Health, and Achievement Act of 2001

51520 School premises; prohibited solicitations

### CODE OF REGULATIONS, TITLE 5

15500 Food sales in elementary schools

15501 Sales in high schools and junior high schools

15575-15578 Requirements for foods and beverages outside federal meals program

### HEALTH AND SAFETY CODE

113700-114437 California Retail Food Code

### UNITED STATES CODE, TITLE 42

1751-1769h National School Lunch Act, including:

1751 Note Local wellness policy

1771-1791 Child nutrition, School Breakfast Program

### CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.1-220.21 National School Breakfast Program

### Management Resources:

#### CSBA PUBLICATIONS

Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. October 2007

Monitoring for Success: Student Wellness Policy Implementation Monitoring Report and Guide, 2007

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. April 2006

### CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

**Tulare Joint Union High School District  
Student Body Activities Manual**

06-110 Restrictions on Food and Beverage Sales Outside of the School Meal Program, August 2006

**FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM PUBLICATIONS**

Associated Student Body Accounting Manual and Desk Reference, 2002

**NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS**

Fit, Healthy and Ready to Learn, 2000

**WEB SITES**

CSBA: <http://www.csba.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):  
<http://www.californiaprojectlean.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Fiscal Crisis and Management Assistance Team: <http://www.fcmat.org>

National Association of State Boards of Education (NASBE): <http://www.nasbe.org>

U.S. Dept. of Agriculture, Food and Nutrition Information Center:  
<http://www.nal.usda.gov/fnic>

Policy TULARE JOINT UNION HIGH SCHOOL DISTRICT

adopted: July 15, 2009 Tulare, California

**AR 3554 OTHER FOOD SALES**

**Requirements for Schools Participating in Federal Meal Program**

For any district school participating in the National School Lunch and/or Breakfast Program, food and beverage sales conducted outside the district's food service program on school campuses during the school day shall comply with applicable nutritional standards specified in 7 CFR 210.11 and 220.12 or with state nutrition standards in Education Code 49431-49431.7 and 5 CCR 15500-15501 and 15575-15578, whichever rule is stricter.

## **Tulare Joint Union High School District Student Body Activities Manual**

These standards shall apply to all competitive foods and beverages sold from midnight before the school day to one-half hour after the end of the school day (7CFR 210.11)

In any middle or high school, a student organization may be approved to sell food items during or after the school day if all of the following conditions are met: (5 CCR 15501)

1. Only one student organization conducts a food sale on a given school day and the organization sells no more than three types of food or beverage items, except that up to four days during the school year may be designated on which any number of organizations may conduct the sale of any food items.
2. The specific nutritious food items are approved by the Superintendent or designee in accordance with Board policy.
3. Food items sold during the regular school day are not prepared on the premises.
4. The food items sold are not those sold in the district's food service program at that school during that school day.

The Superintendent or designee shall maintain records, and shall require organizations selling foods and beverages to maintain records, to document compliance with federal nutrition standards for all competitive foods and beverages sold through and outside the district's food services program. At a minimum, these records shall include receipts, nutrition labels, and/or product specifications. (7 CFR 210.11)

Regulation  
approved: July 15, 2009  
revised: June 19, 2014  
revised: January 22, 2015

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**  
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### **BP 4135 Soliciting And Selling**

Employees shall not solicit district staff, students or their families with the intent to sell general merchandise, books, equipment or services for their own personal profit or benefit. Solicitation of students and staff on behalf of the school or other charitable organizations shall be conducted in accordance with applicable Board policy and administrative regulation.

(cf. 1325 - Advertising and Promotion)

**Tulare Joint Union High School District  
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(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 4136/4236/4336 - Tutoring)

(cf. 5022 - Student and Family Privacy Rights)

Staff members shall respect the confidentiality of district employees and students and shall not use their status as district employees to secure information such as names, addresses, e-mail addresses, and telephone numbers for solicitations or use in personal profit-making or beneficial ventures.

(cf. 5125.1 - Release of Directory Information)

Educational tours may be promoted on school premises only if they are sponsored by the district. Employees engaged in planning, organizing or leading tours as private, non-district-sponsored businesses shall make it clear that they do not represent the school or district. All activities related to such tours must be carried on outside of school hours and off school premises.

(cf. 3312.2 - Educational Travel Program Contracts)

Staff participation in "flower funds," "anniversary funds" or other similar funds shall be voluntary.

(cf. 4161.9/4261.9/4361.9 - Catastrophic Leave Program)

Legal Reference:

EDUCATION CODE

51520 Prohibited solicitations on school premises

Policy TULARE JOINT UNION HIGH SCHOOL DISTRICT

adopted: July 15, 2009 Tulare, California

**BP 5030 STUDENT WELLNESS**

The Board of Trustees recognizes the link between student health and learning and desires to provide a comprehensive program promoting healthy eating and physical activity for students of this school district. The Superintendent or designee shall build a coordinated school health system that supports and reinforces health literacy through health education, physical education, health services, nutrition services, psychological and counseling services, health promotion for staff, a safe and healthy school environment. In addition, the Superintendent or designee shall develop strategies promoting staff wellness and for involving parents/guardians and the community reinforcing students' understanding and appreciation of the importance of a healthy lifestyle.

## **Tulare Joint Union High School District Student Body Activities Manual**

*(cf. 1020 - Youth Services)*  
*(cf. 3513.3 - Tobacco-Free Schools)*  
*(cf. 3514 - Environmental Safety)*  
*(cf. 5131.6 - Alcohol and Other Drugs)*  
*(cf. 5131.61 - Drug Testing)*  
*(cf. 5131.62 - Tobacco)*  
*(cf. 5131.63 - Steroids)*  
*(cf. 5141 - Health Care and Emergencies)*  
*(cf. 5141.22 - Infectious Diseases)*  
*(cf. 5141.3 - Health Examinations)*  
*(cf. 5141.31 - Immunizations)*  
*(cf. 5141.32 - Health Screening for School Entry)*  
*(cf. 5141.6 - School Health Services)*  
*(cf. 6142.1 - Sexual Health and HIV/AIDS Prevention Education)*  
*(cf. 6164.2 - Guidance/Counseling Services)*

### **School Wellness Council**

The Superintendent or designee shall encourage parents/guardians, students, food service employees, physical education teachers, school health professionals, Board members, school administrators, and members of the public to participate in the development, implementation, and periodic review and update of the district's student wellness policy. (42 USC 1758b; 7 CFR 210.30)

To fulfill this requirement, the Superintendent or designee may appoint a school wellness council or other district committee and a wellness council coordinator. The council may include representatives of the groups listed above, as well as health educators, curriculum directors, counselors, before- and after-school program staff, health practitioners, and/or others interested in school health issues.

