

# Provo City School District

## Donation and Fundraising Policy – Effective 5/8/2012

### A. Preamble

#### 1. Purpose

The Provo School District Donation and Fundraising Policy encourages community partnerships that strengthen and enhance school programs and creates a climate of participation and cooperation between community organizations, private citizens, and the district's schools by:

1.1 Sharing resources that benefit students and improve educational programs.

1.2 Involving the schools and the private sector in cooperative efforts that enhance the quality of education for students at all levels.

1.3 Protecting students, parents, teachers, and school administrators from over-commercialization and fundraising efforts that are exploitative, coercive, disruptive to the educational process, threatening to the health and welfare of students, or lacking in educational merit.

1.4 Implementing a smooth and orderly procedure whereby schools and communities can cooperate and share resources.

1.5 Assuring public funds are safeguarded and are properly accounted for in a transparent manner.

1.6 The District will manage, restrict or decline funds, gifts, or fundraising activities to assure that fundraising and expenditures comply with applicable district and state and federal law and guidelines, including Title IX,

#### 2. Guiding Principles

To further the Purpose articulated hereinabove, the District is guided by the following fundamental principles:

2.1 The District encourages the contributions of gracious donors who have the resources and the inclination to augment the District's programs through philanthropy. The District is committed to effectively work with such donors to:

a. Provide the donation receipts that are mandated by law and encourage appropriate acknowledgment, and

b. Facilitate the donor's charitable intent to the extent that it is in harmony with the educational goals of the district and approved by appropriate district personnel.

2.2 The District desires to provide reasonable regulation of the process of fundraising and accepting charitable gifts. Such regulation should include principles of accountability, record keeping, and appropriate protocols for safeguarding donated funds and protecting confidential information.

2.3 The District shall equitably distribute state approved tax revenue funds for its schools' primary educational functions. Those funds work to ensure that each school receives the fundamental educational supplies, materials, instructional equipment, and personnel necessary for the education of all students.

2.4 Fundraising is permitted within the district to allow the district and schools to raise additional funds to augment academic and co-curricular programs and to engage private citizens and community organizations in elevating the education and opportunities of the district's students.

2.5 The District recognizes that fundraising efforts and results may vary between schools. The District is, however, committed to appropriate distribution of unrestricted funds and the management of fundraising to assure that the educational opportunities of all of its students are reasonably similar and in compliance with applicable legal standards. It is also committed to assisting and encouraging school administrators and staff in proven, successful fundraising principles and practices that will allow schools to augment their budgeted programs with charitable funds.

2.6 The District is committed to principles of gender equity and will use its facilities, unrestricted gifts, and other district funds in harmony with those principles (Title IX). The District recognizes that fundraising is driven by a donor's inclination for giving and that private donations may be directed or restricted by individual donors.

2.7 The District will provide a healthy environment for appropriate fundraising by promoting student safety, reducing the pressure placed on students, and decreasing the prospect of excessive or duplicative solicitation of funds.

2.8 The District is ultimately responsible for the expenditure and allocation of all monies including those that are obtained through fundraising and gifts.

## **B. Officially Sanctioned Fundraising Activities**

Schools, student clubs and organizations, sports teams, individual classes, booster clubs, PTA's and PTO's, and the community councils within the Provo School District may conduct fundraising activities for the benefit of the schools, students, and student organizations within the District. This policy provides guidelines for those fundraising efforts and a means for giving approval for such activities.

### **1. Definitions**

- 1.1 "District" or "School District" herein means the Provo City School District.
- 1.2 "Superintendent" refers to the Provo City School District Superintendent of Schools.
- 1.3 The terms "Board", "School Board", or "Board of Education", refer to the Provo City School District Board of Education.
- 1.4 "Schools" refers to the individual schools operated by the Provo City School District.
- 1.5 "Donor" refers to any individual, group, association, business organization, or charity, interested in making gifts (in cash or in kind) to the District or any of its schools.
- 1.6 The term "private fundraising activities" shall include activities hosted by school booster clubs and/or any other outside organization such as PTAs and PTOs not specifically sponsored or under the organizational control of the District or one of its schools as defined in B2.1.
- 1.7 Utah State Code 51-7-3 paragraph (25) defines public funds as: "Public funds" means money, funds, and accounts, regardless of the source from which the money, funds, and accounts are derived, that are owned, held, or administered by the state or any of its boards, commissions, institutions, departments, divisions, agencies, bureaus, laboratories, or other similar instrumentalities, or any county, city, school district, political subdivision, or other public body.

