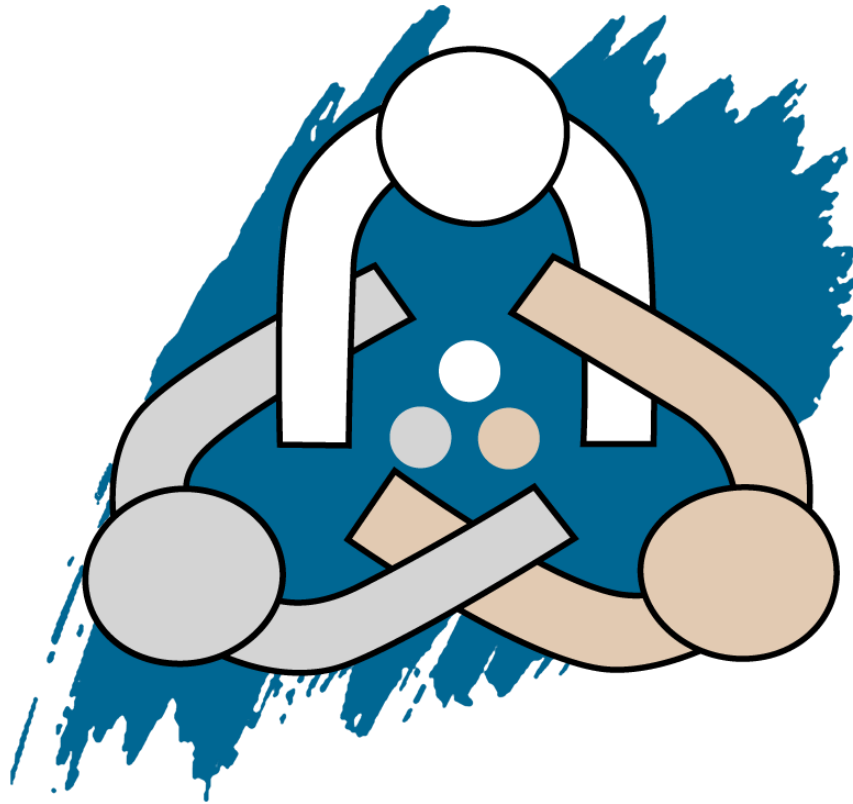


# TULARE JOINT UNION HIGH SCHOOL DISTRICT



## BOOSTER HANDBOOK

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# **BOOSTER CLUB HANDBOOK**

## **INTRODUCTION**

Thank you for your interest in operating a Booster Club (“Booster Club”) supporting the Tulare Joint Union High School District’s (“District”) schools and for making a difference in the lives and education of our students. A Booster Club is a community-oriented organization created to support specific District and school activities for the benefit of students. While Booster Clubs are separate legal entities from the District and its schools, they work closely and cooperatively with the District and schools to achieve mutual goals for students. According to the *Associated Student Body Accounting Manual, Fraud Prevention Guide and Desk Reference* published by the Fiscal Crisis and Management Assistant Team (“FCMAT Guide”), Booster Clubs “serve an important function by connecting parents and other community members with the students’ curricular and extracurricular activities, and most districts welcome and encourage parental interest and participation.” (FCMAT Guide, p. 285; see link on the resource page)

The purpose of this Handbook is to assist you in the approval and lawful operation of your Booster Club. For additional information, you are encouraged to review the resources in the appendix, including the FCMAT Guide as well as the Questions & Answers. The FCMAT Guide includes important guidelines regarding the organization of Booster Clubs, financial guidelines, solicitation regulations, school interaction, and many other procedures and functions. While the District generally follows the FCMAT Guide, ultimately District policies, regulations and procedures can overrule information in the FCMAT Guide.

