

Chapter 4 – Forming an ASB

Organized vs. Unorganized ASBs

ASB organizations are classified as either organized or unorganized. In general, unorganized ASBs are those where the students do not govern the ASB organization, whereas organized ASBs are those where the students organize their activities around student clubs and a student council, have more authority, and are the primary decision-makers. The requirements for unorganized ASBs are usually not as complex or specific as for organized ASBs (see [Chapter 2 – Unorganized ASBs](#)). Except where noted, guidance in this manual applies to both types of organizations.

Unorganized ASBs may Operate as Organized, but Organized ASBs Cannot Operate as Unorganized

Although it is allowable for an unorganized ASB to operate as if it is an organized ASB, it is not appropriate for an organized ASB to operate as if it is unorganized. If it is decided to run the unorganized ASB as organized, it is up to the district whether that means that all rules pertaining to organized ASBs will apply, or only some (for example, the principal/school administrator could still make all decisions without students voting, but there could be a student council). If there is a student council that votes on decisions at meetings, minutes should be taken to document those decisions. Or an unorganized ASB that has a student council or individual clubs may choose to prepare budgets and follow the same budgeting procedures as an organized ASB. Nevertheless, whether organized or unorganized, both must preapprove all purchases and fundraisers before any expenditures/purchases or fundraising activities occur; however, the process to do so will differ.

Unorganized ASBs: Elementary, Combined TK-8 and TK-12, Adult Education, Continuation Schools, Special Education, and ROCPs

In elementary and combined TK-8 and TK-12 schools, the ASB organization is called unorganized because, as a rule, the students do not govern the ASB organization. Usually, there is only the primary student body organization, no clubs, no student leadership/council, and a more focused agenda.

Adult education, continuation schools, special education students, and regional occupational centers and programs (ROCPs) also have unorganized ASBs because these are programs that include students who attend in a more transitory way and lack the continuity needed for an organized ASB.

Although students in unorganized ASBs raise funds, they usually have more limited involvement in making decisions about the fundraising events and how the funds will be spent. Typically, the governing board delegates the authority to oversee the raising and spending of funds to the principal/school administrator or another school employee, who is able to make all of the decisions related to the ASB operations and funds. Although authority is delegated to the principal/school administrator, the rules and guidelines regarding fundraising and allowable expenditures remain the same as those for organized ASBs. Like the funds in an organized ASB, funds of an unorganized ASB must be used to support students and their activities for noninstructional periods or to augment or to enrich the programs provided by the district.



Organized ASBs: Middle, Junior, and High Schools, and Middle and Early Colleges

Student organizations in middle, junior and high schools are called organized because the students organize their activities around student clubs and a student council. At secondary schools, there is oversight by district administrators and advisors.

Organized ASBs normally have individual clubs under the primary student body organization, each with its own focus and organizational requirements. Students in organized ASBs are primarily responsible for their organizations; the student council and student club leaders hold formal meetings, develop budgets, plan fundraisers, decide how the funds will be spent, and approve payments. The students make the decisions and have primary authority over the funds; the school administrators, ASB bookkeeper, and club advisor(s) assist, advise and coapprove student decisions.

Middle and early colleges have organized ASBs and represent a unique collaboration between a college and high school. They provide opportunities for high school students to earn college credits while completing their high school education.

Early college programs primarily operate within the high school campus during the high school day. Students in early college programs attend classes during the regular high school day, following the cohort model, which means that students progress through the program as a group, taking a predetermined set of classes together. These classes are often a blend of high school and college-level courses. Students may form their own early college class trust or their own club as part of the high school ASB.

Middle college programs may operate either at the high school or college campus. Students enrolled in middle college have the flexibility to choose their classes based on their interests and academic goals. Middle college students may take a mix of high school courses and college courses, allowing them to earn both high school and college credits simultaneously. Students may also form their own middle college class trust or club as part of the high school ASB. If the college allows, middle college students may also participate in clubs at the college.

It's All About Students

Student body organizations exist for students. It's all about students:

- Fundraising.
- Participating.
- Doing.
- Learning.
- Experiencing.
- Making decisions (if an organized ASB).

Employees associated with student body organizations are important to the success of students, but the organization exists because of students, and students must be involved every step of the way.

Student Council

Student council is often also known as the general ASB or student leadership. These terms are used interchangeably. In organized ASBs, and unorganized ASBs with a student council, the student council is composed of the student leaders, who are selected by their fellow students and who are responsible for the decisions they make and are advised on. The role of the ASB advisor and principal/school administrator is not to make the student council's decisions but to guide and advise the student council and the individual student clubs so they follow the laws, regulations, district board policies and administrative regulations, and club constitution and bylaws.

The Will of the Students Versus Denial of Student Decisions

The principal/school administrator and advisor should understand that the will of the students should come first unless there is a specific conflict with laws or regulations, district policy, student safety, school culture, or other specific reason to deny an event, expenditure, or other student council or club decision. Denial of a student council or club decision should not occur simply because the principal/school administrator or ASB advisor dislikes or disagrees with the decision; a valid reason is required.

