

Cache County School District

Policy Series 6000: Finance and Operations

Policy No. 6150

Fundraising

The purpose of this policy is to establish Cache County School District policy and procedures governing the initiation, and review of all fundraising activities of the Cache County School District and individual schools.

This policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with state and federal laws.

The Cache County School District encourages community and business partnerships that enhance and supplement the public education systems.

The Cache County School District also desires to protect students, parents, teachers, and school administrators from over-commercialization and fundraising efforts that are coercive and disruptive to the education processes, threatening to the health and welfare of students, or lacking in educational merit.

This policy applies to all Cache County School District administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for school-sponsored events. It is expected that in all dealings, Cache County School District and school employees will act ethically and consistent with the Cache County School District's ethics training, the Utah Educators Standards, the Public Officers' and Employees' Ethics Act, and State procurement law.

General Policy Statements for Cache County School District & School-Sponsored Activities

- A. "Public funds" are money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions, including Cache County School District or other public bodies (Utah Code 51-7-3[26]).
- B. Fundraising is permitted within the Cache County School District to allow the Cache County School District and schools to raise additional funds to supplement school-sponsored academic and co-curricular programs.
- C. "School-sponsored" means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by the Cache County School District or individual school(s) that support the Cache County School District or authorized curricular school clubs, activities, sports, classes or programs that also satisfy one or more of the following criteria. The activity:
 - 1. Is managed or supervised by Cache County School District or public school, or Cache County School District or public school employee.

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2. Uses the Cache County School District or public school's facilities, equipment, or other school resources.
 3. Is supported or subsidized, more than inconsequently, by public funds, including the public school's activity funds or minimum school program dollars.
 4. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code [53G-7-704 through 707](#).
- D. The Cache County School District recognizes that fundraising efforts, donations, and public support vary among schools. The Cache County School District is committed to appropriate distribution of unrestricted funds and the management of fundraising to ensure that the educational opportunities of all students are equal and fair.
- E. The Cache County School District is committed to principles of gender equity and compliance with Title IX guidance. The Cache County School District commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. The Cache County School District reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.
- F. Principals, consistent with Cache County School District policy, have the responsibility to waive fees, if appropriate. Individual teachers, coaches, advisors, etc. do not have the authority to waive board-approved fees.
- G. Annually, each individual school will review all planned camps, clinics, activities, and fundraisers and determine those designated as school-sponsored. Those not designated as school-sponsored will follow the nonschool-sponsored criteria in Section E.
- H. All monies raised through fundraisers for school-sponsored activities are considered public funds. The Cache County School District and individual schools are ultimately responsible for the expenditure and allocation of all monies collected and expended through student, school-organized fundraising.
- I. The collection of money associated with fundraisers for school-sponsored activities will comply with the Cache County School District cash receipting policies.
- J. The expenditure of any public funds associated with fundraisers for school-sponsored activities will comply with the Cache County School District cash disbursement policies.
- K. Properly approved school-sponsored activities may:
1. Use the school's name, facilities, and equipment.
 2. Utilize Cache County School District employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
 3. Be insured under the Cache County School District's risk management policy (pending approval by the Cache County School District risk manager) or general liability insurance policy.
 4. Provide additional compensation or stipends for Cache County School District employees with the approval of the principal or immediate supervisor and under Cache County School District payroll policies.

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- L. School-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules. Cache County School District may be responsible for providing student transportation for these activities.
- M. Authorization and supervision of fundraising for school-sponsored activities:
1. Fundraising at the Cache County School District level shall be approved in writing, prior to the activity, by the superintendent or applicable assistant superintendent/director and supervised by Cache County School District employee(s) designated by the approver. The approver shall ensure that the activity is appropriately classified as a school- or Cache County School District -sponsored activity.
 2. No required individual fundraising is approved.
 3. Optional individual fundraising may be provided for students to raise funds to offset the cost of the student's individual fees.
 4. Group fundraisers are allowed with no required individual quotas.
 5. No student shall be denied membership based on non-participation in a fundraiser.
 6. Fundraising at individual schools shall be approved in writing, prior to the activity, by the principal and supervised by a member of the faculty or other Cache County School District employee designated by the principal. The approver shall ensure that the activity has been appropriately classified as a school-sponsored activity. Principals may approve fundraisers or activities where the expectation is to earn up to \$10,000. Fundraisers expected to earn more than \$10,000 and up to \$50,000 must be approved in writing by the superintendent. Fundraisers expected to earn more than \$50,000 must be approved by the Cache County School District's board.
 7. Donations from individuals or organizations will follow the Cache County School District's gift and donation policy.
 8. The sale of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the principal before the items are initiated or printed, and must meet community standards. Partisan or political advertising and advertising for products that are prohibited by law for sale or use by minors, such as alcohol, tobacco, or other substances that are known to endanger the health and well-being of students, are prohibited.
 9. All fundraising projects for construction, maintenance, facilities renovation or improvement and other capital equipment purchases must be approved in writing by the business administrator, the superintendent, and the Cache County School District board. (See capital fundraising section below.)