*(cf. 1220 - Citizen Advisory Committees)*  
*(cf. 9140 - Board Representatives)*

The Superintendent or designee may make available to the public and school community a list of the names, position titles, and contact information of the wellness council members.

The wellness council shall advise the district on health-related issues, activities, policies, and programs. At the discretion of the Superintendent or designee, the duties of the council may also include the planning, implementation, and evaluation of activities to promote health within the school or community.

### **Goals for Nutrition, Physical Activity, and Other Wellness Activities**

The Board shall adopt specific goals for nutrition promotion and education, physical activity, and other school-based activities that promote student wellness. In developing such goals, the Board



## **Tulare Joint Union High School District Student Body Activities Manual**

shall review and consider evidence-based strategies and techniques. (42 USC 1758b; 7 CFR 210.30)

*(cf. 0000 - Vision)*

*(cf. 0200 - Goals for the School District)*

The district's nutrition education and physical education programs shall be based on research, shall be consistent with the expectations established in the state's curriculum frameworks and content standards, and shall be designed to build the skills and knowledge that all students need to maintain a healthy lifestyle.

*(cf. 6011 - Academic Standards)*

*(cf. 6142.7 - Physical Education and Activity)*

*(cf. 6142.8 - Comprehensive Health Education)*

*(cf. 6143 - Courses of Study)*

The nutrition education program shall include, but is not limited to, information about the benefits of healthy eating for learning, disease prevention, weight management, and oral health. Nutrition education shall be provided as part of the health education program and, as appropriate, shall be integrated into other academic subjects in the regular educational program, before- and after-school programs, summer learning programs, and school garden programs.

*(cf. 5148.2 - Before/After School Programs)*

*(cf. 6177 - Summer Learning Programs)*

All students shall be provided opportunities to be physically active on a regular basis. Opportunities for moderate to vigorous physical activity shall be provided through physical education and recess and may also be provided through school athletic programs, extracurricular programs, before- and after-school programs, summer learning programs, programs encouraging students to walk or bicycle to and from school, in-class physical activity breaks, and other structured and unstructured activities.

*(cf. 5142.2 - Safe Routes to School Program)*

*(cf. 6145 - Extracurricular and Cocurricular Activities)*

*(cf. 6145.2 - Athletic Competition)*

The Board may enter into a joint use agreement or memorandum of understanding to make district facilities or grounds available for recreational or sports activities outside the school day and/or to use community facilities to expand students' access to opportunity for physical activity.

*(cf. 1330.1 - Joint Use Agreements)*

Professional development may be regularly offered to the nutrition program director, managers, and staff, as well as health education teachers, physical education teachers, coaches, activity supervisors, and other staff as appropriate to enhance their knowledge and skills related to student and health and wellness.

*(cf. 4131 - Staff Development)*

## **Tulare Joint Union High School District Student Body Activities Manual**

*(cf. 4231 - Staff Development)*

*(cf. 4331 - Staff Development)*

In order to ensure that students have access to comprehensive health services, the district may provide access to health services at or near district schools and/or may provide referrals to community resources.

The Board recognizes that a safe, positive school environment is also conducive to students' physical and mental health and thus prohibits bullying and harassment of all students, including bullying on the basis of weight or health condition.

*(cf. 5131.2 - Bullying)*

*(cf. 5145.3 - Nondiscrimination/Harassment)*

The Superintendent or designee shall encourage staff to serve as positive role models for healthy eating and physical fitness. He/she shall promote work-site wellness programs and may provide opportunities for regular physical activity among employees.

### **Nutrition Guidelines for All Food Available at School**

For all foods and beverages available on each campus during the school day, the district shall adopt nutrition guidelines which are consistent with 42 USC 1758, 1766, 1773, and 1779 and federal regulations and which support the objectives of promoting student health and reducing childhood obesity. (42 USC 1758b)

In order to maximize the district's ability to provide nutritious meals and snacks, all district schools shall participate in available federal school nutrition programs, including the National School Lunch and School Breakfast Programs and after-school snack programs, to the extent possible. When approved by the California Department of Education, the district may sponsor a summer meal program.

*(cf. 3550 - Food Service/Child Nutrition Program)*

*(cf. 3552 - Summer Meal Program)*

*(cf. 3553 - Free and Reduced Price Meals)*

*(cf. 5141.27 - Food Allergies/Special Dietary Needs)*

*(cf. 5148 - Child Care and Development)*

*(cf. 5148.3 - Preschool/Early Childhood Education)*

The Superintendent or designee shall provide access to free, potable water in the food service area during meal times in accordance with Education Code 38086 and 42 USC 1758, and shall encourage students' consumption of water by educating them about the health benefits of water and by serving water in an appealing manner.

The Board believes that all foods and beverages sold to students at district schools, including those available outside the district's reimbursable food services program, should support the health curriculum and promote optimal health. Nutrition standards adopted by the district for foods and beverages provided through student stores, vending machines, or other venues shall meet or exceed state and federal nutrition standards.

## **Tulare Joint Union High School District Student Body Activities Manual**

*(cf. 3312 - Contracts)*

*(cf. 3554 - Other Food Sales)*

The Superintendent or designee shall encourage school organizations to use healthy food items or non-food items for fundraising purposes.

He/she also shall encourage school staff to avoid the use of non-nutritious foods as a reward for students' academic performance, accomplishments, or classroom behavior.

School staff shall encourage parents/guardians or other volunteers to support the district's nutrition education program by considering nutritional quality when selecting any snacks which they may donate for occasional class parties. Class parties or celebrations shall be held after the lunch period when possible.