New ASB Clubs Should Submit a Formal Application

To promote good governance, the principal/school administrator should require students who wish to form a new club at the school to submit a formal application that has the endorsement of the certificated employee who agrees to serve as the club advisor for the entire school year. The Education Code requires that advisors be certificated employees of the local educational agency (LEA). Additional information that should be gathered includes the titles, powers and duties of the officers, the manner of their election, the scope of proposed activities, and the name of the organization. The Application for Student Club form at the end of this chapter can be used for this purpose.

Non-ASB Clubs, Student Groups, Teams, and Other Groups of Students

If a club, student group, team, or other gathering of students does not want to be an official ASB club, the business office and principal/school administrator may allow them to operate outside of ASB as long as they follow any rules that have been established locally for such an activity. Some districts allow non-ASB groups that do not fundraise or spend money to operate outside of ASB; however, once they fundraise and spend money, the school requires the students to become a formal club and part of ASB.

All Clubs Must be Approved

All clubs, even those formed for students to do activities together (e.g., chess or checkers) rather than fundraising, should be approved by the principal/school administrator, even though there are no fundraisers or other financial activity planned. This is so that no student club meetings are held on campus that the principal/school administrator has not approved or allowed, which is more of a liability issue than a financial one. The same Application for Student Club form can be used.

Although it is not required that an LEA do so, some LEAs choose to require an application from all ASB organizations annually so that there is a clear record of the current officers, members and advisor, and to ensure that the most current constitution, bylaws and budget are on file.

Keeping this information current is a sound practice that can be accomplished simply by using the sample Club Information Sheet form, or Application for Student Club form, provided at the end of this chapter.

Constitution

The student council and each club should prepare and adopt an official constitution that is written to be clearly understood. The constitution is a written document that defines how a council or club is organized and sets forth the fundamental laws and principles under which it will operate. It should include an organization's name and purpose, and explain membership qualifications, how officers are elected, how often meetings will be held, what types of committees will exist, procedures for suspension or dissolution or closure of the ASB or club, and other related information. The constitution presents the framework within which the organization will operate and should clearly state all of the policies and rules for student governance of the student organization or club. It will define the general purposes and outline the council's or club's organization and administration.

Appointing Officers In Lieu of Student Elections

A principal/school administrator may not appoint ASB officers in lieu of student elections. Students serve as officers in a voluntary capacity and should therefore not be appointed. The constitution should describe what to do when students are not interested in serving as officers and only a few or no students campaign for election.

If there is no guidance in local governing documents, the school administrators should consider conducting another or second election as soon as reasonably possible so that officers can be selected. It is important that the school highlight the upcoming election and communicate the need for candidates. This includes the various benefits of serving in such a capacity (e.g., gaining leadership experience, exposure to the budget process). Once students understand there are vacant positions in ASB, they may take a renewed interest in the elections and in student council or club leadership. If there is insufficient interest by the students, it may be necessary to postpone elections, the formation of clubs, and other ASB activities until there is sufficient interest.

Student Council and Club Activities Without Leadership or Advisors

In organized ASBs, if there is no student council or advisor for student council, then no new clubs can be formed because the student council is one of the approvers of new clubs. This also means that funds held in the general ASB account and its subaccounts cannot be spent because the students are the primary preapprover of expenditures and a required signer of the ASB purchase order. The same is true for other organized ASB clubs. If there is no leadership or advisor in the club, that club cannot spend its funds or fundraise. If an unorganized ASB, such as at a combined TK-8 or TK-12 school, has chosen to operate as an organized ASB, they cannot operate until an advisor is available because they do not have the structure in place to approve fundraisers and expenses. Only in unorganized ASBs operating as unorganized may the principal/school administrator act as the sole approver of ASB purchases and fundraisers.

Bylaws

Bylaws are rules adopted by the student council, each club, or class, or other approved group for its own meeting or affairs and will usually change more often than a constitution does.

Bylaws usually identify operational parameters, parliamentary authority for meetings, election speech and campaign specifications, balloting procedures, specifics on time and location of meetings, and other related items. The bylaws are often part of the constitution rather than a separate document.

Minimum Contents of Constitution and Bylaws

At a minimum, the constitution and bylaws should include the following:

- The name of the organization.
- The purpose or mission of the organization.
- The powers of the organization, and when the principal/school administrator has the right to veto.
- The type of activities the organization will conduct.
- The membership requirements for the organization, including qualifications and eligibility requirements. Restrictions should be spelled out clearly.
- The definition of quorum.
- How the constitution is adopted and amended.
- Information on the officers and meetings.
- Information on elections including the time, methods and procedures for nomination, campaigns, and election of members.
- The titles and terms of office of the officers.
- Description and duties of officer positions.
- How officers are elected and installed, as well as qualification and eligibility requirements.
- Whether or not the club or organization will be represented on the student council.
- How representatives other than officers will be selected.
- The qualifications for eligibility on the student council.
- The term limits on the student council, procedures for removal of officers, and procedures for filling vacated offices.
- How the club advisors will be appointed.
- The time, frequency, and place for regular and special meetings.
- Whether parliamentary procedure will be followed, as well as who may veto the organization's proposals or actions.
- How and when the budget is prepared.
- How expenses are approved.
- The budget approval process and information about how the budget will be monitored and updated.
- The types of financial statements and reports that will be generated and distributed.