## **STRUCTURE**

Booster Clubs are separate legal entities distinct from the District and its schools. Each Booster Club is responsible for its own accounting and tax accounting. The District is not legally responsible for a Booster Club’s activities. Booster Clubs may not represent that they are affiliated with or supported by the District other than as an approved-booster club. District employees may not simultaneously serve as officers or board members for Booster Clubs.

The relationship between student organizations and booster auxiliary organizations is often confusing. Student organizations are legally considered a part of the school. For this reason, they are included in the District’s annual audit and have the benefit of the district’s tax-exempt status under the internal revenue code. All activities and fundraising events in which students primarily participate should be conducted through the ASB. This includes all student performances for which gate receipts are received and all student conducted fundraisers. Booster auxiliary organizations should supplement school programs and should conduct activities and fundraising events in which parents and other adult community members are the primary participants.

## **DISTRICT APPROVAL**

By law, a Booster Club must have the approval of the District to fundraise in the name of the District and its schools. (California Education Code section 51521.) The requirements to obtain District approval are contained in Board policy 1230. The Booster Club must (1) provide a copy of its bylaws; (2) provide a list of members with the primary responsibility for financial matters; (3) provide an annual accounting of its financial activities and status, including details concerning each significant fund raising activity conducted; (4) provide copies of all government reports within 30 days of filing; (5) maintain all financial source documents for four years, including things like

bank statements, canceled checks, invoices and deposit records; (6) attend an annual booster club training at the beginning of the school year and (7) consent to an audit of its operations and finances by the District.

All Booster Clubs must submit an Annual Application to the District Office prior to the start of each new school year. Each complete application must have the following documentation attached:

1. IRS Tax Status Letter
2. Booster Club By-Laws
3. IRS Form 990 (if applicable)
4. Annual Financial Statement from the prior school year
5. Forms RRF-1 or CT-TR-1

A copy of the application is included in the Handbook appendix. **All applications must be submitted to the school site by September 1 every year.** For further details regarding the application process for Booster Clubs and school-associated organizations, see District Board Policy 1230 or contact your school site administrative office.

## **BOOSTER CLUB OPERATION**

The following are some of the requirements and guidelines for operating your Booster Club. This information is intended to assist you in those operations, but does not include all of the information you might need to do so and should not be considered legal advice. For further information, you may also consult the FCMAT Guide and District policies and regulations. You may also need to consult your own legal counsel or accountant.

### **Establishing Priorities**

Booster Clubs should establish clear priorities, consistent with the goals, programs and priorities of the school, team or program they support, before making financial commitments or obligations. It is important for the Booster Club leadership to dialogue and collaborate with school officials in establishing these priorities.

### **Maintaining Records**

Booster Club records are the history of what occurred during the school and/or fiscal year. As in any business, Booster Clubs must maintain business records in accordance with all applicable laws and regulations. It is recommended that the Booster Club maintain a binder containing all records including, but not limited to: a roster of parents representing individual sports teams or visual performing arts groups, agendas, minutes, correspondence, financial statements, annual reports, copies of all checks and receipts, tax returns, federal and state filings and exemptions. These records may also be necessary in the event of an audit by the District.

### **Bank Accounts**

Booster Clubs, at a minimum, must establish a checking account at a local bank. Required information is as follows: name of bank where funds will be deposited, the number of signatures required to withdraw funds and the names of those persons authorized to withdraw funds from the account.

The account must be held in the name of the Booster Club and not in the name of any individual or school site. Address on the bank account should not be the address of the District or the school site. The account is for the exclusive use of the Booster Club and the officers of the Booster Club shall ensure that all funds are deposited into the account. All accounts shall require a minimum

of two signatures of non-related adults. All checks written shall require two signatures of non-related adults. Booster Club funds may not be co-mingled with any member's personal accounts and/or any other organization's accounts. **No District employee** may have signature rights or authorization over the account. No District employee, acting in their capacity as a District employee, may collect or receive funds on behalf of the Booster Club. District employees *should* not serve as an officer of the Booster Club.

