

## **Community Relations**

### **SCHOOL-CONNECTED ORGANIZATIONS**

The Board of Trustees recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district and extracurricular programs, such as athletic teams, debate teams, or musical groups. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting the district activities and helping to achieve the district's vision for student learning.

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

A school-connected organization, including a booster club, parent-teacher association or organization, or other organization that does not include an associated student body or other student organization, shall be established and maintained as a separate entity from the school or district. 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.

The Superintendent or designee shall establish appropriate rules for the relationship between school-connected organizations and the district.

A school-connected organization shall obtain the written approval of the Superintendent or designee prior to soliciting funds upon the representation that the funds will be used wholly or in part for the benefit of a district school or the students at that school. (Education Code 51521)

A school-connected organization may consult with the principal to determine school needs and priorities.

Any participation in fundraising activities by students and their parents/guardians and/or any donation of funds or property shall be voluntary. (Education Code 49011)

(cf. 0200 - Goals for the School District)

(cf. 6020 - Parent Involvement)

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 1330 - Use of School Facilities)

**SCHOOL-CONNECTED ORGANIZATIONS (continued)**

- (cf. 3452 - Student Activity Funds)
- (cf. 3290 - Gifts, Grants and Bequests)
- (cf. 3554 - Other Food Sales)
- (cf. 5030 - Student Wellness)
- (cf. 6145 - Extracurricular and Cocurricular Activities)
- (cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

- 200-262.4 Prohibition of discrimination on the basis of sex
- 35160 Authority of governing boards
- 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
- 49431 Sale of food to elementary students during the school day
- 49431.2 Sale of food to middle, junior, or high school students
- 49431.5 Sale of beverages at elementary, middle, or junior high schools
- 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 Fundraising 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:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

- 1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

WEB SITES

- 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>

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### SCHOOL-CONNECTED ORGANIZATIONS

Persons proposing to establish a school-connected organization shall submit a request to the Board of Trustees or the Superintendent/Superintendent's designee for authorization to operate at the school. Requests for authorization shall contain:

1. The name and purpose of the organization
2. The date of the application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any and an agreement that the group will not engage in unlawful discrimination

(cf. 0410 - Nondiscrimination in District Programs and Activities)

4. The names, addresses and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records at any time, either by district personnel or a certified public accountant
7. The name of the bank where the group's account will be located and the names of those authorized to withdraw funds.
8. The signature of the principal of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability and/or directors and officers insurance when and in the manner required by law

For the safety and protection of students, the school and the district, the Superintendent or designee shall not grant approval to establish or reauthorize any School-Connected Organization that has an individual(s) in any informal or formal leadership role or any other official capacity that is not in GOOD STANDING. In addition, any School-Connected Organization that appoints, elects an individual that is or has someone not in GOOD STANDING in a significant informal or formal role, then the Superintendent or designee can suspend the School-Connected Organization's status until such time that the district investigates. The outcome of that investigation shall be shared with the Board.

**SCHOOL-CONNECTED ORGANIZATIONS (continued)**

GOOD STANDING is defined as an individual:

1. that has not received a District or school site issued withdrawal of consent within the prior five years, or
2. that has not engaged in conduct that indicates fiscal misconduct or mismanagement of any public funds, or
3. that does not have a documented record of disruption or failure to follow regulations of any other school connected organization, or
4. that has not been convicted of a serious or violent felony as defined in the Education Code, with the exception that an individual may present evidence of rehabilitation for the Superintendent or designee's consideration.

(cf. 1330 - Use of School Facilities)

Requests for subsequent authorization shall be submitted to the Superintendent or designee annually, along with a financial statement showing all income and expenditures from fundraisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his recommendation to the Board for approval.

When deemed necessary by the Board or the Superintendent or designee, the authorization for a school-connected organization to conduct activities in the district may be revoked at any time.

School-connected organizations are prohibited from hiring or directly paying district employees. Organizations may make donations to the district to cover the costs of additional employees, but only if such positions are approved in advance by the Board. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

Each school-connected organization shall abide by the following rules:

1. The organization shall not act as an agent of the district or school.
2. The organization shall not use the district's tax-exempt status and identification number. It shall be responsible for its own tax status, accounting, internal controls, financial reporting, retention of records, and other operations.
3. The organization shall use a separate name and logo. Any use of a name or logo affiliated with the district, a district school, or a school team shall require the prior consent of the Superintendent or designee.
4. Funds of the school-connected organization shall not be co-mingled with district funds, including associated student body funds.
5. The organization shall not hire or directly pay any district employee. If a school-connected organization wishes to pay for additional and/or extracurricular services, the person to provide the services shall be hired through the district's personnel department, provided the Board approves the position. At their discretion, employees may volunteer to perform activities for school-connected organizations during nonworking hours.

**SCHOOL-CONNECTED ORGANIZATIONS (continued)**

(cf. 1330 – Use of School Facilities)

(cf. 4127/4227/4327/ - Temporary Athletic Team Coaches)

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(9/90 12/90) 7/07  
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