Davis School District Policy and Procedures

Subject: 10CR-200 – Donations, Fund Raising, and Commercialism
Index: Community Relations
Revised: ~~September 1~~October 27, 2026

---

1. PURPOSE AND PHILOSOPHY

The Board of Education of Davis School District (Board) encourages partnerships which strengthen and enhance school programs and create a climate of involvement and cooperation between community organizations and schools in areas of mutual interest and concern through:

1.1. sharing resources that benefit students and improve educational programs;

1.2. involving Davis School District (District) schools and the private sector in cooperative efforts that enhance the quality of education for students at all levels;

1.3. protecting students, parents, teachers, and school administrators from commercialization and fund raising efforts that are exploitative, coercive, disruptive to the educational process, threatening to the health and welfare of students, or lacking in educational merit; and

1.4. providing an orderly procedure whereby schools and outside entities and individuals can cooperate commercially.

2. DAVIS SCHOOL DISTRICT FOUNDATION

The Davis School District Foundation (Foundation) is a non-profit 501(c) (3) organization established to improve community support and increase resources to schools to enhance the quality of public education in Davis County.

2.1. Donations

Any organization or individual wishing to donate cash, materials, equipment, other property, or programs to a school is encouraged to make such donation through the Foundation.

2.1.1. All proposed donations shall receive prompt and careful consideration by the Executive Director of the Foundation to make the appropriate determination relative to the acceptance or rejection of such gifts.

2.1.2. Donations with a value above $250 shall be deposited in Foundation accounts. The Foundation shall issue a receipt and acknowledgment to the donor in compliance with Internal Revenue Service (IRS) regulations.

2.1.3. All donations made for the purpose of improvements to school district facilities shall be made through the Foundation. All applicable federal laws, state laws, administrative rules, and District policy regarding procurement, equity, and construction and improvement of school district facilities, shall apply to donations made for such a purpose.

2.1.4. Receipts for donations deposited through Foundation accounts shall be the responsibility of the Foundation.

2.1.5. Receipts for donations not deposited in Foundation accounts shall be the responsibility of the receiving program or school.

2.1.6. All funds, property, or goods donated become public funds and the property of the District and should be used for the purpose for which they were donated and in accordance with all applicable District policies and procedures.

2.1.7. The District and its schools are committed to principles of gender equity and compliance with Title IX guidance. Principals are responsible to ensure all donations comply with equity and Title IX guidance.
2.1.8. Donor recognition in the form of plaques or nameplates to be placed on equipment, furniture, buildings, and other structures, and related gifts shall be cleared with the superintendent or his/her designee.
2.1.9. Donations earmarked or identified for the benefit or sponsorship of a specific student or employee are not considered charitable contributions under IRS regulations and shall not be accepted by the local schools or the Foundation.

2.2. Fund Raising Vendors

The Foundation shall act as a clearinghouse for fund raising vendors. The Foundation shall prepare and distribute a biannual list of fund raising vendors which have been reviewed and found to be reputable. School fund raising activities involving students must be with vendors that appear on this list.

3. SCHOOL FUND RAISING

3.1. General Guidelines

3.1.1. Students shall not be assigned to, or be held responsible for, the collection of funds except for approved student activities in the junior and senior high schools, or for those projects and activities that have been approved by the school director or the school principal.
3.1.2. Participation in any and all fund raising activities should be strictly voluntary; no student or school employee shall be coerced into such activities.
3.1.3. Contributions on the part of students, school employees, parents, or other patrons should likewise be voluntary and without coercion, peer, or group pressure.
3.1.4. In no instance shall participation in or support for a fund raising project be used to determine a student's grade or his or her eligibility for participation in school-related programs or activities.
3.1.5. Written fund raising plans shall be prepared by each school and approved by the school principal. All fund raising shall be for pre-determined purposes and spent only for those purposes.
3.1.6. Funds are generally collected, receipted, and expended directly through District, Foundation, or school accounts in accordance with standard accounting procedures. For approved school fundraisers, a District approved vendor may assist with the collection of funds. All funds raised, less the contracted vendor fees, must be sent to the District within five (5) business days of the event. Vendors will be approved through the District Request for Proposals (RFP) process, to ensure proper vetting of vendor financial and security practices.
3.1.7. School parent organization (i.e., PTA, PTO) fund raising activities are subject to accounting procedures established by that organization.
3.1.8. Fund raising projects should be limited to the school's attendance area unless prior approval from the school director is obtained.

