



**MT. DIABLO UNIFIED SCHOOL DISTRICT**  
**Standard Operating Rules:**  
**School-Connected Organizations–**  
**Athletic Booster Clubs**

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## **I. Introduction**

- A.** The Mt. Diablo Unified School District (“MDUSD” or the “District”) is dedicated to providing access to excellent programs emphasizing education and equity. The District relies on funding from voluntary family contributions, booster club donations, and District resources to provide our students, including athletes, with high-quality programs. MDUSD recognizes the importance of equity in all aspects of its school programs, including funding from families, boosters, other organizations and the District. The District is committed to ensuring fairness and equitable opportunities for all students, schools, teams, and programs within our District.

## **II. Applicable Law & Policies**

- A.** Board Policy 1230 recognizes that parents/guardians and community members may wish to establish booster clubs or other organizations for the purpose of supporting the District’s educational and extracurricular program. Such organizations are separate entities from the District, subject to their own bylaws and procedures, and may not imply that they are part of the District or a school.
- B.** Board Policy 3290 requires the District to reject any donation which may impact the District’s ability to ensure equitable educational opportunities.
- C.** Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681–1688) is a federal law prohibiting sex discrimination in education programs or activities receiving federal funding. To ensure compliance with Title IX within District athletic teams, the District must evaluate all athletic programs to identify any potential disparities or inequities in funding, resources, facilities, equipment, uniforms, coaching staff, scheduling, and opportunities for participation.
- D.** Education Code § 51521 requires that all school-connected organizations, including booster clubs, that conduct fundraising to benefit schools, students or the District have prior approval by the Governing Board or the Board’s designee. Accordingly, Board Policy 1230 requires: 1) Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate, including to fundraise and provide support to a specific school, within the District or at a school; and 2) Superintendent or designee shall establish **appropriate rules** for the relationship between school-connected organizations and the District.
- E.** These Standard Operating Rules have been developed to ensure compliance with the applicable laws and Board Policies and require that booster clubs comply with all District Policies and Regulations.

### **III. Annual Application**

- A.** Annual Application & Approval (**Exhibit A**): Booster clubs are not permitted to operate, including fundraise for a school, until final approval is received from the Chief Business Officer (“CBO”) or designee. Authorization shall be granted for a period of up to one fiscal year, generally beginning on July 1<sup>st</sup> and ending on June 30<sup>th</sup>, but may be revoked by the Superintendent or designee, at their discretion, if necessary. Requests for continuing authorization must be presented annually.
- B.** Each officer must submit a signed Acknowledgement Form (**Exhibit C**) and Hold Harmless Agreement (**Exhibit D**), along with the application.
- C.** An organization’s annual application will be denied unless its constitution provides for the distribution of any excess funds to the Associated Student Body (“ASB”), the District, or a non-profit organization, upon its dissolution and/or termination.
- D.** A booster club’s application will be denied unless its constitution provides for a fiscal audit to be conducted (a) at the end of each District fiscal year; (b) when there is a change in the organization’s treasurer; and (c) when there is a change in any officer who has authority to sign the organization’s checks. An outside party, such as a CPA, or the organization’s audit committee, may conduct the audit. The audit committee must be composed of at least two members of the organization, and may not include the organization’s president or its treasurer.

### **IV. Tax Status**

- A.** School-connected organizations (booster clubs) are not legal components of the District. An organization must have its own tax identification number prior to the District considering their annual application. School-connected organizations are not allowed to use the tax identification number of the District, nor the benefited school. All necessary forms can be obtained through the Internal Revenue Service (“IRS”) and California Franchise Tax Board.

### **V. Banking Information**

- A.** An organization seeking school-connected status must have its own bank account prior to the District considering the application. The booster club is responsible for their own accounting and financial records. Comingling of booster funds and ASB funds is prohibited. A booster club’s application will be denied unless the official name connected with its tax identification number is used on all of its checks and literature.

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## VI. Insurance Requirements

- A. An organization's annual application will be denied unless it includes a Certificate of Liability Insurance evidencing the existence of a policy of insurance with the following minimum limits of coverage: General Liability: \$1,000,000 (per occurrence). The certificate must also indicate that the District is endorsed as an "additional insured," and have the name of the benefited school in the description area. In addition to the Certificate of Insurance, a copy of the insurance policy's Endorsements Page (evidencing the District named as an additional insured) is required. An organization seeking school-connected status may use any insurance company of its choice.