- How committees will be appointed, a description of any standing committees, and provisions for forming special committees if needed.
- How clubs within the student body organization will be formed, including their purpose, method of organization and discontinuance; financial activities; and requirements for constitution and/or bylaws.
- How a student becomes a member of the ASB or club, including any attendance or other requirements for full ASB or club membership and participation. Such a requirement may be necessary to prevent sudden or temporary club participation by students who otherwise may not be interested in the club, such as any who may want to join simply to participate in one activity or event but have little or no interest beyond that. When considering attendance and other participation requirements, keep in mind that students in the club should not be discouraged from attending activities, regardless of their club attendance or participation in fundraising.

Sample constitutions and bylaws for high schools, middle schools, and clubs are included in [Chapter 23](#) of this manual.

Amendments to the Constitution or Bylaws

Once the constitution and bylaws have been approved, they apply to that ASB student council or club and should be adhered to, and can be amended as needed. All constitutions should include a procedure for how the articles and bylaws can be amended. After a change has been proposed and a draft prepared, the student body should review and discuss the issues before taking a final vote. The standard practice is for proposed amendments or revisions require a two-thirds vote of the student body or club, but the constitution should specify the requirement.

Student Organization and Club Trust Accounts

To become a recognized part of the student body organization, a club, like the student council, must be composed entirely of currently enrolled students. These clubs, also known as trust accounts for financial purposes, must have the approval of the student council and the principal/school administrator, at the district governing board's direction.

Club Formation

All clubs should follow regulations in the ASB constitution and bylaws related to the formation of school clubs. Any group of students may apply for permission to form a club by submitting an application (as discussed above), a proposed constitution, bylaws, a budget, and any other required documents. A group of students is typically two or more. The student council's ASB constitution and bylaws should specify what needs to occur to form a club. Each club's constitution and bylaws should specify what is needed to conduct activities of the club. The student council/student leadership constitution and/or bylaws should include at least the following:

Minimum number of:

- Students to establish a club.
- Members needed to elect club officers.
- Officers.
- Members required to attend meetings and/or activities.

- Officers needed to establish a quorum (e.g., two-thirds of the officers).
- Guidance on the closure or dissolution process.

Typically, meetings are governed by Robert's Rules of Order or by *The Standard Code of Parliamentary Procedure* by Alice Sturgis and require that a quorum of officers be present for a meeting to be held. The difference between the two documents is that *The Standard Code of Parliamentary Procedure* is shorter and is an alternative to Robert's Rules of Order; however, Robert's Rules of Order is more well known. The standard chosen to govern ASB meetings should be indicated in the ASB or club bylaws.

There are generally three types of ASB trust accounts in schools: those for class groups, scholarships and memorials, and clubs.

Class groups are those such as the freshman class, senior class, or the class of 20XX, not academic classes such as math, language arts, or science. Only ASB class groups are accounted for within the ASB, and they operate similarly to clubs, with an approved club application, constitution, bylaws, and credentialed advisor. In organized ASBs, the students of the class group are the primary decision makers for all activities and fundraisers, preapprove purchases, prepare budgets, maintain meeting minutes, and so on. If a class group is formed for a specific graduation year (e.g., class of 20xx), then the class group ceases to exist and is dissolved upon graduation.

ASB Accounting for Trust Accounts and Subaccounts

Clubs, class groups, student council, and scholarship and memorial trust accounts may, depending on the ASB accounting software capabilities, include subaccounts or special program classification tracking to further account for activities. Subaccount tracking of activities is common for student councils that may choose to track specialized or unique fundraising and spending within their account. Examples of categories that are often under the control of the student council are the student store, yearbook, student leadership, dances, and homecoming. Some student councils consider yearbook sales as part of student council fundraising while other schools may consider yearbook to be its own club.

Club Requirements

All clubs (also known as trust accounts), except for scholarship accounts, must be composed of currently enrolled students located at that school, formed as outlined in the student council ASB constitution and the district governing board's requirements. Students must play a major role in the club, and each club or class group must have the following:

- An approved constitution and bylaws that outline the club's purpose, policies, rules, and operational parameters.*
- Regular, formal meetings that include approved meeting minutes.*
- A certificated ASB club advisor.*
- Elected student officers.*
- An approved budget.*
- All expenditures approved in advance by authorized individuals (the authorized individual(s) can vary depending on whether the ASB is organized or unorganized).

*Optional for unorganized ASBs.