Timely and accurate bank account reconciliations and reviews are two of the fundamental cornerstones of prudent business practices. Each Booster Club will have at least one bank account and receive monthly statements. The Booster Club should ensure that the bank statement is reconciled within three weeks of the time the statement arrives. The Booster Club should compare the bank statement and the checkbook or general ledger to the bank reconciliation.

### **Non-Profit Status 501(c)(3)**

Individuals and businesses that wish to donate to the Booster Club may require documentation from you regarding your non-profit status. Booster Clubs are generally considered non-profit for the purpose of tax-deductible donations if they are a 501(c)(3) exempt organization.

### **Submitting Tax Forms**

Booster Clubs that are 501(c)(3) organizations are required to file federal and state income tax returns annually. Fees and penalties imposed for failure to meet these obligations are the sole responsibility of the Booster Club.

### **Booster Club Insurance**

Booster Clubs are required to provide the District with a Certificate of General Liability Insurance endorsing the District as a named Additional Insured for a minimum of \$1,000,000 per occurrence/ \$2,000,000 aggregate for Booster Club sponsored events.

Booster Clubs must attach their Certificate of General Liability Insurance and Additional Insured endorsements to the district online facility portal. They may be required to provide Certificates of General Liability Insurance for their activities at venues other than the District's schools or grounds. The Booster Club must inform the venue that the event is not District or school-sponsored.

### **Use of District Facilities**

All use of District facilities must be reserved using our online facility request and rental system by going to <https://www.facilitron.com/tjuhsd93274>.

For assistance with setting up an account and/or in submitting a facility use request, you can contact Facilitron directly at [support@facilitron.com](mailto:support@facilitron.com) or by calling 1-800-272-2962.

For other questions, please contact Marlena Morphis at 559-656-5029 or [Marlena.morphis@tulare.k12.ca.us](mailto:Marlena.morphis@tulare.k12.ca.us)

Facility Rental charges are waived for approved school organizations, but custodial/cafeteria staff will be invoiced accordingly.

### **Annual Financial Statements**

A copy of the Booster Club's Annual Audited Financial Statements shall be submitted along with the Booster Club Annual Application to the school site administrator as part of their annual re-authorization for the following year.

### **Budgeting**

A budget is a financial plan. It allows the organization to estimate at the beginning of the school year where it will be, in financial terms, at the end of the year. Budgets are usually prepared for a one-year period. The budget allows the organization to determine if it will raise enough funds during the year to cover the anticipated expenses.

Each Booster Club should carefully list and estimate income from its proposed income-producing activities for the year, as well as its proposed expenditures for the year. The estimated expenditures shall not exceed the income estimate plus the beginning balance. The Booster Club's annual budget shall be shared with all Booster Club members and reviewed with the school site administrator, as it relates to planned events and activities.

### **Receipt Management and Procedures**

The Booster Club Treasurer should provide a receipt for all funds belonging to the Booster Club and keep a receipt book log. There may be events for which receipts are not practical, at which time pre-numbered tickets or cash register tapes, which supply cumulative readings, may be used.

All money collected by the organization must be turned over as soon as possible to the Treasurer or Accountant of the Booster Club. Cash may not be used to make purchases, pay invoices or pay for services. All cash should be counted and submitted to the Booster Club Treasurer for deposit directly into the Booster Club's bank account. If the Booster Club sells tickets for an event, the tickets must be handled as cash.

All funds received by the Booster Club must be deposited directly into the appropriate Booster Club account, in the bank designated by the Booster Club. A deposit recap should be submitted to the Treasurer or Accountant at the end of each fundraiser by the event chairperson.

Checks returned by the bank for insufficient funds, a closed account, or any other reason, shall be charged to the appropriate Booster Club account. Immediate and reasonable attempts must be made to collect cash from the maker of a returned check. A returned check is surrendered to the maker only when cash is received to replace it. Replacement checks are not acceptable, and the returned check is not to be re-deposited (bank charges are incurred). If the check is collected upon, then the same fund is credited.