## **2. Authorization and Supervision**

2.1 Except as provided in Section 6 herein below, school fundraising activities must be approved in writing by the principal or superintendent and must be supervised by a member of the faculty appointed by the principal or superintendent for that purpose. Funds collected through fundraising efforts must be deposited in a dedicated account under the direct control of the school or school district, including, but not limited to, the Provo School District Foundation. Principals shall not transfer or otherwise expend donated or fundraised funds in a manner contrary to donor restrictions or the fundraising purpose.

2.1.1 Fundraising activities involving any of the following criteria are school and district fundraising activities and require express written approval of the school principal or superintendent:

- a) The use of a school or district name unless written permission is granted under 2.2.1.
- b) The use of students while under the school's or district's responsibility.
- c) The use of school or district faculty or employees while being paid by the school or district.
- d) The use of school or district property or facilities unless the property and/or facilities are properly rented in accordance with the District Rental Policy.

2.2 *Private* Fundraising activities must clearly identify the fundraising activity under a name other than a school or the district, and students and school and district employees cannot identify themselves as students or school and district employees in the fundraising efforts.

2.2.1 Permission to use the school or district name may be granted to private fundraising activities if the following criteria are met:

- a) Finances are publicly transparent and reported in a public meeting at least annually.
- b) Financial records are reviewable upon request at reasonable times and places.
- c) Where practical, pre-numbered receipts are issued for all donations.
- d) The fundraising activity clearly identifies the funds are going to a private entity.

## **3. Approval Criteria**

3.1 Schools and the district may engage in fundraising efforts to enhance:

- a. Academic programs.
- b. Travel incidental to academic study, athletic competitions, or performance competitions.
- c. Sports and other related physical education and recreational programs.
- d. The occupational development of students.
- e. Performance opportunities.
- f. Facilities and equipment that will enhance student opportunities and programs.
- g. Humanitarian projects.

#### **4. General Fundraising Standards**

4.1 Faculty and student participation in fundraising shall be strictly voluntary.

4.2 Participation in fundraising may not impact a student's grade.

4.3 Students shall not be required to participate in fundraising activities as a condition for belonging to a team, club, or group; nor shall a student's fundraising effort affect his/her participation time or standing on any such team, club, or group.

4.4 School principals must approve the awarding of rewards or prizes to groups, classes, or students participating in any fundraising activity. Competitive enticements for participation are, however, discouraged.

4.5 Schools may not impose sales quotas (or the like) as a part of fundraising efforts, and students shall not be required to pay for any unsold items that are returned to the school.

4.6 Door-to-door sales are prohibited for all students in elementary and middle schools in the district. High school students are exempted from this prohibition, but suitable procedures must be used by the schools, administrators, and supervising faculty to safeguard students who are going door-to-door.

4.7 Partnerships between schools and businesses that augment school programs and activities are encouraged.

4.8 Any use of district schools, facilities, or equipment for private fundraising activities as defined in B 1.6 must be approved by the superintendent or principal of the proposed facility and will be subject to the District Facility Rental Policy, unless a waiver is obtained from the superintendent in writing and proper insurance is provided.

4.9 Fundraising activities that involve intense sales strategies or that would expose students and other participants to the risk of personal injury or liability will not be approved.

4.10 Approval should not be granted for fundraising activities that would expose the school or district to risk of financial loss or liability if the activity is not successful.

4.11 School and district fundraising activities will be accounted for using established school and district accounting systems and procedures. Records of fundraising efforts, including accurate reporting on participation levels and financial outcomes, shall be open to the parents, students, and donors. Nothing herein shall be interpreted to require or authorize the release of personally identifiable information protected by FERPA.