The Education Code requires that the club advisor be a certificated employee of the school district where the ASB resides. All clubs operate under the same regulations and have the same requirements as the student council organization, and clubs (in an organized ASB) will report to the student council.

Independent Study and Homeschool Students

Independent study or homeschool students who are enrolled in the district may participate in ASB or club activities at a school within the district, provided that district board policy or administrative regulations permit their participation. Athletic participation at alternative schools and programs may also be allowable whether operated within or outside of ASB; however, these programs are typically governed by the California Interscholastic Federation (CIF).

Non-ASB Clubs or Accounts

If a group does not meet the club requirements listed above, it is not a club and should not be accounted for or included in the ASB account. Non-ASB accounts or funds, including but not limited to pass-through or clearing accounts, may be accounted for at the school level using the district's accounting system and the correct Standardized Account Code Structure (SACS) object code and resource code combination. Examples are resource code 9000-9999 for other local restricted, resource code 0001-09999 for other local unrestricted, or other SACS codes set aside for local designations.

Non-ASB activities should not be accounted for in the ASB financial records. All funds deposited into the ASB account become the property of the students. This includes library fines, AP testing fees, and any other funds a school may deposit into the ASB account. Schools should be careful to ensure that only funds that should belong to the students are deposited into the ASB account. All other revenue should be deposited into the district's general fund.

Principal/School Administrator Approves Non-ASB Clubs

There are no statutory restrictions that prevent students from meeting outside of ASB. There are instances when a group of students simply want to meet, such as to play chess, and no fundraising or expenditures will occur during the year. In these instances, the principal/school administrator should determine whether to approve these non-ASB clubs or activities. The principal/school administrator or their designee should determine whether to approve such student meetings, including the purpose of the meetings, the meeting frequency, location, and supervision.

If students intend to raise and spend funds and/or establish a formal leadership structure, they should organize under ASB and apply for recognition as an ASB club.

Sports and Athletic Clubs

There are multiple options for properly accounting for sports and athletics within ASB or as a separate program.

Athletics Within ASB

The district may choose to operate athletics as a club within ASB, subject to all rules and criteria applicable to all ASB clubs. Athletics in ASB may be organized as one athletics club for all sports or as multiple clubs, with one club for each sport.

Regardless of the organizational structure within ASB, each club must have its own constitution and bylaws, certificated advisor, budget, minutes and other required elements. Students must be the primary decision-makers. This includes preapproval of all expenditures by a student representative, club advisor and an employee or official of the school district designated by the governing board (e.g., principal/school administrator).

A club advisor must be at all events and activities, including games and practices, so it is acceptable to name multiple certificated advisors on the club application and constitution to ensure an advisor is always present. Volunteers, walk-on coaches, and other district-approved individuals may be allowed to assist, but they cannot be the club advisor and cannot be left alone with students; an official club advisor must be present.

Athletics as One Club for All Sports

When all athletics are structured as one club, each sport should be accounted for as a subaccount of the main athletics club. Each sport in the athletics club should elect at least one delegate or commissioner to be a member of the club's student leadership, to ensure that each sport is represented. Each sport should account for its funds separately but as a component of the total club budget. The athletics club should have one constitution and one set of bylaws, at least one budget, and one set of minutes. Minutes may be combined for all sports activities and decisions, or separated to document decisions for each specific sport.

If the athletic director of the school is a certificated employee of the district, that person may also serve as the club advisor.

Athletics as One Club for Each Sport

When structured separately, each sport operates as its own club with its own constitution and bylaws, certificated advisor(s), budget, minutes, and other required elements.

Athletics Outside of ASB

If all the rules for trust fund accounting of ASB funds cannot be followed, those funds should be moved to a district-approved non-ASB account. If athletics is not operated as an ASB club or clubs that meet the ASB criteria, the following options are available:

Use of the District Accounting System and County Treasury Bank Account

The district may choose to operate athletics separately from ASB using the district's accounting system and county treasury bank account, as administered by the district's business office. Deposits and other athletics revenue should be remitted to the district office for deposit with the county treasurer, and checks should be issued using the district's purchase order and warrant system. The ASB bookkeeper may continue to provide accounting for athletics but should use the district's accounting system to do so.

If this option is selected, the district should develop board policies, administrative regulations and an athletics manual or guide that specifies how funds will be accounted for, the approval processes, and all other procedures that athletics should follow.

Use of Separate Accounting System and Bank Account

The district may choose to operate athletics outside of ASB using a unique school accounting system and bank account. As with ASB, the athletics accounting system and bank account should be authorized by the school district's business office. The accounting may continue to be performed by the ASB bookkeeper using the ASB accounting software and a chart of accounts separate from ASB, or using a different accounting software independent of the ASB.

If this option is selected, the district should develop board policies, administrative regulations and an athletics manual or guide that specifies how funds will be accounted for, the approval processes, and all other procedures that athletics should follow.

