

Operational Services

Student Activity and Fiduciary Funds 1

The School Board, upon the Superintendent or designee's recommendation, establishes student activity funds to be managed by student organizations under the guidance and direction of a staff member for educational, recreational, or cultural purposes.² The Board, upon the Superintendent or designee's recommendation, also establishes fiduciary funds to be supervised by the Superintendent or designee. The District has custodial responsibilities for fiduciary funds but no direct involvement in the management of such funds.³

Student Activity Funds

The Superintendent or designee shall be responsible for supervising student activity funds in accordance with Board policy, 4:80, *Accounting and Audits*; State law; and the Ill. State Board of Education (ISBE) rules for student activity funds. The Board will appoint a treasurer for each fund to serve as the fund's sole custodian and be bonded in accordance with the School Code.⁴ The treasurer shall have all of the responsibilities specific to the treasurer listed in ISBE rules for school activity funds, including the authority to make loans between activity funds.⁵

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

¹ State law controls this policy's content. See 105 ILCS 5/10-20.19 and 23 Ill.Admin.Code §§100.80, 100.85. Due to their decentralized nature, student activity funds have historically been an area ripe for fraud, waste, and abuse. This policy supports a board member's fulfillment of his or her fiduciary duty and oath to protect the assets of the district by directing the proper maintenance and control of student activity and fiduciary funds. 105 ILCS 5/10-16.5; see policy 2:80, *Board Member Oath and Conduct*. Adoption of this policy also aligns with mandatory board member training on fiduciary and financial oversight responsibilities. 105 ILCS 5/10-16a(b).

ISBE's rules in Part 125 (Student Activity Funds and Convenience Accounts) were in effect only through 6-30-08 after which they were replaced by Part 100. The rules in Part 100 do not provide for *convenience accounts*. The rules in Part 100 were subsequently amended to recognize *fiduciary funds* separately from *student activity funds* in response to *Governmental Accounting Standards Board Statement No. 84*, available at: www.gasb.org. Policy, 7:325, *Student Fundraising Activities*, contains the elements required by State law for a policy on student fundraising activities.

² Student activity funds are established to account for money used to support the activities of student organizations and clubs, e.g., homeroom, yearbook, class year, choral or band group, class projects, student clubs, student council, and student-sponsored bookstore. 23 Ill.Admin.Code §100.20. Student activity funds are under the school board's control, giving it a fiduciary responsibility to safeguard them along with district assets. In contrast to *fiduciary funds* (see f/n 7, below), the board, superintendent, or other district employees have direct involvement in how *student activity funds* are spent or attained. And, unlike fiduciary funds, student activity funds must be reported as part of a district's Educational Fund for its annual financial reporting and budget, in accordance with *Governmental Accounting Standards Board Statement No. 84*. 23 Ill.Admin.Code §§100.80(e), 100.85.

³ See f/n 7, below.

⁴ 105 ILCS 5/8-2. A board's insurance carrier can assist the board with obtaining bonds for these individuals.

⁵ See 23 Ill.Admin.Code §100.80(c) for the treasurer's duties. ISBE's rule permits the activity fund treasurer to make loans between funds "if and as authorized by the board's policy." 23 Ill.Admin.Code §100.80. A board that does not want to allow loans between activity funds should choose one of these alternatives:

Alternative 1: The treasurer shall have all of the authority and responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, except that the treasurer is not authorized to make loans between activity funds.

Alternative 2: The treasurer shall have all of the authority and responsibilities specific to the treasurer listed in the Illinois State Board of Education rules for school activity funds, except that the treasurer must have the Board's approval before making a loan between activity funds.

Unless otherwise instructed by the Board, a student activity fund's balance will carry over to the next fiscal year. An account containing student activity funds that is inactive for 12 consecutive months shall be closed and its funds transferred to another student activity fund or authorized fund with a similar purpose. ⁶

Fiduciary Funds ⁷

The Superintendent or designee shall be responsible for supervising fiduciary funds in accordance with Board policy 4:80, *Accounting and Audits*; State law; and ISBE rules for fiduciary funds. The Board will appoint a treasurer for each fund to serve as the fund's sole custodian and be bonded in accordance with the School Code.⁸ The treasurer shall have all of the responsibilities specific to the treasurer listed in the ISBE rules for fiduciary funds. ⁹

LEGAL REF.: 105 ILCS 5/8-2 and 5/10-20.19.
23 Ill.Admin.Code §§100.20, 100.80, and 100.85.

CROSS REF.: 4:80 (Accounting and Audits), 7:325 (Student Fundraising Activities)

The footnotes are not intended to be part of the adopted policy; they should be removed before the policy is adopted.

⁶ The authority for this paragraph's first sentence is 23 Ill.Admin.Code §100.80(c)(7); the second sentence is up to the local board's discretion. The following option may be inserted after the first sentence: "However, money remaining in any Senior Class fund after graduation will automatically transfer to the next year's class."

⁷ Fiduciary funds are funds "received from an independent, outside source in which the school board is acting in an administrative capacity." 23 Ill.Admin.Code §100.20, e.g., outside, independent scholarship funds in which the district has no authority to decide how the funds are attained or awarded. *Id.* Unlike student activity funds, where "[t]he school board, superintendent, or district employees have direct involvement with the decisions of how the funds are spent or attained," a district has no control over how fiduciary funds are spent or raised. 23 Ill.Admin.Code §§100.20, 100.80, and 100.85. See 23 Ill.Admin.Code §100.85 for the specific characteristics and permitted activities of a fiduciary fund. Boards must take a number of specific actions for fiduciary funds that are delegated to the superintendent or designee in this policy and align with IASB's *Foundational Principles of Effective Governance*, at www.iasb.com/principles_popup.cfm. 23 Ill.Admin.Code §100.85(b). Boards should consult their local auditors for guidance on whether a particular fund should be classified as a student activity fund or fiduciary fund.

⁸ See f/n 4, above.

⁹ See 23 Ill.Admin.Code §100.85(d) for the treasurer's duties.