To reinforce the district's nutrition education program, the Board prohibits the marketing and advertising of foods and beverages that do not meet nutrition standards for the sale of foods and beverages on campus during the school day. (7 CFR 210.30)

*(cf. 1325 - Advertising and Promotion)*

### **Program Implementation and Evaluation**

The Superintendent designates the individual(s) identified below as the individuals(s) responsible for ensuring that each school site complies with the district's wellness policy. (42 USC 1758b; 7 CFR 210.30)

Director of Special Education  
(559) 688-2021  
jason.edwards@tulare.k12.ca.us

*(cf. 0500 - Accountability)*

*(cf. 3555 - Nutrition Program Compliance)*

The Superintendent or designee shall assess the implementation and effectiveness of this policy at least once every three years. (42 USC 1758b; 7CFR 210.30)

The assessment shall include the extent to which district schools are in compliance with this policy, the extent to which this policy compares to model wellness policies available from the U.S. Department of Agriculture, and a description of the progress made in attaining the goals of the wellness policy. (42 USC 1758b)

The Superintendent or designee shall invite feedback on district and school wellness activities from food service personnel, school administrators, the wellness council, parents/guardians, students, teachers, before- and after-school program staff, and/or other appropriate persons.

## **Tulare Joint Union High School District Student Body Activities Manual**

The Board and the Superintendent or designee shall establish indicators that will be used to measure the implementation and effectiveness of the district activities related to student wellness. Such indicators may include, but are not limited to:

1. Descriptions of the district's nutrition education, physical education, and health education curricula and the extent to which they align with state academic content standards and legal requirements
2. An analysis of the nutritional content of school meals and snacks served in all district programs, based on a sample of menus and production records
3. Student participation rates in all school meal and/or snack programs, including the number of students enrolled in the free and reduced-price meals program compared to the number of students eligible for that program
4. Extent to which foods and beverages sold on campus outside the food services program, such as through vending machines, student stores, or fundraisers, comply with nutrition standards
5. Extent to which other foods and beverages that are available on campus during the school day, such as foods and beverages for classroom parties, school celebrations, and rewards/incentives, comply with nutrition standards
6. Results of the state's physical fitness test at applicable grade levels
7. Number of minutes of physical education offered at each grade span, and the estimated percentage of class time spent in moderate to vigorous physical activity
8. A description of district efforts to provide additional opportunities for physical activity outside of the physical education program
9. A description of other districtwide or school-based wellness activities offered, including the number of sites and/or students participating, as appropriate

As feasible, the assessment report may include a comparison of results across multiple years, a comparison of district data with county, statewide, or national data, and/or a comparison of wellness data with other student outcomes such as academic indicators or student discipline rates.

In addition, the Superintendent or designee shall prepare and maintain the proper documentation and records needed for the administrative review of the district's wellness policy conducted by the California Department of Education (CDE) every three years.

The assessment results of both the district and state evaluations shall be submitted to the Board for the purposes of evaluating policy and practice, recognizing accomplishments, and making policy

## **Tulare Joint Union High School District Student Body Activities Manual**

adjustments as needed to focus district resources and efforts on actions that are most likely to make a positive impact on student health and achievement.

### **Notifications**

The Superintendent or designee shall inform the public about the content and implementation of the district's wellness policy and shall make the policy, and any updates to the policy, available the public on an annual basis. He/she shall also inform the public of the district's progress towards meeting the goals of the wellness policy, including the availability of the triennial district assessment. (Education Code 49432; 42 USC 1758b; 7 CFR 210.30)

*(cf. 5145.6 - Parental Notifications)*

The Superintendent or designee shall distribute this information through the most effective methods of communication, including district or school newsletters, handouts, parent/guardian meetings, district and school web sites, and other communications. Outreach to parents/guardians shall emphasize the relationship between student health and wellness and academic performance.

*(cf. 1100 - Communication with the Public)*

*(cf. 1112 - Media Relations)*

*(cf. 1113 - District and School Web Sites)*

*(cf. 1114 - District-Sponsored Social Media)*

*(cf. 6020 - Parent Involvement)*

Each school may post a summary of nutrition and physical activity laws and regulations prepared by the CDE.

### **Records**

The Superintendent or designee shall retain records that document compliance with 7 CFR 210.30, including, but not limited to, the written student wellness policy, documentation of the triennial assessment of the wellness policy for each school site, and documentation demonstrating compliance with the community involvement requirements, including requirements to make the policy and assessment results available to the public. (7 CFR 210.30)

*Legal Reference:*

**EDUCATION CODE**

33350-33354 *CDE responsibilities re: physical education*

38086 *Free fresh drinking water*

49430-49436 *Pupil Nutrition, Health, and Achievement Act of 2001*

49490-49494 *School breakfast and lunch programs*

49500-49505 *School meals*

49510-49520 *Nutrition*

49530-49536 *Child Nutrition Act*

49540-49546 *Child care food program*

## **Tulare Joint Union High School District Student Body Activities Manual**

49547-49548.3 *Comprehensive nutrition services*  
49550-49562 *Meals for needy students*  
49565-49565.8 *California Fresh Start pilot program*  
49570 *National School Lunch Act*  
51210 *Course of study, grades 1-6*  
51210.1-51210.2 *Physical education, grades 1-6*  
51210.4 *Nutrition education*  
51220 *Course of study, grades 7-12*  
51222 *Physical education*  
51223 *Physical education, elementary schools*  
51795-51798 *School instructional gardens*  
51880-51921 *Comprehensive health education*  
CODE OF REGULATIONS, TITLE 5  
15500-15501 *Food sales by student organizations*  
15510 *Mandatory meals for needy students*  
15530-15535 *Nutrition education*  
15550-15565 *School lunch and breakfast programs*  
UNITED STATES CODE, TITLE 42  
1751-1769j *National School Lunch Program, especially:*  
1758b *Local wellness policy*  
1771-1793 *Child Nutrition Act, especially:*  
1773 *School Breakfast Program*  
1779 *Rules and regulations, Child Nutrition Act*  
CODE OF FEDERAL REGULATIONS, TITLE 7  
210.1-210.3 *3 National School Lunch Program, especially:*  
210.30 *Wellness policy*  
220.1-220.23 *National School Breakfast Program*  
COURT DECISIONS  
*Frazer v. Dixon Unified School District, (1993) 18 Cal.App.4th 781*

