Policy 565
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SCHOOL DISTRICT – BOOSTER CLUB RELATIONSHIP

I. PURPOSE

The purpose of this policy is to provide information and guidance for internal and external booster clubs as they relate to and interact with Big Lake Schools.

II. GENERAL STATEMENT OF POLICY

The district recognizes the value of booster clubs and their support of district programs. All booster clubs must follow the guidelines outlined in this policy, District Policy 511 "Student Fundraising", and District Policy 706 "Acceptance of Gifts."

III. DEFINITIONS

Booster clubs are clubs that exist for the primary purpose of supporting and promoting school-based activities.

Internal Booster Clubs are clubs that exist within the school district and whose activities and funds are directly under the control of the school district. Examples are fundraising accounts for school based activities.

External Booster Clubs are clubs that exist outside of the school district. These clubs operate as separate entities, control their own funds, and have their own bank accounts.

Advisors help establish the framework, which reflects the goals and attitudes of the program and its members and aligns the program to enhance the curricular program. The advisor follows prescribed procedures as stated in their employment description.

Coaches help educate students through participation in interscholastic competition. Coaches establish the fundamental philosophy, skills and techniques taught to student participants under the general direction of the Activities Director or Director of Community Education. The coach follows prescribed procedures as stated in their employment description.

Volunteer Coaches help educate students through participation in interscholastic competition. Coaches establish the fundamental philosophy, skills and techniques taught to student participants under the general direction of the Activities Director or Director of Community Education. The coach follows prescribed procedures as stated in their employment description and forego compensation.

Volunteer Advisors help establish the framework, which reflects the goals and attitudes of the program and its members and aligns the program to enhance the curricular program. The advisor follows prescribed procedures as stated in their employment description. The advisor follows prescribed procedures as stated in their employment description and forego compensation.

IV. A RELATIONSHIP BETWEEN THE SCHOOL DISTRICT AND EXTERNAL BOOSTER CLUB EXISTS WHEN ONE OR MORE TO THE FOLLOWING CONDITIONS ARE MET:

A. The group is permitted access to school facilities and communication forums after following District policies and procedures, including, but not limited to: Facilities Use Agreements and Advertisement policies.
B. School employees routinely assist in the group's activities.
C. The group is provided access to the school's name, and/or mascot and district branding guide. All materials should reflect the district's brand visually and follow Policy 109.
D. Announcements for group related functions do not provide clear indication of whether the event is sponsored by the booster club or the school district.

V. WHEN A RELATIONSHIP BETWEEN AN EXTERNAL BOOSTER CLUB AND THE SCHOOL DISTRICT EXISTS, THE FOLLOWING CONDITIONS MUST BE MET BY THE CLUB:

A. Title IX Compliance: Title IX regulations prohibit aiding and perpetuating discrimination by "providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students." The school district is responsible for compliance with Title IX regulations and, in turn, must hold each Booster Club in compliance with Title IX regulations. If the district determines a contribution creates an imbalance in Title IX it must require an equal contribution to maintain balance or deny the gift. In the final analysis the school district is responsible for Title IX compliance regardless of whether the disparate benefits are created by booster clubs or other sources of outside assistance.
B. Minnesota State High School League (MSHSL) Compliance: In the event that the activity benefiting from the activities of an internal or external booster club is a member of the MSHSL all activities of and donations from the booster club must meet MSHSL rules and regulations.
C. External Booster Clubs must have their own Federal Taxpayer Identification Number, a State Employer's ID number and if appropriate, a State Seller's Permit Number (Sales Tax), and a Sales Tax Exemption Form ST3.
D. Booster Clubs are not allowed to use a school district address.
E. Booster Clubs may not provide direct funding or reimbursement to student athletes for their participation in camps or clinics outside of the regular season.
F. Announcements of events sponsored by a Booster Club shall clearly indicate that it is sponsored by the group and not by the school district.
G. In the event a group donates money to fund a coaching or directing position, the funds must be donated to the school district designated for such a purpose. If accepted and approved by the district, the coach shall be paid through its payroll system. The school district must pay all coaches; a booster club is not allowed to pay coaches.
H. In the event a Booster Club wishes to purchase equipment, the funds for the equipment may be donated to and approved by the school board and designated for such a purpose. Once approved, the district may purchase the equipment. If the donated equipment is being directly purchased, the Booster Club must get prior approval from the Activities Director. The equipment becomes the sole property of the school district.
I. All donations of funds and equipment shall be made and accepted in accordance with School Board Policy 706, "Acceptance of Gifts".
J. All fundraising activities completed by a Booster Club shall comply with School Board Policy 511 "Student Fundraising".
K. All Booster Clubs must comply with School Board Policy 210 "Conflict of Interest".
L. The sale of all food items sold through concessions or fundraising shall conform to Minnesota Department of Health.

M. The sale of all food items sold through concessions or fundraising during the school day must comply with Smart Snacks in School federal regulations. A school day for Smart Snacks regulations is defined as one half hour before school start time and one half hour after school end time.
N. Checks written to external booster clubs must be written to the Booster Club organization, not to Big Lake Schools. Under no circumstances should a check intended for the Booster Club be written out to a coach or other employee of the school district.
O. A school district employed coach, advisor, and volunteer coaches or advisors cannot be a Board member of the Booster Club for their respective employed program. Coaches, advisors, and volunteer coaches or advisors, may only be an advisory member of the Booster Club.
P. At no time shall a paid coach or employee of Big Lake Schools have check writing authority as part of a club within the sport(s) they coach.

VI. THE SCHOOL DISTRICT STRONGLY RECOMMENDS THAT BOOSTER CLUBS:

A. Maintain a general liability insurance policy that names the school district as an additional insured party. Such policy should be comprehensive liability policy that includes property coverage, officer's liability, and bond coverage for the treasurer or fund custodian.
B. Big Lake Schools strongly encourages all booster clubs to organize as a 501(c)3 non-profit. Each booster club should have elected or appointed officers in accordance with 501(c)3 regulations. In accordance with 501(c)3 IRS regulations, Booster Clubs shall not keep individual fundraising accounts for students. All fundraising shall be for the benefit for the program as a whole.
C. The school district recommends each booster club follow specific accounting practices, which include, but are not limited to the following:
    1. The treasurer of the booster club shall handle all funds and deposit funds into the Booster Club's authorized bank account.
    2. Two people should be involved in the authorization and signing of any check.
    3. Purchases of donated equipment must be reviewed and done by the School District.
    4. Two people should count the money and provide the treasurer with a signed proceeds receipt.
    5. Sales slips, receipts, or invoices should be provided for every expenditure.
    6. Bank statements should be reconciled by the treasurer and reviewed by someone who does not have check signing authority.
    7. The treasurer's report should contain all transactions that took place prior to the meeting.
    8. Financial records of each booster club should be open to all members and the public.
    9. Big Lake Schools reserves the right to request tax statements, receipts, expenditures, and balances.
D. Booster Clubs should conduct internal reviews and/or audits of their financial records as a defense against embezzlement and fraud.

Legal References: Minn. Stat. 123B.02, Subd. 6 (Bequests, Donations and Gifts)
Minn. Stat. 465.03 (Gifts)
Minnesota Statute 609.761, Subd. 5 (Raffles) Federal Law 20 U.S.C. 1681-1688 (Title IX)

Cross References: Policy #102 (Equal Educational Opportunity)
Policy #511 (Student Fundraising Policy)
Policy #706 (Acceptance of Gifts)

Office of the State Auditor Statement of Position "Outside Organizations Supporting Schools"