## VII. Use of School Facilities

- A. California Education Code §§ 38130-38139, known as the Civic Center Act, regulates the use of school facilities at K-12 districts. The District Executive Director of Facilities, through the District Permit Office, must approve all on-campus activities, including meeting times, places, dates, and fundraisers. On-campus activities cannot conflict with school schedules or school activities, which all take precedence over booster activities.
- B. Should an organization desire the use of District facilities (for a meeting or other purpose), please visit:  
<https://www.mdusd.org/departments/business-services/mo-home/facility-use-permits>, to complete a request. When using school facilities, the District may, at its discretion, require a higher level of insurance coverage than discussed above based on the type of use requested, such as athletic activities and large events.
- C. Rules for use:
1. **Fees:** Booster clubs, who 1) have a current authorization as a school-connected organization on file; 2) reserve a facility under its official name; and 3) present a Certificate of Insurance evidencing the existence of a policy of insurance with the minimum limits of coverage necessary for the planned event, may qualify for a no-cost facility rental. However, other terms and conditions may apply.
  2. **Coach Use:** A booster club **may not** sponsor a coach running a sport camp which charges students and qualifies for the no cost rental. In other words, a coach-administered camp which charges students to participate will not qualify for a no-cost facility rental even if a school-connected organization provides monetary or non-monetary support to the camp. Third-party sponsorship of an entity or individual is not permitted in order to qualify for the Group I or II rate. The coach must submit his/her own Facility User Permit application. *See* Fiscal Crisis & Management

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Assistance Team (“FCMAT”): [Booster Clubs & Parent Organization Workshop](#) (“Not allow any individual to personally benefit from the booster club or parent organization’s activities.”)

## **VIII. Financial Procedures**

### **A. Budgets**

1. Every District sports team is required to develop a budget, obtain Athletic Director approval of that budget, and post the budget on its school’s website by the start of the competition season. All expenditures for the team must go through the District’s financial system to ensure equity, transparency, and Title IX compliance. Direct payments by individuals, booster clubs, or any other type of organization for any District school or sports team expenditure is strictly prohibited.
2. Every District sports team is required to post their realized revenues and expenditures on its school’s website after the end of the competition season. The District will monitor revenues and expenditures to ensure equity among teams and Title IX compliance.
3. Each booster club must submit a copy of annual financial statements to the CBO or designee at the end of the fiscal year (and mid-year financial statements upon request).

### **B. In-Kind Contribution (non-monetary donations)**

1. Any in-kind contributions from an individual, booster club, or any other type of organization is strictly prohibited without the express, written approval of the principal or designee and monitoring by the District Title IX Coordinator or designee.

## **IX. Operating Procedures**

### **A. Revenue and Expenditure**

1. The District has adopted the following procedures to ensure equity among teams and Title IX compliance. Booster funded expenditures are subject to Title IX, and the District is responsible for ensuring compliance in connection with all athletic funding and expenditures. For this reason, the District’s Title IX Coordinator must approve all athletic funding. In addition, for the District to ensure Title IX compliance, all booster clubs and any other organization wishing to provide monetary funding to a school must first submit a completed [Form 990 \(EZ\)](#) to the benefiting

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school's Athletic Director. The Principal or designee must review and ensure that the overall budgets comply with Title IX; the Principal must submit a final budget for all sports for the season on a single spreadsheet to the District's Title IX Coordinator for final approval.

2. Family contributions, donations, and fundraising:

- a) Family Contributions: Although family contributions are helpful to our athletic programs, families do not have to contribute for their students to participate fully. To ensure that families are not coerced or shamed into contributing to an athletic program, contributions will be kept anonymous from coaches and parents. For this reason, neither coaches or parents may directly collect contributions for the program or for specific items like uniforms.
- b) Donations: Athletic teams may not receive monetary nor in-kind donations directly from individuals, booster clubs, or other organizations. **All monetary contributions must run through the District financial system.** Any in-kind contributions must receive written approval of the Principal or designee with direct monitoring by the District Title IX Coordinator or designee.
- c) Fundraising: All fundraisers for District schools must receive prior approval by the principal or designee of the benefited school to ensure that the fundraisers follow District guidelines and prevent competitions from arising between various organizations. Any approved fundraiser must be conducted in accordance with District policies and regulations. Any application to conduct a fundraiser will be denied unless an [ASB Fundraising Form](#) is submitted to the school's treasurer at least 15 days before the event.