### **Disbursement Management and Procedures**

In general, the internal controls over cash disbursements should ensure that:

1. All disbursements are for items that were authorized by the member groups within each Booster Club and are recorded in the minutes.
2. The Treasurer or Accountant only pays for goods that were authorized and received.
3. The Treasurer or Accountant maintains adequate records of all expenses.

**Booster Club members should never pay for an expense out of cash collected from a fundraising event;** all of the cash must remain intact for deposit. This ensures that the Treasurer can perform a complete reconciliation of the fundraising event.

### **Prohibited Expenditures**

Activities intended for the personal benefit of members of the Booster Club or any District employee or contractors, or that are the responsibility of the District, are prohibited, including the following:

1. Any form of direct compensation or payment to District employees.
2. Purchase of supplies and equipment that are the responsibility of the school and/or District.
3. Articles for the personal use of District employees. (An expenditure for items for coaches, such as a team shirt, should be reasonable and pre-approved by the school site administrator.)
4. Gifts, loans, or credit for District employees or others.
5. Contributions to charitable organizations, other than the District or its schools.

**Proceeds collected from all Booster Club activities and events are intended and must be used to support the school and the groups and programs represented by the Booster Club.** (See FCMAT Manual, Chapter 14, for further information on appropriate expenditures.)

### **Fundraising**

For fundraising events, the Principal or designee shall pre-approve materials, performances and publications. Any program, fundraiser or other activity planned by the Booster Club shall only be permitted if properly scheduled with the Principal or designee and will not conflict with the school's or District's master calendars. **Fundraising dollars are intended to benefit the students in the year the funds are raised. As a result, the funds raised should be provided to the District or school in the year the funds are collected.**

All fundraising activities must comply with the District's Board Policies, procedures and applicable law. For additional information, you should consult the District's Questions & Answers regarding booster fundraising and student fees included in the Handbook Appendix.

Although Booster Clubs are separate organizations, because they are affiliated with the District and its schools, Booster Clubs must follow the same general guidelines for student fees and school donations as the District. It is important that Booster Clubs also provide parents and students information on fees and charges and disclaimers in accordance with Education Code regulations.

Under California law, no student may be required to pay a fee, deposit, or other charge for his/her participation in an educational activity which constitutes a fundamental part of the District's educational program, including curricular and extracurricular activities. All supplies, materials and equipment needed to participate in educational activities must be provided to students free of charge.

As a result, Booster Club communications related to a school activity, even if supported or sponsored by the Booster Club, must include a statement indicating that no student will be denied participation due to lack of funds or the ability to pay for the activity. See FCMAT Manual, Chapter 9, for further information on permissible fees.

Any requests for firearm or weapon raffles will not be approved.

For any questions related to student fees and charges and/or donations, please contact the District Business Office at (559) 688-2021.

### **Paying for Services of Employees**

The Booster Club must seek District approval before engaging a District employee to perform extra duties because District employees who perform extra duties for a Booster Club must be paid as an employee through the District. The Booster Club must provide the funds for such approved services to the District. The funds must be sufficient to pay for the services, plus the benefits due to the employee. School employees are not employees of the Booster Club, and the Booster Club should be aware of the following:

- While serving as District employees, they have no authority to work for the Booster Club during their District work schedule. A District employee acting in his or her official capacity and during work hours may interact with Booster Club officials when this is a required part of his or her duties as a District employee.
- If a District employee would like to be employed by the Booster Club, the employee must obtain prior approval from the District's human resources department.
- The employee must ensure that participation in the Booster Club does not present a conflict of interest with her duties as a District employee. The employee should also make it clear that her participation is in her personal capacity and not in her capacity as a District employee.