### *Management Resources:*

CSBA PUBLICATIONS  
*Integrating Physical Activity into the School Day, Governance Brief, April 2016*  
*Increasing Access to Drinking Water in Schools, Policy Brief, April 2013*  
*Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, rev. 2012*  
*Nutrition Standards for Schools: Implications for Student Wellness, Policy Brief, rev. April 2012*  
*Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, rev. 2012*  
*Physical Activity and Physical Education in California Schools, Research Brief, April 2010*  
*Building Healthy Communities: A School Leader's Guide to Collaboration and Community Engagement, 2009*  
*Safe Routes to School: Program and Policy Strategies for School Districts, Policy Brief, 2009*  
*Physical Education and California Schools, Policy Brief, rev. October 2007*  
*School-Based Marketing of Foods and Beverages: Policy Implications for School Boards, Policy Brief, March 2006*  
CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS  
*Physical Education Framework for California Public Schools, Kindergarten Through Grade Twelve, 2009*  
*Health Framework for California Public Schools, Kindergarten Through Grade Twelve, 2003*  
CALIFORNIA PROJECT LEAN PUBLICATIONS

## **Tulare Joint Union High School District Student Body Activities Manual**

*Policy in Action: A Guide to Implementing Your Local School Wellness Policy, October 2006*  
CENTER FOR COLLABORATIVE SOLUTIONS

*Changing Lives, Saving Lives: A Step-by-Step Guide to Developing Exemplary Practices in*  
*Healthy Eating, Physical Activity and Food Security in Afterschool Programs, January 2015*

CENTERS FOR DISEASE CONTROL AND PREVENTION PUBLICATIONS

*School Health Index for Physical Activity and Healthy Eating: A Self-Assessment and Planning*  
*Guide, rev. 2012*

FEDERAL REGISTER

*Rules and Regulations* 4167 July 29, 2016, Vol. 81, Number 146, pages 50151-50170

NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS

*Fit, Healthy and Ready to Learn, rev. 2012*

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

*Dietary Guidelines for Americans, 2016*

WEB SITES

CSBA: <http://www.csba.org>

Action for Healthy Kids: <http://www.actionforhealthykids.org>

Alliance for a Healthier Generation: <http://www.healthiergeneration.org>

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

California Department of Public Health: <http://www.cdph.ca.gov>

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition):

<http://www.californiaprojectlean.org>

California School Nutrition Association: <http://www.calsna.org>

Center for Collaborative Solutions: <http://www.ccscenter.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Dairy Council of California: <http://www.dairycouncilofca.org>

National Alliance for Nutrition and Activity: <http://www.cspinet.org/nutritionpolicy/nana.html>

National Association of State Boards of Education: <http://www.nasbe.org>

School Nutrition Association: <http://www.schoolnutrition.org>

Society for Nutrition Education: <http://www.sne.org>

U.S. Department of Agriculture, Food Nutrition Service, wellness policy:

<http://www.fns.usda.gov/tn/Healthy/wellnesspolicy.html>

U.S. Department of Agriculture, Healthy Meals Resource System: <http://healthymeals.fns.usda.gov>

Policy

adopted: July 15, 2009

revised: February 2, 2012

revised: October 3, 2013

revised: August 17, 2017

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**

Tulare, California

### **AR 5030 STUDENT WELLNESS**

To implement a coordinated school health and wellness plan, the Superintendent or designee shall implement the following services and programs to support Nutrition Education and Physical Activity:

## **Tulare Joint Union High School District Student Body Activities Manual**

Nutrition Education – eating habits, healthy eating, and daily nutrition is directly related to the amount of nutrition education that a student receives. The school district will continue to support all programs that promote nutrition education for our students.

- a. Continue and increase nutrition education across the curriculum
- b. Promote health, fitness, and aerobics classes within all master schedules
- c. Leadership classes will create an appointed position within their class titled: Wellness Coordinator. This person would be responsible for promoting nutrition education and information to students.
- d. Coaches will increase the amount of nutrition education they provide to their student athletes. Athletic directors will disseminate information to their coaches regarding nutrition, wellness, and health issues that may be shared with student athletes.
- e. All campuses will increase the use of bulletin boards to promote nutrition education.
- f. Daily bulletins will continue to promote nutrition education in addition to school meal plans.
- g. Nutrition information will be included in all principal newsletters, and this information will be provided through the district’s wellness committee.
- h. Cafeterias on campuses will promote a food and/or fruit of the month to educate students on healthy food choices.
- i. Cafeterias will periodically offer free samples of new “healthier” foods to students during lunchtime.

*(cf. 6142.8 - Comprehensive Health Education)*

Physical Activity – all students will have access to physical education and physical activities on campus. Student wellness is directly related to the amount of physical activity they are involved with, along with making healthy choices. The school district will continue to support all programs that promote physical activity.

- a. Further fitness testing beyond the 9<sup>th</sup> grade year.
- b. Track student fitness through an academic department.
- c. Conduct more heart rate and blood pressure checks.
- d. School sites will continue to promote in-class physical activity breaks.



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- e. School sites will continue to promote more noontime activities or leagues.
- f. Continue to promote participation in high school athletics.
- g. Students will be able to participate in health fairs on campus.
- h. Promote local health club memberships for students.
- i. Continue to establish learning goals and outcomes for all PE classes.
- j. Provide professional development activities for physical education teachers.
- k. Encourage students to walk, bike or otherwise actively commute to and from school.
- l. Create a “perpetual trophy” that is awarded to the school site with the highest percentage of student body participating in the Max Choboian walk/race each spring.
- m. Physical activity information will be included in all principal newsletters, and this information will be provided through the district’s wellness committee.