3.2. Fund Raising Using Food/Beverages

3.2.1. Competitive food and beverage items sold during the school day shall meet nutrition standards for competitive foods. A special exemption is allowed for the sale of food or beverages that do not meet the competitive food nutrition

standards for the purpose of conducting infrequent school-sponsored fundraisers on the school campus during the school day.

3.2.2. Nutrition standards are defined in 7 C.F.R. § 210.11 and are hereby incorporated by reference.

3.2.3. Each school may hold specifically exempted fundraisers no more than three times per school year with each fundraiser lasting no longer than five (5) consecutive school days.

3.2.4. Exempted fundraiser foods and beverages may not be sold in competition with school meals in the food service area during the meal service.

3.2.5. Schools shall maintain records of fundraisers at which foods and beverages that do not meet competitive food nutrition standards are sold.

3.2.6. Career and Technical Education (CTE) programs may make written requests for fundraisers, in addition to the three (3) allowed, to the Utah Office of Education Child Nutrition Program Director.

3.3. Elementary Schools Fund Raising

3.3.1. The Board shall allow fund raising in each elementary school to raise funds for identified school projects. A specific school project must be identified prior to raising funds to qualify for tax exempt status under IRS regulations.

3.3.2. After assessing the school's needs, each elementary school shall develop an annual fund raising plan.

3.3.3. A school's parent organization (i.e. PTA, PTO), in consultation with the school principal, may sponsor a fundraiser if necessary to support that organization's programs. Such fundraisers should be included in the annual fund raising plan.

3.3.4. Elementary students will not be involved in door to door soliciting of any kind outside their own family members.

3.4. Secondary Schools Fund Raising

3.4.1. The Board shall allow group and individual fund raising in each secondary school to raise funds for identified school projects. A specific school project must be identified prior to raising funds to qualify for tax exempt status under IRS regulations.

3.4.2. After assessing the school's needs, each secondary school shall develop an annual fund raising plan.

3.4.3. Secondary schools may conduct community fundraisers if the school group or organization wishing to conduct the fundraiser presents their proposal to, and receives prior approval from the school principal or designee. Such fundraisers, to the extent possible, shall be included in the annual fund raising plan.

3.4.4. Secondary schools may conduct in-school fund raising, limited to the school facility and/or school grounds, if the school group or organization wishing to conduct the fundraiser presents their proposal to, and receives prior approval from, the school principal or designee. Such fundraisers, to the extent possible, shall be included in the annual fund raising plan.

3.4.5. Accounting of Funds Raised

[a] Group fundraisers - All funds raised by team or organization members shall be used for the mutual benefit of the team or organization. All funds raised in excess of identified school project costs remain in the team or organization account for the benefit of the team or organization.

[b] Individual fundraisers – Participation is optional for individual students and funds raised by each student will be held by the school in a team or organization account under the student's name. Funds that exceed an individual student's identified school project costs will remain in the team

or organization account for the benefit of the team or organization.

[c] If a student decides to withdraw from participation in a team or organization, all funds generated during fundraising will remain in the team or organization's account. Fees paid out-of-pocket by a student are refundable unless the fees have been spent on the student's behalf and cannot be recovered by the school. Students shall receive a disclosure containing a provision clearly establishing deadlines for payment and an explanation that non-recoverable expenses will not be refunded.

3.5. Fund Raising for Charitable Purposes

3.5.1. Charitable fundraising in schools should benefit Davis School District students and programs. Exceptions require prior written approval by the Superintendent or designee(s) and will only be considered for extreme cases with significant humanitarian or educational value.