### **Paying for Services of Consultants**

In certain situations, individuals who perform services for a Booster Club may be deemed "consultants/independent contractors" of the Booster Club. If a Booster Club plans to pay a consultant for services rendered, the Booster Club should abide by the following procedure:

1. The Booster Club preapproves the work to be performed; this includes signatures from authorized individuals.
2. The Booster Club bookkeeper obtains the W-9 Taxpayer Identification form from the consultant before their work begins.
3. The consultant submits an invoice to the Booster Club bookkeeper for payment.
4. An authorized individual from the Booster Club signs the invoice, indicating that the work was completed satisfactorily.
5. The Booster Club bookkeeper pays the invoice and maintains appropriate records of payment.

Booster Clubs are encouraged to consult their own legal and accounting professionals with regard to the retention of consultants.

### **Paying for Supplies/items for Schools**

When a Booster Club wants to provide supplies to the students/school, the Booster Club should buy the supply directly from a vendor using the Boosters own account (not a district vendor account).

### **Donations of Equipment**

When a Booster Club wants to donate large equipment to an ASB, club, or school, the preferred method for the transaction would be to get approval from the school site to ensure the equipment is needed and/or compatible. Depending on the situation, the booster club may purchase the equipment directly or donate funds to the district to purchase the equipment.

### **Donations for Transportation/Field Trips**

Booster Clubs may donate funds to the ASB, school, or District for student transportation and housing at events. A field trip request form must be completed and sent to the District's transportation department. The transportation cost should be charged to the school account code on the requisition at the time of payment, and the Booster Club should provide the funds to the district.

## Key Links & Contacts

### FCMAT – Associated Student Body Manual

<https://www.fcmat.org/publicationsreports/k-12-asb-manual-2024.pdf>

### CDE – Fiscal Management Advisory 23-02

#### Free Schools

<https://www.cde.ca.gov/re/lr/fm/fma2302.asp>

### Fundraisers - Ed Code 51520

<https://codes.findlaw.com/ca/education-code/edc-sect-51520/>

### Fundraisers - AB 841 (Chapter 843)

<https://phadvocates.org/wp-content/uploads/2020/04/2017-AB-841.pdf>

### AB-506 Mandated Child Abuse Reporting and Fingerprinting Contact

<https://Mandatedreporterca.com>

Questions: Clorinda Martinez • 559-656-5010 •  
Clorinda.Martinez@tulare.k12.ca.us

### CA DOJ – Nonprofit Raffle Registration & Reporting

<https://oag.ca.gov/charities>

### Tulare High School Foundation Grants

<https://www.tularehsf.org/grants>

(Students can volunteer at the annual Rivalry Run or Foundation dinner.)

### Liability Insurance (PTO/Booster)

<https://www.rvnuccio.com/specialty-insurance-products/pto-insurance/>

Endorse the District as Additional Insured: \$1,000,000 per occurrence / \$2,000,000 aggregate for Booster-sponsored events at a district location.

### Facilitron (Facility Use)

<https://www.facilitron.com/tjuhsd93274>

Questions: Marlena Morphis • 559-656-5029 •  
Marlena.morphis@tulare.k12.ca.us

## ADDITIONAL BOOSTER CLUB RESOURCES

### *California Department of Education Student Fees Guidance Letter*

<https://www.cde.ca.gov/re/lr/fm/fma1701rev.asp>

### **Business Services – Booster Resources** (right side of the screen)

<https://www.tjuhsd.org/business-services>

## **APPENDIX**

1. School Connected Organization Checklist
2. School Connected Organization Application
3. Request for Approval of Fundraising Activity
4. District Board Policy and Administrative Regulation 1230: School Connected Organizations

## School Connected Organization Checklist

Be sure that **all** information below has been turned in to the District Office for new and renewed school connected organizations.