- (1) Boosters MAY NOT make direct payments to any District employee for services performed for the District and/or organization. This prohibition includes payments in the form of gift cards or other non-monetary gifts. If a booster club wishes to compensate a District employee, the organization must consult with the District employee's school site principal or designee for the appropriate steps to do so through the District payroll.

**B. Fundraising**

- 1. Booster clubs may only fundraise according to their posted budgets, which the Title IX Coordinator has approved to ensure equity and Title IX

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Compliance. Any fundraising outside of the approved budget's scope will be deposited into a District account designated for program-wide use, and will be expended in a manner to ensure equity and Title IX compliance. **In order to ensure Title IX compliance, any request from a booster club to earmark their fundraising proceeds (outside of Title IX approved budget) for a particular sport or group of sports will be denied.**

2. If a booster club decides to operate a bingo or raffle activity, California Penal Code § § 320.5 and 326.5 regulate these events.

*C. Purchasing*

1. All expenditures for the benefit of the District shall be made exclusively by the District. Third party purchases for the benefit of the District are **prohibited.**

*D. Off-Campus Banquets*

1. The District encourages the use of its facilities for team banquets to reduce costs for families; for teams that choose to have banquets at an off-campus location, the Principal or designee must approve the location and budget in order to ensure Title IX compliance. MDUSD must approve a contract from the banquet location before any deposit or payment is made to the location. The contract must be submitted with a [Requisition Form](#), and, in some cases, a certificate of insurance.



**Standard Operating Rules**  
**Exhibit A: 20\_\_ - \_\_ Application for Athletic**  
**Booster Club**

Exhibit A: Application for Booster Club—*submit to school's Vice Principal.*

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|---|--|
| <input type="checkbox"/> New Application (pre-approval) (Complete Sections I thru IV) | <input type="checkbox"/> Renewal Application - Required each school year Complete All Sections |
| <input type="checkbox"/> New Application (final approval) Complete Sections V thru VI | <input type="checkbox"/> Change to Executive Board Officers Complete Section II                |

I. GENERAL INFORMATION					
Name		School			
Address		Date			
		Web Address			
II. EXECUTIVE BOARD OFFICERS					
	Name	Address	Phone	Email	Term End Date
President					
Vice President					
Secretary					
Treasurer					
III. PURPOSE (Describe the purpose of the organization)					
IV. ANNUAL OBJECTIVES (List specific goals for the school year)					
<p>This certifies you have satisfied sections I thru IV. Please complete remaining sections and resubmit for Final Approval. Booster club is not authorized to operate until all sections have been satisfied and signature for final approval is received from the school site administrator.</p>					
Initials School Site Administrator:			Date:		





**Standard Operating Rules**  
**Exhibit A: 20\_\_ - \_\_ Application for Athletic**  
**Booster Club**

**V. FINANCIAL INFORMATION**

Bank		Account No.	
Address of Bank		Tax ID No.	
		Authorized Signers	

**VI. REQUIRED DOCUMENTS (Attach)**

<input type="checkbox"/> Booster Club Constitution <input type="checkbox"/> Booster Club Bylaws <input type="checkbox"/> Booster Club Banking Information <input type="checkbox"/> Proof of Tax ID Number <input type="checkbox"/> California Seller's Permit (optional) <input type="checkbox"/> Proof of State Tax Exempt Status (optional)	<input type="checkbox"/> Hold Harmless Agreement <input type="checkbox"/> Certificate of Insurance Listing MDUSD as Additional Insured <input type="checkbox"/> Booster Club Rules Acknowledgement form Signed by each officer <input type="checkbox"/> Booster Club Officers Contact Information <input type="checkbox"/> List of Proposed Fundraisers (if any)
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**FINAL APPROVAL**

This certifies you have satisfied all sections of the Mt. Diablo Unified School District Application for Booster Club. Authorizations are granted per school year. You must resubmit your application annually to continue to operate as a booster organization.