How To Close Out Athletics Balances from ASB

The processing of any expenditure in ASB is the same, even for closing out athletics from ASB. All expenditures must be preapproved with an ASB purchase order and identified in the club minutes. It is best to also update the athletics club budget.

The athletics club should document in its minutes its approval and anticipated closure of the club balance, and its moving of athletics funds to an outside account or district account. If athletics is not operating as a true ASB club, doing this is often difficult because typically the adults are making all decisions, and the club students are not actively participating. The best practice is for the athletics club students to be involved in the approval process to close out balances. If they are not, then the student council may have to act as the athletics club surrogate. Regardless of whether the athletics club or the student council is responsible for closure, FCMAT recommends taking the following steps:

- Step one: Review the athletic club bylaws for any closure procedures and follow those. If there are no bylaws describing closure, athletics may not be formally recognized as a club and does not have closure procedures, but it is recommended to confirm. To proceed, the role of the athletics club should be determined.
 - If athletics is operating as an approved club, then only the athletics club should follow the steps below unless the district's business office or student council has added additional procedures.
 - If the athletics students are not engaged or are inactive in operating the club, then there are no official student representatives to participate in the closure process, which means all aspects of closure become the responsibility of the student council.
 - If the athletics club is not a formally approved club with an approved constitution, bylaws, and application, then they are not a club. If they are not a club, their funds may fall under the authority of student council.
 - But if students are operating the athletics club and consider themselves a club even though they are not approved as a club, then both the athletics club students and student council students should complete the steps below.

- Step two: Amend the athletics club and/or student council budget(s) to include the closure of the athletics club and estimate the amount of the check to be written. The estimate may be incorrect depending on when the account will be closed, but at least amending the budget will further document the students' awareness and budgeting for the closure of athletics.
- Step three: The students in the athletics club and/or student council should discuss, document, and approve the closing of the athletics account in the club minutes.
- Step four: Create a purchase order in the athletics club or student council that identifies that it is to close out athletics and that lists the payee as the school district or other district-approved payee. The purchase order should be signed by the athletics club and/or student council student representative, the club advisor, and the principal/school administrator. If the athletics club student representative is not available to sign the purchase order, then the student council representative and advisor also sign. This step adds more signatures to the purchase order but is also more transparent should anyone question the moving of the funds.
- Step five: Record in the athletics club and/or student council minutes the purchase order number and amount of balance to transfer. Depending on each district's purchase order procedure, the purchase order may be recorded in the minutes before or after it is signed.
- Step six: The bookkeeper processes the approved purchase order check as they would any other check.

General ASB/Student Council – Fundraising and Use of Funds

As a general rule, clubs should conduct fundraisers rather than use the ASB student council's funds to fund their operations. All ASB funds, including those of the student council, are raised for specific purposes as outlined on the fundraiser approval and revenue potential forms. In the case of the student council, those funds are typically raised by a larger group of students and should therefore benefit as many students as possible rather than a specific club or specific subgroup of students.

Individual Versus Ongoing Fundraisers

Each year, the student council should develop its own budget supported by a fundraiser approval form and revenue potential form for each fundraiser. Fundraisers may be individual events or may be ongoing over the course of an entire school year. Any activity or event that produces revenue is considered a fundraiser. Typical student council fundraisers are dances and student store sales. Individual dances may be separate fundraisers or may be collectively considered one fundraiser for the year. The same is true for a student store: all sales may be considered one fundraiser for the entire year, or specific sales may be considered individual fundraisers. All revenue potential estimates may be compiled to transfer the estimated revenue and expenditures into the student council budget.

Use of ASB Student Council Funds

Common uses of ASB student council funds may include school spirit T-shirts and other gear for all students, student store supplies, and other items that benefit a large group of students. Uses that are generally prohibited, unless there is existing board policy or administrative

regulations allowing them, include supporting individual clubs and other expenses that do not benefit a large group of students. Using student council funds to support a single club or class group can have unintended consequences because it may prompt other clubs or class groups to look to the student council in the future for assistance with expenditures instead of fundraising. Generally speaking, both ASB club and student council funds should always be used for the purpose for which they were raised and approved.

New Club Startup Grants

Student council funds may be used to help newly formed clubs with a startup grant. Ideally, a district's board policy, administrative regulations or the ASB constitution and bylaws should permit such a practice. Absent local policies that allow this practice, the student council could choose to allow club grants by formally approving each grant individually.

When this is allowable, startup funds should be available to all new clubs who request them. The amount should be nominal, such as \$100, and grants do not typically have to be repaid. New club startup grants should be budgeted for annually in the student council budget (see other sections of this manual regarding student council loans to clubs that must be repaid).