- A member has attended a required annual meeting
- Application filled out entirely
  - School Site Principal's signature
- All documentation required in application
  - IRS letter stating Tax Identification Number & status
  - Bylaws
  - IRS Form 990, if applicable
  - Annual Financial Statement from prior school year
  - Forms **RRF-1** - 501(c)(3) or **CT-TR-1** - non 501(c)(3)

**Tulare Joint Union High School District  
School Connected Organization Application**

Name of Booster Club: \_\_\_\_\_  New  Renewal

School Affiliation: \_\_\_\_\_

Primary Contact Name: \_\_\_\_\_ Email: \_\_\_\_\_

Mailing Address (Street, City, Zip): \_\_\_\_\_

Objective/Purpose of Booster Club: \_\_\_\_\_

\_\_\_\_\_

Is the organization a 501(c)(3) tax-exempt?  Yes  No

Organization Tax ID # \_\_\_\_\_ Banking Institution \_\_\_\_\_

**Attach a copy of the letter from the Internal Revenue Service stating your Tax ID #**

Does the Booster Club conduct annual financial audits/reviews?  Yes  No

Name of Document (s)	Attached?	If "No," explain why
<b><i>New and Renewal:</i></b> Updated Booster Club Bylaws	<input type="checkbox"/> Yes	
<b><i>Renewal:</i></b> IRS Form 990 (501(c)(3) required)	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b><i>Renewal:</i></b> Annual Financial Statement from prior school year	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<b><i>Renewal:</i></b> Attorney General <b>Form RRF-1</b> 501(c)(3) <u>or</u> Form <b>CT-TR-1</b> non 501(c)(3)	<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Planned Finances**

Beginning Balance:	\$
Revenue:	\$
Expenditures:	\$
Ending Balance:	\$

Name of Booster Club: \_\_\_\_\_

**Booster Club Officers** (attach additional sheets, if needed)

Name and Title	Address (Street, City, Zip)	Email Address

**Additional Booster Club Volunteers** (attach additional sheets, if needed. Do not include Officers listed above)

Name	Address (Street, City, Zip)	Email/Phone

**Planned Meetings** (attach additional sheets, if needed)

Date	Time	Location

**Planned Fundraisers** (attach additional sheets, if needed)

Activity	Date(s)	Location

Complete a *Request for Approval of Fundraising Activity Form* for each fundraiser listed

Name of Booster Club: \_\_\_\_\_

We, the members of this Booster Club, have read and understand the rules for forming and conducting this organization, including the district's board policy and administrative regulations, and agree to abide by them. We will submit a contact list and two copies of the proposed Bylaw's to the principal/school administrator or designee, who will review the application for approval, as well as any other information required by the district. We further agree to an audit of the booster club's books and records at the district's discretion.

\_\_\_\_\_  
Signature of Booster Club Member

\_\_\_\_\_  
Date

School Site Approval (Required):

\_\_\_\_\_  
Principal's Signature

\_\_\_\_\_  
Date

District Board Recognition and Approval:

\_\_\_\_\_  
District/Administrators Signature

\_\_\_\_\_  
Date

**Tulare Joint Union High School District  
Board Authorized School Connected Organizations  
Request for Approval of Fundraising Activity**

*Please be advised that the District requires a minimum of three (3) weeks to review each request and consider the approval of the fundraising activities. Thus, this completed form must be submitted at least three (3) weeks prior to the fundraiser or the date the Organization would like approval of the fundraiser, whichever is earlier. This request form must be completed by the Organization and submitted to:*

Tulare Joint Union High School District  
Attention: Laurie Van Essen, CBO Secretary  
laurie.vanessen@tulare.k12.ca.us  
426 North Blackstone Street  
Tulare, CA 93274  
(559) 688-2021 Phone

Name of Organization: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Organization Contact: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Permission is requested to conduct the following fundraising activity:

Description of activity (describe the activity in detail and include items to be sold, if any, in the description):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Start Date: \_\_\_\_\_ End Date: \_\_\_\_\_

Time (if applicable): \_\_\_\_\_

Purpose of activity (include how the proceeds will be used):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Does the fundraising activity require the use of District facilities: Yes  No

If yes, has a Facility Use Request Form been submitted: Yes  No

*(Please ensure that a Facility Use Request Form is also submitted for any event involving use of District facilities)*

Is any third party vendor/business involved? Yes  No

If yes, please provide name and contact information of vendor/business and description of services provided:

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Does the fundraising activity involve preparing food on site? Yes  No

If yes, has a Temporary Food Event Vendor Application Form been submitted to Tulare County?