General Fundraising Standards for Cache County School District & School-sponsored Activities

- A. The Cache County School District reserves the right to prohibit, restrict or limit any fundraising activities associated with the Cache County School District or individual schools.

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- B. Faculty and student participation in fundraisers is typically voluntary. However, employees may be directed to supervise specific activities as an employment assignment. Students, including fee-waiver-eligible students, may be required to participate fully in school, team, or group-wide fundraisers in order to benefit from fundraisers.
- C. Participation in fundraising shall not affect a student's grade. Students shall not be required to participate in fundraising activities as a condition of belonging to a team, club or group, nor shall a student's fundraising effort affect his/her participation time or standing on any team, club or group, except as to fee waiver requirements.
- D. Competitive enticements for participation in fundraisers are discouraged. If prizes or rewards are offered by a selected fundraising vendor, they should only be awarded to groups, classes or students, and must be disclosed and approved prior to the fundraiser. Rewards, prizes, commissions, or other direct or indirect compensation shall not be received by any teacher, activity, club or group director, or any other Cache County School District employee or volunteer.
- E. Schools may not impose a sales quota (or the like) as part of fundraising efforts, and students or parents shall not be required to pay for any unsold items, or pay for goals not met.
- F. In elementary schools:
 - 1. One PTA or school fund raising activity, which includes students, at the school site may be held each school year.
 - 2. Additional fund raising within the school itself could include school pictures, book fairs, school t-shirts, etc.
 - 3. Students will not sell merchandise of any kind, nor will they solicit funds door-to-door.
- G. In middle schools:
 - 1. A maximum of three sponsored fund raising events per school year, which may involve door-to-door solicitations, may be held. Each student participant will carry a "Cache Fund Raising Form" for identification. Suitable procedures must be used by the schools, administrators, and supervising faculty to safeguard students and funds collected. Procedures must be clearly communicated to parents.
 - 2. Additional fund raising within the school itself could include school pictures, book fairs, school t-shirts, etc.
- H. In grades 9-12:
 - 1. A maximum of three sponsored fund raising events per school year, which may involve door-to-door solicitations, may be held. Each student participant will carry a "Cache Fund Raising Form" for identification. Suitable procedures must be used by the schools, administrators, and supervising faculty to safeguard students and funds collected. Procedures must be clearly communicated to parents.
 - 2. In addition, booster clubs and organizations may undertake fund raising in the name of the school provided that using school facilities or students for support of school

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programs must (a) comply with Board policy concerning fund raising, and (b) must have prior approval from the principal.

- I. Approval may be denied for fundraising activities that would expose the school or Cache County School District to risk of financial loss or liability if the activity is not successful.
- J. Fundraising activities shall be age appropriate, and shall maintain the highest standards of ethical responsibility and integrity.
- K. Fundraising revenues should be accounted for at an individual contribution level or participation level. Participation logs should be retained and turned into the accounting office to be included with the deposit detail.
- L. Employees who approve, manage, or oversee fundraising activities are required to disclose if they have a financial or controlling interest or access to bank accounts in a fundraising organization or company.
- M. Records of all fundraising efforts shall be open to the parents, students and donors, including accurate reporting on participation levels and financial outcomes. This policy does not require the release of students' personally identifiable information protected by FERPA.