Inactive Clubs and Club Dissolutions

All ASB club trust accounts are part of ASB. If a club becomes inactive, chooses to dissolve, or no students remain in the club, any remaining funds typically revert to the ASB student council unless directed otherwise in district ASB board policy, administrative regulations, or the club's or ASB's constitution or bylaws. Before the club becomes inactive or dissolves, the club's students could also decide to transfer any remaining assets, such as funds or equipment, to another club within the same ASB. It is best if the district's ASB board policy, administrative regulations or the ASB constitution and bylaws define what should be done with the funds of a club that has become inactive or dissolved (for example, funds should be transferred to the student council).

Inactive Clubs

District ASB board policy, administrative regulations, and/or the ASB constitution and bylaws should define what constitutes an inactive club (e.g., any club that has no financial activity or meetings for more than 18 consecutive months). If district board policy, administrative regulations, or the ASB bylaws or constitution are silent about inactive clubs, it is appropriate for the student council to decide on the use of the funds after a reasonable amount of time has passed, such as 18 consecutive months as mentioned above. If possible, the funds should be used for the same or similar purpose for which they were originally raised. If that proves too difficult because the club is now inactive and the original purpose for which the funds were raised is no longer valid, the funds should be used in a way that will benefit the most students in the receiving club or at the school if transferred to the general ASB.

Club Chooses to Close or Dissolve

Similar to an inactive club, if a club chooses to dissolve, unless there is district ASB board policy or administrative regulations in place, the club bylaws or constitution should contain guidance on the closure or dissolution process for a club, as well as how any remaining assets such as cash or equipment should be handled. If the club bylaws or constitution, or district ASB board policies and administrative regulations, do not define what needs to occur to close or dissolve a

club, it is allowable for the general student council to decide on the most appropriate use of the funds.

If a club chooses to disband, that decision and the specifics of how any remaining assets are to be disbursed (e.g., given to the student council or another club) should be recorded in its meeting minutes. The students in the club should make these decisions.

Assuming funds or equipment remain, a detailed accounting and inventory should occur to ensure an accurate transfer to the general ASB or another club. Any transfer of funds or equipment should be preapproved using a purchase order and authorized by all necessary signers. If possible, any transferred funds should be used for the same or similar purpose for which they were originally raised. If that proves too difficult because the club is now dissolved, the funds should be used in a way that will benefit the most students in the receiving club or at the school if transferred to the general ASB.

Disposal or Sale of Equipment – Active, Inactive and Dissolving Clubs

If a club has become inactive or the dissolving club no longer has any members to make decisions, the disposition of any remaining equipment shall be transferred by the same process that is used when there are remaining funds. The equipment becomes the property of the designated receiving club or ASB student council.

If a club has not dissolved, the club may choose to sell their equipment as a fundraiser or donate the equipment to another club within the same ASB. The equipment may also be donated to the student council at the same school. If the equipment is sold, the club may use the proceeds as indicated on its approved fundraiser approval form. When the equipment cannot be sold, the club should follow district board policy regarding surplus equipment procedures. The sale of surplus items is discussed later in this manual.

For all other sales of ASB equipment, the club should consult with the district's business or purchasing office. If a sale of the equipment is not possible, or if the governing board has provided no guidance on the disposition of ASB equipment, the ASB should consult with the district's business office and legal counsel.

Changing a Club's Name

Club name changes are not common but can be made in certain circumstances. Each club is named in the club's constitution, and the process for making amendments should be described in the club's bylaws. Typical club bylaws include a section that states the amended bylaws should be readopted by both the club and student council. The standard practice is for a club name change to require a two-thirds vote for approval.

When a name change is being considered, the club advisor and officers should first determine whether they intend a simple name change, or whether they intend to create a new club with a new purpose and abandon the existing club. If the constitution and/or bylaws do not provide guidance regarding name changes, the club should adopt a resolution declaring the intent to change its name and present the resolution to the student council for approval. The resolution should include the following:

- Statement of intent to change the club's name.

- Existing club name.
- Proposed new club name.
- Why the change is necessary.
- When the change becomes effective.
- Confirmation that the club advisor and officers will remain unchanged.
- If a new club is being formed, the process to transfer unspent club funds and other assets to the new club and close the dissolved club.
- Approval by the student club representative, club advisor, student council representative, and principal/school administrator.
- Date the resolution was approved and recorded in the club minutes.

If the club plans to change more than its name (e.g., club purpose, leadership structure), the club should refer to its constitution and bylaws for further guidance.

Merging Clubs

In an organized ASB, when the students of two or more clubs decide to merge, there are several options to consider. In all cases, a joint resolution should be passed by all merging clubs describing the conditions and purpose of the merger. The resolution should be approved by all merging clubs, the club advisors of all merging clubs, the student council, and the principal/school administrator.

Option 1 – Surviving Club – Officers Remain Unchanged

Club A merges into club B. Club B becomes the surviving club and club A is dissolved. Club B's name will be the name of the merged club. Both clubs should pass a joint resolution that includes direction for club A's assets to be transferred to club B. Club B's officers become the officers of the merged club.