~~3.5.1. Outside charitable fundraisers involving the school in the collection of money or goods are to be discouraged except in extreme cases where such activities have significant educational or humanitarian value. Such instances must be approved by the school principal and have the support of school parent organizations and community groups.~~

3.5.2. Care should be taken during charitable activities so that the schooling process is not disrupted and students should not be allowed to miss school as a result of their involvement in such activities.

3.5.3. Charitable fund raising directed exclusively at employees shall be conducted in accordance with the District Charitable Solicitation Policy (10CR-201).

3.5.4. Secondary schools may conduct in-school fund raising, limited to the school facility and/or school grounds, if the school group or organization wishing to conduct the fundraiser presents their proposal to, and receives prior approval from the school principal or designee. Such fundraisers, to the extent possible, shall be included in the annual fund raising plan.

3.6. Tax Exempt Status Number

The District's tax exempt status number is to be used exclusively to make purchases for use by the Davis School District and is not for personal use by individuals, staff, or students.

4. COMMERCIALISM

4.1. Advertising

4.1.1. The acceptance of advertising by the District or by the schools is not to be construed as an endorsement for an organization or product.

4.1.2. The utilization of funds, materials, equipment, programs, or other contributions that carry with them any advertising or a commercial logo **does not** constitute an endorsement of the organization or product by the Board, the District, or the schools.

4.1.3. Neither shall the Board nor the District assume responsibility for products whose advertisements appear in or around school property.

4.1.4. Funds, materials, equipment, and programs that are made available to the schools by individuals or organizations must not be allowed to replace or intrude adversely upon adopted curriculum, infringe upon instructional time, or pose a

burden or place undue pressure upon students, parents, or school employees at work, in the community, or at home.

4.1.5. Organizations may donate products that carry the company name and/or logo such as soft drinks, food items, cups, t-shirts, and hats for school activities and fund raising events provided there are no obligations or added costs for students, patrons, school employees, or the District.

4.1.6. Advertising in athletic programs, posters, and calendars, along with advertisements in school newspapers, yearbooks, literary magazines, programs for special activities, and similar publications is permitted provided such advertisements meet community standards.

4.1.7. Partisan 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.

4.1.8. Guidelines should be established for advertising within the schools in accordance with Board policy and subject to final approval by the principal.

4.2. Electronic Flyers and Materials Distribution Review Process

4.2.1. Commercial and non-profit entities wishing to distribute electronic flyers and materials to parents, students, or District employees must first seek approval through the Foundation's Review Process.

4.2.2. District approval and fees are required prior to uploading a flyer for distribution.

4.2.3. Approval may only be given for information or activities that are appropriate for and directed at the age of the students attending the school.

4.2.4. Approval through the Foundation's Review Process does not guarantee distribution to District schools or students. The principal at each school site has the ultimate authority to deny the distribution of approved materials if he/she feels it would be disruptive or inappropriate for his/her school community.

4.2.5. Distribution of flyers and materials **does not** constitute an endorsement of the organization or product by the Board, the District, or the schools.

4.3. Employees and Students as Agents

4.3.1. Students and employees of the District, including teachers and administrators, shall not act as agents for commercial organizations during school hours

4.3.2. School employees and students are prohibited from using District or school stationery, equipment, or supplies for personal or private gain.

4.3.3. District employees are not permitted to accept personal payment or gratuity in any form from a commercial supplier as a precondition for purchase of a product by the schools.

4.3.4. A District employee's participation in a private, but education-related activity must be separate and distinguishable from the employee's public employment and comply with Utah Administrative Code R277-107 and District Policy 2HR-204 Ethical Conduct of District Employees.

4.4. Sales Representatives and Agents

4.4.1. Sales representatives provide an excellent source of information about school equipment and supplies, textbooks and reference materials, teaching aides, educational technology, fund raising activities, and tax-sheltered annuity and insurance programs. However, the primary function of teachers, administrators, and other employees is to serve students.

4.4.2. Sales representatives and agents shall not be permitted to contact students, teachers, or other personnel at the job site during business hours without the knowledge and approval of the principal/supervisor.