Yes  No

Does the fundraising activity involve food vendors? Yes  No

If yes, has the Organization ensured that all third party vendors have all required licenses and/or permits for operation? Yes  No

Does the Organization have insurance coverage for this the event: Yes  No

*(Please be advised that the District may require proof of sufficient insurance coverage for the requested fundraising activity.)*

The signature of the organization's representative below confirms the fundraising activity complies with the following criteria:

- \* The fundraising activity is nonpartisan and charitable.
- \* The Organization will complete all necessary forms required for the event, including a Facility Use Request Form and/or a Temporary Food Event Vendor Application Form, if required.
- \* The Organization will comply with all laws (federal, state, and local) and the reasonable requests of the District and will not engage in any unlawful conduct in connection with the requested fundraising activity.
- \* The Organization will ensure that all third-party vendors have all required licenses and/or permits for the business the vendor is conducting, including, but not limited to, local business licenses, County Health Department permits for food vendors, and seller's permits, as required by law.
- \* The Organization has reviewed Board Policy and Administrative Regulation 1230 and will conduct the fundraising activity in compliance with the Board Policy and Administrative Regulation.

\_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Organization Representative

**APPROVED / REJECTED**

**For Office Use Only**

\_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Superintendent or Designee

**Policy 1230: School-Connected Organizations**

**Status:** ADOPTED

**Original Adopted Date:** 07/15/2009 | **Last Revised Date:** 02/21/2019 | **Last Reviewed Date:** 02/21/2019

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 the district's educational and extracurricular programs. The Board appreciates the contributions made by such organizations toward the Board's vision for student learning and for providing all district students with high-quality educational opportunities.

Persons proposing to establish a school-connected organization shall submit a request to the Board for authorization to operate within the district or at a district 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.

In addition, activities by school-connected organizations shall be conducted in accordance with law, Board policies, administrative regulations, and any rules of the sponsoring school.

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) Any school-connected organization seeking to engage in a fundraising activity in this regard must first complete a Request for Approval of Fundraising Activity Form to obtain prior written approval of the Superintendent or designee. The Superintendent or designee shall develop procedures and timelines for the review and consideration for approval of applicable fundraising activities by school-connected organizations.

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)

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

<b>State</b>	<b>Description</b>
11 CCR 300-312.1	<a href="#">Fundraising for charitable purposes</a>
5 CCR 15500	<a href="#">Food sales in elementary schools</a>
5 CCR 15501	<a href="#">Food sales in high schools and junior high schools</a>
5 CCR 15575-15578	<a href="#">Requirements for foods and beverages outside the federal meals program</a>
5 CCR 4900-4965	Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance
Bus. Code 17510-17510.95	<a href="#">Charitable solicitations</a>
Bus. Code 25608	<a href="#">Alcohol on school property; use in connection with instruction</a>
Ed. Code 200-262.4	<a href="#">Prohibition of discrimination</a>
Ed. Code 35160	<a href="#">Authority of governing boards</a>
Ed. Code 38130-38138	<a href="#">Civic Center Act; use of school property for public purposes</a>
Ed. Code 48931	<a href="#">Authorization for sale of food by student organization</a>
Ed. Code 48932	<a href="#">Authorization for fund-raising activities by student organization</a>