Option 2 – Surviving Club – Election of New Officers

Club A merges into club B. Club B becomes the surviving club and club A is dissolved. Club B's name will be the name of the merged club. Both clubs should pass a joint resolution that includes direction for club A's assets to be transferred to club B. An election will be held to determine the officers of the merged club.

Option 3 – New Club – Use of Existing Club Account

Club A and club B merge into a new club with a new club name. The dissolution process for closing a club should be followed for both club A and club B. One of the existing club accounts will be renamed and used for the merged club. Both clubs should pass a joint resolution that includes directions for the assets of one club to be transferred to the other club, depending on which club account will remain open. The dissolving club's account should be closed. A new club application, constitution and bylaws should be completed that follow the procedures for forming a new club. An election will be held to determine the officers of the new club.

Option 4 – New Club – Creation of New Club Account

Club A and club B merge into a new club with a new club name. The dissolution process for closing a club should be followed for both club A and club B. Both clubs should pass a joint

resolution that includes directions for the assets of both clubs to be transferred into a newly established account. The club accounts for club A and club B should then be closed. A new club application, constitution and bylaws should be completed that follow the procedures for forming a new club. An election will be held to determine the officers of the new club.

ASB Closure/School Closure

Education Code (EC) 48930 gives authority to the governing board to allow an ASB to exist. When a school district chooses to close just the ASB or one or more schools with ASBs, the governing board will also need to determine the dissolution of the ASB and its assets and liabilities. Board policy and administrative regulations should describe the process for dissolving and/or distributing any remaining ASB assets, including any residual cash and equipment, after settling any outstanding liabilities.

Club Constitution or Bylaws Govern Club Closure

For any club, the club constitution and/or bylaws should outline the club closure process. If no such guidance is provided, the general ASB constitution and/or bylaws should govern the disposition of any remaining club assets. Once all clubs have been dissolved, all remaining funds and equipment will typically belong to the general ASB account.

No Existing Guidelines for Dissolution

If governing board policy has no guidance on dissolution and the governing board is uncertain how to proceed, the district should seek legal guidance. One option is for the district governing board to make a determination by adopting a one-time resolution that describes the dissolution process. As a fiduciary of the ASB trust, the district and its governing board continue to have a responsibility to act in the best interest of the students while any remaining assets are dissolved or distributed.

Disposition of ASB Equipment

If the ASB has any remaining equipment, the governing board may determine that it can be sold or otherwise distributed to other schools. Any equipment that cannot be sold or redirected should follow the district's policy regarding surplus equipment.

District Reorganization

The Education Code regarding district reorganization may also have relevance to a school closure. For example, [EC 35564](#) states that when a school district reorganizes, if there is an ASB involved, the funds and property shall be divided as determined by the applicable county committee on school district organization, or equivalent body. Such a committee could allocate the remaining ASB assets to various schools on a prorated basis determined by the number of students moving to each school.

Student Council, Class Group and Club Meetings

Student meetings are an important part of ASB and should be held regularly by the student council and any formally established class groups or clubs. In this instance, regularly means holding meetings whenever important issues need to be discussed or events planned. See the [Minutes of Meetings](#) section below for more information about minutes.

Virtual Meetings

Meetings are often held in person, though virtual meetings may also be allowable. If an LEA chooses to allow virtual meetings, the meeting requirements should be the same as those for in-person meetings. This includes the virtual presence of the certificated ASB advisor. The ASB constitution and/or bylaws should outline both in-person and virtual meeting requirements, such as the definition of a quorum and who shall conduct the meetings. The meetings should continue to follow Robert's Rules of Order or a similar guide, and minutes of the meetings must be kept and read for approval at subsequent meetings. Also, any actions taken by the student council should be reported to the membership at large, just as they are for meetings held in person.

When expenditure or purchase order approvals are necessary in a virtual setting, an electronic signature or email can suffice for the ASB student representative, ASB advisor, and board designee/administrator. This may also be used for approvals from other ASB employees, such as the ASB bookkeeper.

When virtual meetings and electronic approval of transactions are allowed, this should be reflected in the district's board policy and administrative regulations.

Food for Club Members During Virtual Meetings

ASB clubs occasionally provide refreshments during club activities. This may be allowable if the expenditure has been properly preapproved and funds have been raised for this purpose. Some ASBs may also wish to make individual food purchases allowable for meetings held in a virtual setting. If this is permitted, it should be part of the district board policies and administrative regulations. Such a policy should include at least the following requirements:

- An approved fundraiser has or will occur that includes food purchases for students who attend virtual meetings or events.
- The purchase of food using ASB funds has been or will be preapproved using a purchase order, thereby allowing both direct purchases of food and reimbursements to students who spend their own funds on food.
- The fundraiser approval form, revenue potential form and purchase order include a per-person limit on the cost of food for each meeting or event.

The district should either use its existing travel and expense policy as a guide for the per-person limit on meal cost, or clearly specify different amounts for virtual ASB meetings and events.