4.4.3. Sales representatives and agents are not to be given time in faculty meetings or employee lounges during regular business hours, nor are they to be provided with lists of employees, addresses, and phone numbers. Presentations to employees may be arranged through the principal/supervisor to be held before or after business hours

4.4.4. Sales materials are not to be distributed to individual employees in their distribution boxes nor at their classroom/office without the approval of the school principal.

4.4.5. Employee book clubs may be allowed in faculty/break rooms with the permission of the principal or building supervisor. If allowed, the principal or building supervisor must determine which staff member will facilitate the operation of the program including collecting orders and payments and distributing orders. The principal or supervisor must determine that the employee can manage the book club during work hours so as to avoid any accrual of overtime or compensatory time on the part of that employee. If the book club awards free products in exchange for purchases made, the employee administering the program may accept one free item per order period. Any additional free items shall be the property of the District and be distributed as determined by the principal or supervisor.

4.5. Student Book Clubs

4.5.1. Student book clubs can serve a vital role in the total reading program of the schools, especially those that provide students with recreational reading materials. However, care must be taken to ensure that such reading programs operate in accordance with existing curricular goals and objectives and are not at odds with other fundraiser policies and procedures.

4.5.2. The purchase of books through student book clubs must, therefore, be strictly optional on the part of students and parents and must not place undue pressure to buy.

4.5.3. Book orders must also be handled by individual teachers, although parents may be asked to assist with the process.

4.5.4. Care should be taken to keep interruptions to the schooling process to a minimum.

4.5.5. Accurate and complete records of all book orders must be maintained.

4.6. School and Individual Pictures

4.6.1. School pictures have a traditional place in public school education. However, parent or other groups who wish to have individual pictures taken need to make special arrangements with the principal.

4.6.2. Care should be taken to minimize disruptions to the educational process and school personnel should not be used in the collection of funds or the distribution of individual pictures.

4.6.3. Photographers with an established reputation should be given preference for school and individual pictures.

REFERENCES

7 C.F.R. § 210.11 – Competitive food services and standards.
Utah Code Annotated §53E-3-403 –Establishment of public education foundations.
Utah Administrative Code R277-107 – Educational Services Outside of Educator's Regular Employment.
Utah Administrative Code R277-217 – Educator Standards and LEA Reporting.
Utah Administrative Code R277-719 – Standards for Selling Foods Outside of the Reimbursable Meal in Schools.

OTHER LINKS

2HR-204 Ethical Conduct of District Employees
Flyers and Materials Distribution Review Process
Fund Raising Vendor

DOCUMENT HISTORY:
Adopted: October 20, 1992
Revised: February 3, 2003 – Identified the Foundation as clearinghouse for fund raising vendors.
Revised: March 21, 2006 – Revised 4.1.7 Advertising removed restriction on religious materials in accordance with recent case law.
Revised: September 1, 2009 – No content change, renumbered from 10CR-002 to 10CR-200 with reorganization of Policy Table of Contents.
Revised: May 4, 2010 – School fund raising activities involving students must be with approved vendors (2.2). Approval to circulate fliers in schools must be given through the Foundation (4.2). Employee book clubs and how awards of free products should be allocated (4.4.5). Review process guidelines added.
Revised: March 4, 2013 – Added language on accounting of monies from fundraisers to reflect current District practice.
Revised: June 18, 2014 – Updated fund raising using food/beverages to comply with changes in federal law and State rule. Changes in the flyers and materials distribution section. Minor changes in donations to comply with IRS regulations.
Revised: April 20, 2016 – With the adoption of policy 10CR-005 changes were made in Davis School District Foundation section to mirror language found in this policy.
Revised: February 7, 2017 (by consent) – Added appropriate use of the District's tax-exempt status number.
Revised: February 1, 2022 - Five-year review. Made minors changes to clarify and comply with current practice.
Revised: September 1, 2026- Updated to allow for approved third-party vendors**.**
Revised: October 27, 2026- Updated language to clarify no fundraising for charitable causes without Superintendent approval.