Regulation  
approved: October 2013

**TULARE JOINT UNION HIGH SCHOOL DISTRICT**  
Tulare, California

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**APPENDIX A**

**ASB FORMS**

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## **Application for Student Club**

- I. We the students of the \_\_\_\_\_ (name of school site), request permission to form a Student Club. Attach a list of the students sponsoring this application.
- II. This club will be called \_\_\_\_\_ and will have as its purpose: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- III. Mr./Mrs. \_\_\_\_\_ (name of certificated faculty member) will serve as the advisor for this club for the \_\_\_\_\_ school year.
- IV. We have attached:  
a. A typewritten copy of the proposed constitution.  
b. A copy of the proposed budget for this club for the school year.
- V. Submitted by:  
Student Club Representative: \_\_\_\_\_  
Signature, Title and Date  
Club Advisor: \_\_\_\_\_  
Signature, Title and Date
- Approved by:  
School Principal: \_\_\_\_\_  
Signature, Title and Date  
ASB President: \_\_\_\_\_  
Signature, Title and Date
- Recorded in Student Council Minutes on (date): \_\_\_\_\_

**Procedure:** 1) Obtain a faculty advisor; 2) Hold an organizational meeting in which officers are elected and a constitution is written; 3) Complete the application form; 4) Complete the proposed budget form; 5) Submit all the documentation to the ASB office for approval; 6) ASB will review the proposal then vote to approve or deny the proposed club.

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# BUDGET DEVELOPMENT

Club: \_\_\_\_\_

Fiscal Year : \_\_\_\_\_

BUDGET DEVELOPMENT FORMS MUST BE APPROVED  
BY ASB BY **SEPTEMBER 30TH** OF EACH SCHOOL YEAR

**Part I: Revenues** Total \$ \_\_\_\_\_

**Part II: Expenses** Total \$ \_\_\_\_\_

**Part III: Ending Balance and Carryover**

A. Difference between total revenues and expenses (Part I minus Part II): \$ \_\_\_\_\_

B. Plus carryover (ending balance) from prior year (from ASB Director): \$ \_\_\_\_\_

C. Projected ending balance (A plus B): \$ \_\_\_\_\_

Report prepared by club representative:

\_\_\_\_\_  
Signature and Date

Report reviewed by club advisor:

\_\_\_\_\_  
Signature and Date

Presented and approved by ASB on:  
(No later than Sept. 30th)

\_\_\_\_\_  
Signature, Title and Date

Approved by principal:

\_\_\_\_\_  
Signature and Date

Approved by business office:

\_\_\_\_\_  
Signature, Title and Date

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# BUDGET MONITORING FORM

Club Name & Number : \_\_\_\_\_

Fiscal Year : \_\_\_\_\_

BUDGET MONITORING FORMS DUE AT THE END OF EACH SEMESTER

<b>Part I: Revenues</b>	Original Budget	Actual YTD	Difference
	\$ _____	\$ _____	\$ _____

<b>Part II: Expenses</b>	Original Budget	Actual YTD	Difference
	\$ _____	\$ _____	\$ _____

**Part III: Budget Adjustments (if necessary)**

Increase/Decrease Projected Revenue by the following:

\$ \_\_\_\_\_

Increase/Decrease Projected Expenses by the following:

\$ \_\_\_\_\_

Report prepared by club representative:

\_\_\_\_\_  
Signature and Date

Report reviewed by club advisor:

\_\_\_\_\_  
Signature and Date

Presented and recorded in ASB Minutes:

\_\_\_\_\_  
Signature, Title and Date

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# Associated Student Body Minutes

Meeting Date: \_\_\_\_\_ Meeting Time: \_\_\_\_\_ Location: \_\_\_\_\_

The meeting was called to order by: \_\_\_\_\_

The minutes of the meeting dated \_\_\_\_\_ were read and approved (corrected and approved)

The following purchase orders were approved: *List below or attach separate listing*

Purchase Order #	Vendor Name	Amount	Purpose of Expenditure

Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

Vote Count: \_\_\_\_\_ Number For: \_\_\_\_ Number Opposed: \_\_\_\_\_

The following invoices were submitted for payment: *List below or attach separate listing*

Invoice #	Payable To	Amount	Purpose of Expenditure

Motion by: \_\_\_\_\_ Second by: \_\_\_\_\_

Vote Count: \_\_\_\_\_ Number For: \_\_\_\_ Number Opposed: \_\_\_\_\_

Communication and Reports:

Old Business:

New Business:

The Treasurer's report showed a balance of \$ \_\_\_\_\_ and was reviewed and approved (corrected and approved)

Submitted by:

Club Secretary: (Signature and Date) \_\_\_\_\_

Club Advisor: (Signature and Date) \_\_\_\_\_

Meeting Attendees: *List below or attach separate listing*

\_\_\_\_\_  
\_\_\_\_\_

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**Request for Fundraiser Approval**

One Proposed Fund Raiser per form

For ASB use only

Log # \_\_\_\_\_

Complete section A and submit to ASB for approval. You must attach the club meeting minutes that indicate your club/organization approved this proposed fund raiser. Your club advisor will be notified via email after ASB has addressed it in a formal meeting.

**Section A- For club requesting fund raiser to complete**

Today's Date: \_\_\_\_\_ Requesting Club/Organization: \_\_\_\_\_

Proposed Fundraiser Name: \_\_\_\_\_

Description of Fundraiser: \_\_\_\_\_

Date(s) of Proposed Fund Raiser: \_\_\_\_\_

What is being sold? \_\_\_\_\_

For how much? \_\_\_\_\_

Location of Proposed Fund Raiser: \_\_\_\_\_

Has this club/organization run this Proposed Fund Raiser previously? No Yes If yes, when? \_\_\_\_\_

Advisor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Student Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**NOTE: REVENUE ANALYSIS IS DUE TWO WEEKS AFTER CLOSE OF FUNDRAISER**

**Section B - For ASB use only**

Date ASB addressed Proposed Fundraiser: \_\_\_\_\_

ASB's Recommendation: \_\_\_ Yes \_\_\_ No \_\_\_ modify and resubmit

Rationale/suggested modification(s):

Activities Director signature: \_\_\_\_\_ Date: \_\_\_\_\_

ASB Student Representative Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Email notifications sent: \_\_\_ Advisor \_\_\_ District Office \_\_\_ Switchboard

Entered on Fundraising Log: \_\_\_\_\_ (date)







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**Ticket Tally Form**

Fiscal Year: \_\_\_\_\_

As payment is received by another party and each student enters through the door, please mark each payment as a tick mark, and count by fives. Example: „H#”