Minutes of Meetings

Because there is a formal process of student governance for organized student bodies, the student council and each club must prepare and maintain a record of each meeting. These records are called minutes, and they record each meeting and the actions taken and demonstrate that the student council or club has followed ASB policies and procedures as well as current law. Minutes should be kept in a permanent record book, notebook, or electronically, for future reference. A standard format for meeting minutes is provided at the end of this chapter.

Minutes should include details of proceedings, including financial matters pertaining to the budget, approval of fundraising ventures, and expenditure authorizations. Minutes are not a verbatim transcript of every word spoken; rather, they are a concise record of the essential matters discussed at each meeting so there is a record of what occurred. The minutes should be written clearly so they can be read and understood in the future. Abbreviations should be avoided because future readers may not understand them.

Generic or Blanket Motion Minutes

Creating generic minutes or blanket motion minutes to expedite certain routine decisions, approvals and procedures, such as approving all purchase orders in a combined fashion without listing the purchase orders or other important information is not a best practice and should be avoided. There is much for the students to do and learn in an ASB, and creating shortcuts to accomplish this more expeditiously can be problematic, because students may not be given an opportunity to thoroughly discuss all ASB or club business, transactions, planned activities, and other items. Further, the Education Code specifically requires students, along with the ASB Advisor and board designee (often the principal/school administrator), to preapprove all ASB expenditures. The use of student funds, for instance, should always be an action item on the meeting agenda; it should not be relegated to a consent agenda or adopted as a blanket motion.

Good Business Practices for Meeting Minutes

Although the form of minutes may vary from one organization to another, they should document at least the following information:

- Name of the club or organization holding the meeting.
- Date, time, and place of the meeting.
- Kind of meeting (e.g., regular, special).
- Names of those in attendance.
- Name of the presiding officer.
- Minutes from the previous meeting read, amended and/or approved.
- What was discussed or reported on during the meeting.
- Report on activities of standing or special committee(s).
- What action was taken during the meeting (e.g., the budget was amended, or the expenses were approved).
- The results of any votes taken, including who made a motion, who seconded the motion, and anyone in opposition, if applicable.
- Reporting on any communication to the ASB.
- A list of any unfinished business.
- Date and time of next meeting.
- What time the meeting adjourned.
- Who prepared the minutes.

Any information provided to those attending the meeting, such as purchase order lists, check registers, bylaws, project outlines and letters, should be attached to the original minutes and kept on file. The club secretary, or whoever took the minutes, should also sign the minutes when they are completed. Minutes should not be signed by someone who did not attend the meeting.

At the next regularly scheduled student council or club meeting, the students should review and approve the minutes of the previous meeting. The secretary should maintain a binder of all of the approved minutes for the school year. A [sample ASB meeting minutes record](#) is included at the end of this chapter. The sample can be modified for either general student council use or for a club meeting record. Also included at the end of this chapter is a document titled “[Let’s Get the Meeting Moving](#),” which some districts use to help clubs understand how to run a meeting and what should be discussed.

New Schools

There is no law or other code reference regarding how to establish student body funds when a new school opens. Because there is no official guidance, it is a district decision and is handled differently across the state. FCMAT provides the following examples of how to establish student body funds at a new school if district policy is silent on the subject:

- A district might allocate startup funds for the new student body out of the district’s unrestricted general fund; the new ASB may get to keep these or may be required to pay them back once it is able to do so.
- Other student body organizations might give temporary loans to another ASB in the same district and, per [EC 48936](#), these must be repaid within three years. This allows a new ASB to establish itself and repay the funds within a reasonable time.
- If some of the new school’s students come from one of the district’s other schools, a district may decide to transfer some student body funds with the transferring students on a per-pupil basis. If this is done, FCMAT suggests using the allocation model discussed in [EC 35564](#) as it is fair and equitable. Although this code pertains to the allocation of organized ASB funds when a school district is reorganized, the allocation method it provides can still be used.
- Existing schools in the district could conduct a fundraiser together and then divide the funds among all district schools, including the new school.
- The new school could conduct an ASB fundraiser to generate its own startup funds, though it would need to be given a temporary allotment of cash to purchase the supplies for the fundraiser.

Because the formation of an organized ASB and the election of officers at a new school should involve all of the students who will be attending the new school, the timing of the ASB formation depends on where those students are transferring from. If they all come from one school, an ASB can be formed before the move to the new school. However, if students come from multiple schools, it is more complicated. Whatever the method and timing of the ASB formation, all students should participate in the election of officers, and adults should not determine who will be the ASB officers.

In addition to funds, a functioning ASB requires a certificated employee of the district to act as ASB advisor, an employee or official of the school district whom the governing board has designated (EC 48933), and student representatives. When all these things are in place, the formation of the ASB can begin.

As indicated above, there are many possible methods for funding a new school's ASB, but none of them are mandated. Thus, a discussion should occur at the district level because the method chosen could set a precedent if additional schools open in the future. If new schools have been opened in the past, it is important to determine what occurred in those cases for the new ASB, because that might set the precedent to be followed.