4.12 Community fundraising events will not be endorsed or sponsored by the district or its schools without the express written consent of the principal of the school or the superintendent of the district. Materials that advertise community fundraising activities may be placed in the school office or other locations identified by the school principal or superintendent.

## **5. Supervision Criteria**

5.1 All proposed fundraising projects must be submitted in writing to the principal or superintendent before any fundraising activity begins. Approved projects should be scheduled throughout the school year to avoid conflict, confusion, and excessive fundraising pressures.

5.2 General supervision will be under the direction of the principal or superintendent with specific supervision by a member of the faculty or other district employee as appointed by the principal or superintendent for that purpose.

5.3 Fundraising monies must not directly or indirectly compensate any individual teacher or school district employee by direct or indirect payment, commissions, or payment in kind. Fundraising monies may be used for the travel of teachers or school district employees who will be student supervisors or chaperons on district approved travel if the fundraising effort fully discloses the intended use of the funds.

## **6. Large Donations and Large Fundraising or Capital Campaigns**

6.1 As specified in District purchasing policies and procedures:

Principals have revenue and expenditure authority up to \$10,000. Any fundraising effort that seeks to obtain donations from many donors or from a select group or individual, where the objective is to raise more than ten thousand dollars (\$10,000), requires superintendent and business administrator approval. Fundraising efforts where the objective is to raise more than fifty thousand dollars (\$50,000.00) must be approved by the Provo City School District Board of Education.

6.2 Voluntary donations from private individuals or organizations (such as booster clubs, PTAs, PTOS, District Foundation, etc.) in excess of \$10,000 require the superintendent's approval. Voluntary donations from private individuals or organizations in excess of fifty thousand dollars (\$50,000.00) must be approved by the Provo City School District Board of Education. The District encourages large gifts and donations to be made through the foundation.

6.3 Organizations and schools seeking approval of large donations or large fundraising efforts (as defined in this Article 6) must submit to the district all information requested by the district or its appointed administrator before consideration may be given. This information may include (but is not limited to) prospective building plans, proposed naming opportunities, details regarding any structuring of gifts, payment arrangements, loans or financing, or other information that will allow the district to accurately assess and determine the merits of the proposed fundraising effort or gift. Donors may remain anonymous.

6.4 The District reserves the right to conditionally grant permission to the donations or large fundraising efforts described in this section, including the requirement that some conditions need be satisfied before a donation is accepted or a large fundraising effort is initiated.

6.5 The District also reserves the right to control its assets, facilities, and resources. Proposed improvements to school property in the district will require that the District manage and control such improvements, and that the implemented plan include consideration for managing any increased maintenance and/or maintenance costs required by the proposed improvements. All improvements on district owned property shall comply with state procurement laws.

6.6 The district superintendent must pre-approve signs, banners, or other forms of advertising larger than fifty square feet proposed to be placed on the outside of the district's facilities or grounds.

6.7 Schools may not begin a fundraising campaign or accept a donation described in this section without first obtaining the approvals required under this section. School representatives should not give assurances or make promises to donors desiring to make large gifts (as defined in this section) before approval of the proposed gift is granted by the superintendent.

## **7. Naming Opportunities and Restrictions**

7.1 The physical facilities of all district schools are owned and operated by the District. No part of any school facility or equipment may be named by or for a donor without the express written consent of the Board. The Board, at its sole discretion, will consider naming rights for donations on a case by case basis.

7.2 All donations with naming opportunities must be accompanied by a letter of understanding (or similar document defining the limitations, conditions, and details of the right so granted).

7.3 The District shall only grant naming opportunities that are consistent with the mission and values of the district and the community it serves, and those opportunities must be in harmony with the educational objectives of the district.

## **8. Effective Date of Policy**

The Provo City School District Fundraising and Donor Relations Policy was passed by the Provo City School District Board of Education and became effective upon its passage on the 8<sup>th</sup> day of May, 2012.

## **9. Compatibility with other District Policies and Regulations**

The Board's determination resolving matters of conflict shall be final in the event that any provision of this policy conflicts with other preexisting Provo School District policies already in place prior to the effective date of this policy or which may be enacted at some future date.