Date: \_\_\_\_\_ Location: \_\_\_\_\_ Preparer: \_\_\_\_\_

\$ \_\_\_\_\_ Tickets

\$ \_\_\_\_\_ Tickets


**Total tickets sold:** \_\_\_\_\_ x \$ \_\_\_\_\_ + \_\_\_\_\_ x \$ \_\_\_\_\_ = \_\_\_\_\_

**Total cash collected:** \_\_\_\_\_ - \_\_\_\_\_

**Difference (\$0/short/over)** \_\_\_\_\_

Report prepared by: \_\_\_\_\_  
Signature, Title and Date

Club Advisor: \_\_\_\_\_  
Signature, Title and Date

Principal or Designee: \_\_\_\_\_  
Signature, Title and Date

Presented to ASB on: \_\_\_\_\_  
Signature, Title and Date

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# Donation Form

Fiscal Year: \_\_\_\_\_

Name of Donor: \_\_\_\_\_

Street Address: \_\_\_\_\_

City, State and Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

Description of the donation: \_\_\_\_\_

*(If cash or check, show the exact amount; if other than cash or check, include a detailed description of each item, including serial number, color, etc.)*

Donor's estimate of value: \$ \_\_\_\_\_

Purpose of the donation: (ASB organization, school site or district program): \_\_\_\_\_

All donations in the form of cash or check should be forwarded to the district business office with this completed form. All other donations should have a completed form sent to the district business office. Explain below whether the donation is for the school site or a specific district program.

\_\_\_\_\_  
\_\_\_\_\_

Deposit to the following account(s): \_\_\_\_\_ %

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_-\_\_\_\_\_

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Report prepared by: \_\_\_\_\_

Signature, Title and Date

**The following must be completed prior to the Principal's signature if donation is for ASB.**

Reviewed by ASB Director: \_\_\_\_\_

Signature and Date

Date Approved by ASB : \_\_\_\_\_

Principal: \_\_\_\_\_

Signature and Date

**Tulare Joint Union High School District  
Student Body Activities Manual**

**Memorial Fund/Scholarship Fund General Information Sheet**

Fiscal Year: \_\_\_\_\_

Memorial/Scholarship Name: \_\_\_\_\_

School Site: \_\_\_\_\_

Year Established: \_\_\_\_\_ Initial Amount: \_\_\_\_\_

Contact Name: \_\_\_\_\_ Relationship: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

Bank Account for Funds: \_\_\_\_\_

Intended Purpose: \_\_\_\_\_

Selection Committee:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Selection Criteria: *(attach application and instructions if applicable)*

\_\_\_\_\_  
\_\_\_\_\_

Annual Award: \_\_\_\_\_

Special Instructions: \_\_\_\_\_

Received at: \_\_\_\_\_

Form prepared by: \_\_\_\_\_

Signature, Title and Date

Principal or Designee: \_\_\_\_\_

Signature, Title and Date

Presented to ASB on: \_\_\_\_\_

Signature, Title and Date

Business Office Approval: \_\_\_\_\_

Signature, Title and Date





**Tulare Joint Union High School District  
Student Body Activities Manual**

# ASB Request Form

**TULARE JOINT UNION HIGH SCHOOL DISTRICT - ASSOCIATED STUDENT ORGANIZATIONS**

426 N. Blackstone, Tulare, California 93274-4449 Telephone (559) 688-2021 Fax No.: (559) 687-7317

CURRENT DATE		SCHOOL SITE		PLEASE COMPLETE THE FOLLOWING SECTION BY CIRCLING THE APPROPRIATE ANSWER		
REQUESTED BY		ORGANIZATION		HAVE YOU PLACED THIS ORDER?	YES	NO
VENDOR		VENDOR TELEPHONE		DID YOU ATTACH AN ORDER FORM?	YES	NO
ADDRESS		VENDOR FAX NO.		COMPANY SHOULD RECEIVE THIS ORDER BY:	FAX	MAIL
CITY	STATE	ZIP CODE		ACCOUNT NO.:		
QUANTITY	DESCRIPTION			UNIT PRICE	TOTAL COST	
	This is not a purchase order					
Student Representative Signature: _____				Date: _____	SUBTOTAL	
Advisor Signature: _____				Date: _____	TAX	
Principal Signature: _____				Date: _____	SHIPPING	
Activities Director Signature: _____				Date: _____	TOTAL	

## Sale of Food by Student Organization Request Form

- All sales of food to students on campus within 30 minutes before school and 30 minutes after school **CANNOT** take place without approval from Cafeteria Manager.
- Request must be submitted to the Cafeteria Manager two weeks prior of event.
- Foods must meet the District Wellness Policy.

Organization Name \_\_\_\_\_

Name of Person Submitting the Request: \_\_\_\_\_

Contact Number & Email: \_\_\_\_\_

Location on Campus: \_\_\_\_\_

Date & Time of Event: \_\_\_\_\_

List all items you are requesting to sell. Must provide a print out of all nutritional specs from the packaging of each item.

Item Name	Calories from Fat	Calories from Saturated Fat	Sugar by Weight	Calories per Item	Grams of Fat

Approval

Denied *Reason Below*

Cafeteria Manager Name \_\_\_\_\_

Cafeteria Manager Signature \_\_\_\_\_

***Cafeteria Manager is only ensuring that the Food items meet the District Wellness Policy.  
The fundraiser must be approved by ASB.***

Tulare Joint Union High School District

Update 07-10-2013



# Tulare Joint Union High School District Student Body Activities Manual

## QUICK REFERENCE CARDS

## NON-CHARTER PUBLIC SCHOOLS

### MIDDLE/HIGH SCHOOL-FOOD RESTRICTIONS

References: *Education Code* sections 49430, 49431.2, 49431.7, *California Code of Regulations* sections 15575, 15577, 15578, *Code of Federal Regulations* sections 210.11, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

**Effective** from midnight to one-half hour after the end of the official school day.

**Applies to ALL** foods sold to students by any entity.

**Sold** means the exchange of food for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

"Snack" foods must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain item\* (or have one of these as the first ingredient), or
  - Be a combination food containing at least ¼ cup fruit or vegetable.
- AND must meet the following nutrition standards:**
- ≤ 35% calories from fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, dried fruit and nut/seed combo, fruit, non-fried vegetables, seafood), and
  - < 10% calories from saturated fat (except nuts, seeds, reduced-fat cheese or part skim mozzarella, dried fruit and nut/seed combo), and
  - ≤ 35% sugar by weight (except fruit\*\*, non-fried vegetables, dried fruit and nut/seed combo), and
  - < 0.5 grams trans fat per serving (no exceptions), and
  - ≤ 200 milligrams sodium per item/container (no exceptions), and
  - ≤ 200 calories per item/container (no exceptions)

#### Paired foods:

- If exempt food(s) are combined with nonexempt food(s) or added fat/sugar they must meet ALL nutrition standards above.
- If two foods exempt from one or more of the nutrition standards are paired together and sold as a single item, the item must meet for trans fat, sodium, and calories.

