

ADMINISTRATIVE PROCEDURES

JK

STUDENTS

February, 1993

SOLICITATIONS FUNDRAISING ACTIVITIES

Fundraising activities play an important, but supplemental role to enhance district athletic teams, school clubs, and other programs. Due to the many safety issues, legal entanglements, and financial concerns regarding fundraising activities, procedures and understandings are shared below.

~~The administration is charged with the responsibility for insuring an equitable distribution of educational opportunities and educational resources to the students of this school district. The administration recognizes that the efforts of school related community organizations to supplement the educational opportunities for students at the local school level can and do strengthen the unity of the community in its relationship to the school.~~

~~It is further recognized that the most important support by school community organizations comes from the direct advisory assistance, involvement and interaction of individuals in the programs of the schools. Of lesser importance are the fund raising activities which simply provide supplemental funds for programs.~~

All fundraising activities must have the prior approval of the school principal or principal's designee before announcing or advertising for the solicitation of funds. This applies to all fundraising activities including but not limited to athletic teams, school clubs, parent booster clubs, and the PTSA.

The school administration shall keep a Fundraising Request Log that records the fundraising sponsor, the program, the purpose, the financial oversight person, the time frame of the activity, and whether it has been approved by the school administration. Headings of a spreadsheet should follow the design below:

Name of person submitting and sponsoring the request	This fundraising activity is targeted to benefit which school/district program or organization?	What is the purpose of the fundraiser? What is the targeted item(s) the organization wishes to purchase?	Who will be the responsible adult to oversee the appropriate handling of funds collected?	What is the calendar time frame of this fundraising activity?	Administrative Approval? Yes or No
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At the secondary level, the spreadsheet will have a separate dividing line to delineate athletic department fundraisers.

~~The purpose of these regulations is to support the goodwill efforts of the school community organizations, but also to establish reasonable limits on activities to insure that a fair and equitable support of educational opportunities and school programs is maintained.~~

~~Fund raising projects shall not involve students in door-to-door. The rights of all students for freedom from economic pressure and stress must be protected at all times. Participation in sales, or sales quotas, must not be related in any way to academic or citizenship grades or to class standing or recognitions. Competition among individuals or groups for participation shall be discouraged. Participation of students in fund raising activities, including attendance at events requiring payment of admission, shall be purely voluntary and without pressure.~~

~~The following regulations should be followed:~~

- ~~1. All fund raising activities must have the prior approval of the school principal.
 - ~~A. The purpose for which funds are intended to be used shall be indicated in all fund raising proposals. Approval of specific activities should be tempered by the total number of such for the whole year.~~
 - ~~B. The school should not accept funds from organizations or individuals that do not adhere to this regulation.~~~~

There are several significant factors to be understood and followed by the school administration and any sponsor submitting a Fundraising Request. The fundraising activity sponsor and the school administration shall ensure adherence to the following procedures and guidelines:

- a) Fundraising approvals shall not incur financial costs to the District.
- b) School-based and PTSA-based fundraising shall not be conducted for the purpose of maintenance projects unless approved through the director of operations, and the director of secondary or elementary programs. Funds raised should not be used to purchase items normally funded through school or district budgets.
- c) The fundraising sponsor must keep a careful financial account through a ledger of funds coming in and receipts for any expenditure.
- d) Any proceeds from fundraising activities are to be spent for the benefit of current students, the entire student club or program, or the school depending on what purposes were established on the Fundraising Request Log. Fundraising efforts are not to be initiated and used to establish a slush fund for undesignated purchases or to create a rolling balance for undetermined projects.
- e) Participation in fundraising events shall be voluntary; participation cannot be made mandatory and must not be related in any way to academic grades or citizenship marks. Students whose families do not participate in fundraising activities are not to be penalized in any manner.
- f) Fundraising sponsors must take into account the storage of items that are being sold (pizza kits need refrigeration and plants are perishable).
- g) Elementary students shall not be involved in residential neighborhood door-to-door sales. Secondary students may solicit from known or close neighbors, and friends of the family and must work in teams or as a pair.
- h) Students shall not solicit commercial establishments. Contact with local businesses regarding fundraising or advertising purchases must be done by an adult fundraising

sponsor. Exceptions to this expectation may be granted on a limited basis by the school administration.

- i) Any offsite fundraising activity, such as a car wash at a commercial parking lot, requires an adult presence. The collection of returnable cans and bottles must be done in pairs and with a nearby adult supervisor.
- j) The School District expects all students who participate in approved fundraising activities to represent the school, the district, and the community in a responsible and positive manner. All Code of Conduct rules governing student behavior and discipline extend to student fundraising activities.
- k) 50/50 raffles that sell tickets before the event are considered a form of lottery or gambling by the Internal Revenue Service and require a state license. If the 50/50 raffle tickets are not sold before the event, it falls under the terms of an 'incidental lottery'. As such, it will not require a license. All incidental 50/50 raffle tickets must be sold at the location during the event.
- l) Every fundraising effort must be made to cause as little interruption as possible to the regular instructional program. Sales are to be conducted before school, after school, or during the lunch period, if possible. Assembly-type programs held during the school day shall under no circumstances require an admission charge.
- m) Participation in charitable non-monetary drives, such as canned food drives, should be governed by school staff and student interest. The school administration is charged with the responsibility of determining how many non-monetary drives are appropriate for their school community.

There are several school activities such as musical concerts, school dances, drama performances, and athletic ticket sales that are not considered fundraising activities and do not fall within the guidelines of this policy or these administrative procedures.

The District business services department shall conduct annual trainings for administrators regarding the handling of funds and other accounting best-practices.

