

School-Connected Organizations

The Governing Board recognizes that parents/guardians and community members may wish to organize parent-teacher organizations and/or booster clubs for the purpose of supporting the district's educational and extracurricular programs, including classroom activities, athletic teams, debate teams, and musical groups. 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. A school-connected organization shall consult with the principal or other site representative to determine school needs and priorities.

(cf. 0200 - Goals for the School District)

(cf. 6020 - Parent Involvement)

Parent clubs, booster clubs, and other school-connected organizations are separate legal entities from the district and thus are not under the control or the responsibility of district personnel. 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. However, Education Code 51521 states that 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 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 to be benefited by such solicitation, or the designee of either of such boards. To aid the Board in compliance with this requirement and with fulfilling its legal and fiduciary responsibilities of managing district operations, any group wishing to operate a school-connected organization that will conduct fund-raising activity to benefit a school or its students shall submit a written application each school year to the site administration, who shall recommend approval or denial, and forward the application to the School Board for final approval. The request for this authorization shall contain:

1. The name of the organization (initial or renewal).
2. The school site or program name.
3. The date of the application.
4. Parent organization/booster club official mailing address.
5. The names, addresses and phone numbers of all officers.
6. A declaration that the organization is a tax-exempt organization (provide tax exemption documentation, including Federal tax I. D. number, if applicable).
7. The name of the bank where the group's account will be located and the names of those authorized to withdraw funds.
8. A brief description of the organization's purpose, and a list of specific annual objectives.
9. Constitution, bylaws, rules, and procedures under which the organization will operate.
10. Evidence of adequate liability insurance for sponsored events or activities, as required by Education Code 38134. The insurance documents must include a certificate of insurance with an endorsement naming TUSD as additional insured.
11. A statement of how the organization intends to use any money remaining at the end of the

School-Connected Organizations

- year if the organization is not continued or authorized to continue in the future.
12. The signature of a site administrator, and his or her recommendation for approval or denial of the application.

School-connected organizations automatically grant the district the right to audit their financial records at any time, either by district personnel or by a public accountant. An annual financial report, signed and certified by an authorized agent of the organization shall be submitted and filed with the Superintendent from each community-connected organization by August 15.

Authorizations granted under this policy shall be valid for up to one year. However, when deemed necessary by the Board, the Superintendent, or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time. Requests for subsequent authorizations shall be presented to the principal annually, together with an annual financial statement showing all expenditures and all income from fund-raisers.

Any program, fund-raiser or other activity sponsored by school-connected organizations shall be authorized and conducted according to Board policy, administrative regulations and school rules. For example, food sales by outside organizations must not compete with the district's school nutrition program and must comply with state and/or federal nutritional standards (Education Code 49431-49431.7; 5 CCR 15500-15501, 15575-15578; 7 CFR 210.11, 220.12). Any participation in fund-raising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary (Education Code 49011). Also, the Governing Board is responsible for ensuring that the district's athletic program provides equivalent opportunities for both males and females. Booster club activities must be included in the district's analysis of the equivalent opportunities provided by each 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 Co-curricular Activities)
- (cf. 6145.2 - Athletic Competition)
- (cf. 1321 - Solicitation of Funds from and by Students)
- (cf. 1330 - Use of School Facilities)
- (cf. 3452 - Student Activity Funds)
- (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

School-Connected Organizations

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 Fund-raising 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

School-Connected Organizations

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>

TUSD Adopted: 9/23/97; Revised 12/08/09; Revised: 3/27/18.