"Entrée" foods must be intended as the main dish and be a:

- Meat/meat alternate and whole grain rich food, or
- Meat/meat alternate and fruit or non-fried vegetable, or
- Meat/meat alternate alone (cannot be yogurt, cheese, nuts, seeds, or meat snacks = these are considered a "snack" food).

#### AND

A competitive entrée sold by District/School Food Service the day of or the day after it appears on the reimbursable meal program menu must be:

- ≤ 400 calories, and
- ≤ 35% calories from fat
- < 0.5 grams trans fat per serving

A competitive entrée sold by Food Service if NOT on the menu the day of or day after or any other entity (PTA, student organization, etc.) must meet one of the following general food standards:

- Be a fruit, vegetable, dairy, protein, or whole grain item (or have one of these as the first ingredient), or
- Be a combination food containing at least ¼ cup fruit or vegetable

**AND meet the following nutrition standards:**

- ≤ 35% calories from fat, and
- < 10% calories from saturated fat, and
- ≤ 35% sugar by weight, and
- < 0.5 grams trans fat per serving, and
- ≤ 480 milligrams sodium, and
- ≤ 350 calories

\* A whole grain item contains:

- The statement "Diets rich in whole grain foods... and low in total fat... may help reduce the risk of heart disease..." or
- A whole grain as the first ingredient, or
- A combination of whole grain ingredients comprising at least 51% of the total grain weight (manufacturer must verify), or
- At least 51% whole grain by weight.

\*\* Dried blueberries cranberries, cherries, tropical fruit, chopped dates, or chopped figs that contain added sugar are exempt from fat and sugar standards. Canned fruit in 100% juice only.

**CHECK YOUR DISTRICT'S WELLNESS POLICY FOR STRICTER RULES.**

Groups or individuals selling foods/beverages to students must keep their own records as proof of compliance.

### MIDDLE/HIGH SCHOOL-BEVERAGE RESTRICTIONS

References: *Education Code* Section 49431.5, *California Code of Regulations* Section 15576, *Code of Federal Regulations* sections 210.10, 210.11, 220.8, 220.12

A **middle/junior high** contains grades 7 or 8, 7 to 9, 7 to 10.

A **high school** contains any of grades 10 to 12.

**Effective** from midnight to one-half hour after the end of the official school day.

**Applies to ALL** beverages sold to students by any entity.

**Sold** means the exchange of beverages for money, coupons, vouchers, or order forms, when any part of the exchange occurs on a school campus.

**A compliant beverage must be marketed or labeled as a fruit and/or vegetable juice, milk, non-dairy milk, water, electrolyte replacement beverage/sports drink, or flavored water AND meet all criteria under that specific category.**

#### Compliant beverages:

1. Fruit or Vegetable juice:
  - a. ≥ 50% juice and
  - b. No added sweeteners
  - c. ≤ 12 fl. oz. serving size
2. Milk:
  - a. Cow's or goat's milk, and
  - b. 1% (unflavored), nonfat (flavored, unflavored), and
  - c. Contains Vitamins A & D, and
  - d. ≥ 25% of the calcium Daily Value per 8 fl. oz., and
  - e. ≤ 28 grams of total sugar per 8 fl. oz.
  - f. ≤ 12 fl. oz. serving size
3. Non-dairy milk:
  - a. Nutritionally equivalent to milk (see 7 *CFR* 210.10(d)(3), 220.8(i)(3)), and
  - b. ≤ 28 grams of total sugar per 8 fl. oz., and
  - c. ≤ 5 grams fat per 8 fl. oz.
  - d. ≤ 12 fl. oz. serving size
4. Water:
  - a. No added sweeteners
  - b. No serving size limit
5. Electrolyte Replacement Beverages (**HIGH SCHOOLS ONLY**)
  - a. Must be either ≤ 5 calories/8 fl. oz. (no calorie) OR ≤ 40 calories/8 fl. oz. (low calorie)
  - b. Water as first ingredient
  - c. ≤ 16.8 grams added sweetener/8 fl. oz.
  - d. 10-150 mg sodium/8 fl. oz.
  - e. 10-90 mg potassium/8 fl. oz.
  - f. No added caffeine
  - g. ≤ 20 fl. oz. serving size (no calorie) OR ≤ 12 fl. oz. serving size (low calorie)
6. Flavored Water (**HIGH SCHOOLS ONLY**)
  - a. Must be either ≤ 5 calories/8 fl. oz. (no calorie) OR ≤ 40 calories/8 fl. oz. (low calorie)
  - b. No added sweetener
  - c. No added caffeine
  - d. ≤ 20 fl. oz. serving size (no calorie) OR ≤ 12 fl. oz. serving size (low calorie)

All beverages must be caffeine-free (trace amounts are allowable).

### MIDDLE/HIGH SCHOOL-STUDENT ORGANIZATIONS

Reference: *California Code of Regulations* Section 15501

**Student organization** is defined as a group of students that are NOT associated with the curricula or academics of the school or district.

**Effective** from midnight to one-half hour after the end of the official school day.

Student organization sales must comply with all food and beverage standards AND all of the following:

1. Up to **three categories** of foods or beverages may be sold each day (e.g., chips, sandwiches, juices, etc.).
2. Food or beverage item(s) must be **pre-approved** by the governing board of the school district.
3. Only **one student organization** is allowed to sell each day.
4. Food(s) or beverage(s) **cannot be prepared on campus**.
5. The food or beverage categories sold **cannot** be the same as the categories sold in the food service program at that school during the same school day.
6. In addition to one student organization sale each day, any and all student organizations may sell on the same four designated days per year. School administration may set these dates.