- ~~2. Games of chance and other forms of gambling are not permitted as fund raising activities with the exception of approved raffles (see #9. below.) Cake walks, duck ponds, and other game activities typical of elementary and middle school fairs are acceptable. Encouraged are activities such as car washes, fruit sales, fertilizer sales, magazine subscriptions, etc., that provide a product or service.~~
- ~~3. The sale of tickets or goods to students within the school by non-school endorsed organizations or individuals is prohibited.~~
- ~~4. The sale of tickets or goods to students within the school by school-related community organizations requires the principal's approval. Every effort must be made to cause as little interruption as possible of the regular instructional program. Sales are to be conducted before school, after school, or during the lunch period, if possible. Assembly-type programs held during the school day shall under no circumstances require an admission charge.~~

5. Principals of schools that have more than one school-related community organization should meet with the officers of these organizations to establish an equitable division of activities and donations.

6. Each principal, after consulting with staff members, students and parents, may select a maximum of two charitable drives for the solicitation of money from students for the support of charitable organizations or activities. The fund drives must take place within the school building or on school property. Selections shall be made from activities such as the following examples:

- A. Heart Fund
- B. March of Dimes
- C. CARE (Cooperative for American Relief Everywhere)
- D. UNICEF (United Nations Children's Fund)
- E. American Cancer Society
- F. Michigan Cancer Foundation

Charitable drives outside the school, sponsored by non-school-related organizations, may at the request of the organization, be given cooperation through such means as informing students and school personnel. However, such drives shall not be conducted within the school nor shall they be promoted within the school or outside as "school-sponsored" activities. Participation is entirely a private matter and individual option for each student and staff members.

7. Participation in charitable non-monetary drives should be governed by students, staff and parent interest. Schools are urged to participate in non-monetary drives as they are important and worthy projects for the betterment of the total community. Principals are charged with the responsibility of determining how many non-monetary drives are appropriate for their school community.

Some examples of charitable non-monetary drives that are presently in operation in the schools are:

- A. Livonia PTA Council Clothing Drive
- B. Save the Children Federation Clothing Drive
- C. Canned Food Drives
- D. American Red Cross Blood Bank
- E. Others

8. Principals requesting exceptions for any activities that are prohibited by these guidelines or activities not included in the guidelines, must request an exception from the appropriate director's office.

9. Proposals to conduct raffles must be submitted in writing to the superintendent or his/her designee in sufficient time in advance of the proposed activity to insure adequate consideration of the proposal by the school district and compliance with all legal requirements by the organization or individual sponsoring or conducting the fund raiser. The written proposal must contain the following information:

- A. The manner in which funds will be raised.
- B. Where and when the raffle is to occur, including the beginning and ending dates.

- C. ~~The purpose for which the funds are intended to be used.~~
- D. ~~The expected amounts of revenue to be produced and expenses to be incurred.~~
- E. ~~A general description of who will be involved in the fund raising effort. There will be no students or minors involved in conducting raffles.~~
- F. ~~A description of the record keeping procedures (as to receipts and expenditures) to be used.~~
- G. ~~Whether prizes will be awarded as part of the fund raiser, and if so, a description of the prizes and the total, aggregate amount of the prizes.~~
- H. ~~The name, address, and telephone number of the individual who will assume responsibility for the raffle and can be contacted for further information regarding the proposal.~~

~~It is the responsibility of the organization or individual sponsoring or conducting the raffle to insure and certify to the school district, in writing, that all legal requirements governing the fund raiser are met before the fund raiser takes place. Any losses and liability in conducting a raffle are the sole responsibility of the organization or individual sponsoring the raffle.~~

The school administration shall keep a fundraising calendar and continually cross reference that calendar with the Fundraising Request Log. Decisions to approve fundraising activities should be tempered by the total number of fundraising initiatives and especially take into account the burden on the students, the school staff, the parents, and the business community. A school culture overrun with extensive and numerous fundraising efforts is distracting from and impairs the larger academic and non-monetary aspects of a positive school culture.

Decisions to approve a fundraising activity must also be mindful of the various federal and state laws and local regulations that govern the use of fundraising activities, for example:

Nutritional Standards and Wellness Compliance:

There are specific nutritional guidelines outlined in the Healthy, Hunger-Free Kids Act of 2010 that must be followed by the District's food service department. Fundraising activities such as bake sales, snacks sold in school vending machines, school stores, and onsite cafes must remain in compliance. Special exemptions are allowable. To remain in compliance with the Smart Snacks School Nutrition Standards of 2014, the building administration will keep a Smart Snack Exemption Calendar. Two exemptions are allowed per school per week.

Title IX:

Federal law prohibits discrimination on the basis of gender for institutions receiving federal funding. Where booster clubs provide benefits and services that assist only teams or clubs of one sex, the school shall ensure that teams or clubs of the other sex receive equivalent benefits and services.

First Amendment:

Fundraising activities must comport with the First Amendment's Establishment and Free Speech Clauses. School administrators must weigh the risks involved when the public or community are invited to place personal messages on public school property or through advertising in fundraising activities so there are no violations of the Free Speech Clause according to the First Amendment.

Tort Law:

School administrators and fundraising sponsors must be mindful of the legal liabilities associated with fundraising activities and take precautionary measures to avoid liability claims.

School officials must not violate the four elements required for negligence to be evident, i.e., the duty of reasonable care, breach of that duty, sufficient causal proximity, and injury. School officials are held to the standard of a reasonable parent or prudent person in negligence claims.

Taxes, Licensing, Copyright:

School administrators must ensure the payment of any required taxes, mandatory licensing as in the case of specific raffles, and copyright issues with the use of movies or videos as fundraisers.