Non-school sponsored Activities and Fundraisers

- A. Activities, clubs, groups and their associated fundraisers or other activities that are not school sponsored or groups, clubs, sports, and programs that are not managed by Cache County School District employees are deemed to be non school sponsored. Non-school sponsored activities may:
 - 1. NOT use the school's or Cache County School District's name without express Cache County School District permission.
 - 2. NOT use the Cache County School District's facilities, equipment, and other assets or staff unless a facilities use agreement is initiated and approved. These agreements should follow Cache County School District policy for other facilities use agreements.
 - 3. NOT utilize Cache County School District employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
 - 4. NOT be insured under a Cache County School District's risk management or insurance policy. Non-school sponsored activities must provide their own insurance through a third-party insurer.
 - 5. NOT provide additional compensation or stipends for Cache County School District employees, if the activity is not substantially different from a Cache County School District employee's regular job functions and duties and outside of employee's contract hours. (See LEA employee disclosure agreement below.)
 - 6. Not co-mingle public funds and private fundraising proceeds or expenditures.
 - 7. Not use school records to contact parents or students.
- B. Parental notification by a Cache County School District employee is required if Cache County School District employees are involved in the planning, administration, advertising, or serving as staff for a non-school-sponsored activity and if Cache County

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School District students are involved. This notification shall occur using the “Non-School Sponsored Parent Notification” form. A copy of this form shall be submitted to the principal by the Cache County School District employee prior to the event.

- C. Funds, donations, or gifts generated through non-school-sponsored activities or events may be donated to the Cache County School District or to an individual school to support specific programs, teams, groups, clubs, etc. All donations or gifts shall follow the guidance established in the Cache County School District’s donations and gifts policy.
- D. Non-school-sponsored activities may work in conjunction with the Cache County School District or an individual school to raise funds. The Cache County School District may allow these groups to use Cache County School District facilities at little or no charge in exchange for contributions or percentages of proceeds. The Cache County School District may choose to provide some level of support or pay for portions of these activities. These arrangements shall be set forth in a written agreement or contract, and all transactions will be conducted as “arm’s-length transactions.” These agreements shall take into consideration the Cache County School District’s fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by the principal, the facilities use agreement approver, and the business administrator. The Cache County School District will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.
- E. Non-curricular clubs specifically authorized under Utah Code [53G-7-704 through 707](#) are not considered school sponsored. (See the chart: “Is It School-sponsored?”)

Employee Relationships & Disclosure

A. Participation in Private or Non-School-Sponsored Events

1. Cache County School District employees:

- a. May participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.
- b. Must ensure that personal participation in activities is separate and distinguishable from the employee’s public employment, official job title, or job duties.
- c. May not contact students in the Cache County School District using education records or information obtained through public employment unless the records or information are available to the general public. d. May not use school time to discuss, promote, or prepare for a private or non-school sponsored activity. e. May offer public education-related services, programs or activities to students, provided they are not advertised or promoted during school time or using any type or amount of school resources.
- f. May use school or student publications available to the general public to advertise and promote the private or non-school-sponsored activity.
- g. May not require private or non-school-sponsored activities for credit or participation in school programs. h. Must satisfy all requirements of Utah Code [53E-3-512](#), regarding ethical conduct standards, and R277- 107,

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- regarding educational services outside of the educator's regular employment.
- B. Cache County School District employees may purchase advertising space to promote private or non-school sponsored events in the same manner as the general public. The Cache County School District employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not school sponsored. (See R277-107-5 through 6.)
 - C. Cache County School District employees may engage in outside employment with a private entity or other separate organizations that does not interfere with Cache County School District duties or job functions. Employees must complete the Cache County School District disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions.
 - D. Parental notification is required if Cache County School District students are recruited to participate in these activities.
 - E. Cache County School District employees may not set up bank accounts for activities or fundraisers associated with Cache County School District responsibilities or job functions.
 - F. Cache County School District employees may not direct fees or fundraiser proceeds from school sponsored activities to outside entities.
 - G. Cache County School District employees may not direct operating expenditures to outside funding sources or groups to avoid Cache County School District procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).
 - H. Cache County School District employees must comply with Cache County School District procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

Capital Fundraising/Large Fundraising Projects

- A. All fundraising projects for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by the business administrator, the superintendent, and the Cache County School District's board. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to the business administrator for evaluation and recommendation to the superintendent:
 - 1. Prospective construction, maintenance or renovation plans and estimated costs
 - 2. Proposed naming opportunities
 - 3. Proposed fundraising timeline
 - 4. Loans or financing agreements
 - 5. Maintenance or upkeep requirements and costs
 - 6. Assurances of compliance with Title IX (e.g., available for use by both male and female students and/or for several purposes or activities)
- B. The superintendent will make a recommendation to the Cache County School District's board. The board reserves the right to tentatively approve plans, pending fundraising, donations, equity, or other conditions.



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Legal References:

Synopsis:

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