# Tulare Joint Union High School District Student Body Activities Manual

## Success Stories

Get ideas from these successful fundraising stories from Team Nutrition Grantees and HealthierUS School Challenge schools.

### The Sparkle Run at Crocker Elementary in Iowa raised over \$25,000!

The Parent Teacher Organization at Crocker Elementary, Ankeny Community School District in Ankeny, Iowa, coordinated its first ever 5K run/walk with a Kids Fun Run. The "Sparkle Run" was held in memory of Erin Moomey, a student of Crocker Elementary who lost her battle with cancer in 2013 at the age of 11. All proceeds from the event went towards a new playground at Blank Children's Hospital, something that Erin always wanted to make happen. The PTO raised over \$25,000 through race registrations and silent auction donations. Due to the success of the 5K, the PTO is planning to hold one each year.



### The Read-a-Thon fundraiser at North Trail Elementary in Minnesota raised over \$10,000!

Reading, one of the basic elements of a good education, can also be an engaging fundraising opportunity. North Trail

Elementary School, Independent School District 192 in Farmington, Minnesota, with a student enrollment of approximately 600, coupled its annual Read-a-Thon with a fundraiser that generated over \$10,000. In the 10 days leading up to the Read-a-Thon, students asked for pledges -- motivated by the incentive that the two students who brought the most pledges would get to be "principal for the day." Donors were motivated by knowing that all of the funds would help keep the school library open during the summer months and stock the library with new nonfiction, reference, and autobiographical books for students to use.

### Tyler Consolidated High School in Tyler County, West Virginia, raised \$5,000!

Tyler Consolidated High School holds a Future Farmers of America (FFA) chapter fundraiser every year. During the Christmas/December fundraiser, the FFA chapter sells boxes of fruit, as well as fruit baskets. This fundraiser typically gives the FFA a profit of \$5,000, which is a huge success since the school is located in a small county. In February, the FFA chapter, along with a community volunteer, conducts a Strawberry Sale and it typically earns each club a profit of \$1,000-\$1,500. The school nutrition director supports the fundraiser by purchasing boxes of fruit such as apples, oranges, and pears, and then strawberries in February, which serve as a wonderful supplement to the school meal program.



### Milton Elementary School in Milton, Delaware, raised \$700!



Each year at Milton Elementary, there is an annual fundraising event to raise money for the local Relay for Life (American Cancer Society). During the Hat Day event at the school, students bring in their favorite hat and purchase a special tag for \$1 which is placed on the hat. The tag gives the student permission to wear the hat for the entire day. Some students donate extra money and buy tags for others. The display of unique hats that the students wear makes this a special fundraiser. With over 500 students, Milton Elementary School raises between \$600 and \$700 each year!

WHAT ARE YOU  
WAITING FOR ?



Step Outside of the Box  
and Make Your Fundraisers  
Healthy Today!



United States Department of Agriculture

Best

Practices

for

Healthy

School

Fundraisers

Resources and Ideas to  
Make Your Next Fundraiser  
Healthy and Successful



# Tulare Joint Union High School District Student Body Activities Manual

## Be a Healthy School Fundraiser Champion!

Fundraisers can help your school earn extra money for different activities, events, and equipment that keep students excited and engaged. Just like any other school activity, if your school chooses to do fundraisers, they should communicate the same messages that support the goals of a healthy school environment while still earning money. Make it a priority to plan "healthy" fundraisers that sell nonfood items or foods that meet the Smart Snacks nutrition standards. Healthy fundraisers can be practical and profitable for your school!



## Smart Snacks in Schools Make Healthy Choices Easier!

All foods and beverages available for sale to students in schools are required to include more whole grains, low-fat dairy, fruits, vegetables, and leaner proteins. Food items sold during the school day are also lower in saturated fat, added sugar, and sodium and provide more of the nutrients kids need. As a supporter of healthy fundraising, you help make sure that food fundraisers meet the Smart Snacks nutrition standards.

### NOTE

All foods sold during the school day must be checked to ensure they meet the Smart Snacks nutrition standards. The Alliance for a Healthier Generation's *Smart Snacks Product Calculator and Product Navigator* can help you determine whether or not a product meets the Smart Snacks nutrition standards. [https://www.healthiergeneration.org/live\\_healthier/eat\\_healthier/](https://www.healthiergeneration.org/live_healthier/eat_healthier/)

## Do All Food Fundraisers Have To Meet Smart Snack Requirements?

States may exempt infrequent food fundraisers from the Smart Snacks nutrition standards. The number of exempt fundraisers is determined by State agencies, so make sure your district's fundraisers and events are consistent with your State's policy. Regardless of whether your State has fundraiser exemptions or not, it is important to know:

- ▶ There are no limits on the number of fundraisers that sell nonfood items.
- ▶ There are no limits on food and beverage fundraisers held **during the school day** if such fundraisers include only foods and/or beverages that meet the Smart Snacks nutrition standards.
- ▶ Fundraisers that occur **after school hours** (30 minutes after the end of the instructional day) may sell foods and beverages that do not meet the Smart Snacks nutrition standards.



## Fundraising Ideas

There are many creative ways to make your fundraisers healthier. Work with your school nutrition service, teachers, coaches, parents, local businesses, local chefs, dietitians, local college/university students, and community volunteers to plan and organize great and profitable fundraising events.

- ▶ The *Team Nutrition Popular Events Idea Booklet* has many ideas for events, activities, and fundraisers, as well as an events calendar. <http://www.fns.usda.gov/team-nutrition-popular-events-idea-booklet>
- ▶ Need some healthy fundraising ideas? Check out this link to get your school going: <http://healthymeals.nal.usda.gov/healthyfundraising>
- ▶ *Smart Snacks in School: Fundraisers* highlights the important things you need to know about Smart Snacks and Fundraising. [http://www.fns.usda.gov/sites/default/files/allfoods\\_fundraisers.pdf](http://www.fns.usda.gov/sites/default/files/allfoods_fundraisers.pdf)
- ▶ Our partner, The Alliance for a Healthier Generation, has fundraising resources to help raise money and bring in local support. [https://schools.healthiergeneration.org/focus\\_areas/snacks\\_and\\_beverages/fundraisers/](https://schools.healthiergeneration.org/focus_areas/snacks_and_beverages/fundraisers/)