School Site Verification Booster Club Workshop Attendance:

Name of Attendee		Date of Attendance	
Chief of Business Services Approval		Date	
Authorized Date	From:	To:	

**DENIED APPLICATION**

Based upon the information submitted on this application the Mt. Diablo Unified School District hereby denies the Application for Booster Club.

Signature of Chief Business Officer		Date:	
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Rationale:

A booster organization reserves the right to re-apply once the basis for denial has been remedied.



**Standard Operating Rules**  
**Exhibit B: 20\_\_ - \_\_: Parent Organization/Booster**  
**Club Bank Information**

**Exhibit B: Parent Organization/Booster Club Bank Information**

Parent Organization/ Booster Club Name		School Year	
California Entity No.		School Site	
Federal EIN			
Account number		Authorized Signer	
Bank Name		Authorized Signer	
Address		Authorized Signer	
Bank Telephone Number		Note: MDUSD EMPLOYEES CANNOT BE SIGNERS	
Disposition of any fund balance should the parent organization/booster club disband or be denied authorization to operate in the MDUSD is included in the parent organization/booster club bylaws.			
I understand that our parent organization/booster club's financial statements must be submitted to the school principal or his/her designee and to the District's Business Services Office within 15 days of December 31st and June 30th of each school year.			
Signature		Date	
Printed Name		Office Held	



**Standard Operating Rules**  
**Exhibit C: 20\_\_ - \_\_**  
**Booster Club Acknowledgement Form**

**Exhibit C: Booster Club Acknowledgement Form**

As an elected officer to a booster club operating within the Mt. Diablo Unified School District, I certify that I have read the MDUSD Standard Operating Rules. I understand the procedures outlined in Standard Operating Rules and will adhere to its instruction. At any time should I have questions regarding policies or procedures, or the information outlined in the Standard Operating Rules, I will contact the school site administration for clarification or further instruction. I further understand that the information provided in the Standard Operating Rules is not intended to be specific or all-inclusive. It is the responsibility of the booster club to fully understand all laws that govern the operation of booster clubs. Where necessary, the booster club will seek competent professional financial and tax advice for accounting and filing requirements.

I agree that the District is not accountable or liable in manner for the operation and management of booster clubs. I understand that as an officer of the booster club, and member of the executive board, I am required to ensure the booster club procedures and operating practices are financially and legally sound, and in conformance with all rules, regulations, laws, ordinances and statute applicable to the organization. I further understand and accept that I am legally obligated to be prudent and reasonable in conducting myself to help preserve and protect the organization.

Signature		Date	
Printed Name		Office Held	
Parent Organization/ Booster Club Name			

Maintain a copy of this manual for your reference.

Please return this signed receipt form to the school site administrator.



**Exhibit D: 20 \_\_\_\_ - \_\_\_\_  
 Booster Club  
 Hold Harmless Agreement**

**Exhibit D: Booster Club Hold Harmless Agreement**

As an elected officer to a booster club operating within the Mt. Diablo Unified School District, I certify that I have read the Mt. Diablo Unified School District Standard Operating Rules. I understand the procedures outlined in the Standard Operating Rules and will adhere to its instruction. At any time should I have questions regarding policies or procedures, or the information outlined in this manual, I will contact the school site administration for clarification or further instruction. I further understand that the information provided in this manual is not intended to be specific or all-inclusive. It is the responsibility of the booster club to fully understand all laws that govern the operation of booster clubs.

Where necessary, the booster club will seek competent professional financial and tax advice for accounting and filing requirements. I agree that the District is not accountable, nor liable in any manner, for the operation and management of booster clubs. I understand that as an officer of the booster club, and member of the executive board, I am required to ensure the booster club procedures and operating practices are financially and legally sound, and in conformance with all rules, regulations, laws, ordinances and statutes applicable to the organization. I further understand and accept that I am legally obligated to be prudent and reasonable in conducting myself to help preserve and protect the organization.

Signature		Date	
Printed Name		Office Held	
Parent Organization/ Booster Club Name			

Maintain a copy of this manual for your reference.

Please return this signed receipt form to the school site administrator.