**State**

Ed. Code 49011  
Ed. Code 49431-49431.7  
Ed. Code 51520  
Ed. Code 51521  
Gov. Code 12580-12599.10  
Pen. Code 319-329

**Description**

[Student fees; definition](#)  
[Nutritional standards](#)  
[Prohibited solicitation on school premises](#)  
[Fundraising projects](#)  
[Fundraisers for Charitable Purposes Act](#)  
[Lottery; raffle](#)

**Federal**

20 USC 1681-1688  
7 CFR 210.11  
7 CFR 220.12

**Description**

Title IX of the Education Amendments of 1972; discrimination based on sex  
[Competitive food services](#)  
[Competitive food services](#)

**Management Resources**

Court Decision  
Fiscal Crisis & Management Assistance Team Pub.  
Website  
Website  
Website  
Website  
Website

**Description**

[Serrano v. Priest \(1976\) 18 Cal. 3d 728](#)  
[2015 ASB Accounting Manual, Fraud Prevention Guide and Desk Reference](#)  
[CSBA District and County Office of Education Legal Services](#)  
[California Office of the Attorney General, Registry of Charities and Fundraisers](#)  
[California State Parent Teacher Association](#)  
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**Regulation 1230: School-Connected Organizations**

**Status:** ADOPTED

**Original Adopted Date:** 07/15/2009 | **Last Revised Date:** 02/21/2019 | **Last Reviewed Date:** 02/21/2019

The purpose of this administrative regulation is to set out procedures governing the requirements for school-connected organizations to operate within the district or at a district school and to participate in fundraising activities to solicit funds to be used wholly or in part for the benefit of the district.

Request to Operate:

A school-connected organization's request for authorization to operate within the district or at a district school shall contain, as appropriate:

1. The name and purpose of the organization
2. The date of 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
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, either by district personnel or a certified public accountant, whenever any concern is raised regarding the use of the funds
7. The name of the bank where the organization'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

Requests for subsequent authorization shall be annually submitted to the Superintendent or designee, 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/her recommendation to the Board of Trustees 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.

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.

### **Request to Engage in Fundraising Activities**

Any school-connected organization seeking to engage in a fundraising activity to solicit funds to be used wholly or in part for the benefit of a district school or the students at that school must first obtain written approval for that fundraising activity from the Superintendent or designee. To obtain written approval, the school-connected organization must complete a Request for Approval of Fundraising Activity Form subject to procedures developed by the Superintendent or designee.

A Request for Approval should clearly state the purpose of the fundraiser and how the proceeds will be used.

### **Prohibitions on Fundraising by School Connected Organizations**

The following fundraising activities are prohibited by the District:

1. Activities that involve conduct that is lewd, obscene, libelous, or slanderous;
2. Activities that incite students to commit unlawful acts, violate school rules, or disrupt the orderly operation of schools;
3. Activities that are prohibited by law;
4. Activities that position the District on any side of a controversial issue;
5. Activities that promote the use or sale of materials or services that are illegal or inconsistent with school objectives;
6. Activities involving firearms, including, but not limited to, a raffle or action for a firearm;
7. Activities involving homemade food;
8. Activities involving soliciting donations on the streets or any form of panhandling; and
9. Activities that promote the use or sale of materials or services that are illegal or inconsistent with school objectives.

This is not an exhaustive list of all prohibited fundraising activities and all activities are subject to review and approval by the Superintendent or designee.

In addition, the following fundraising activities are allowed by the District with approval by the District's liability insurance carrier, but are prohibited from taking place on District property;

1. Activities involving fireworks, including a booth selling fireworks; and
2. Activities involving the possession, consumption, or sale of alcoholic beverages.

The district may refuse to permit the use of school facilities for non-school related purposes due to the safety or security reasons.

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**Policy Reference Disclaimer:** These references are not intended to be part of the policy itself, nor do they indicate the basis or authority for the Governing Board to enact this policy. Instead, they are provided as additional resources for those interested in the subject matter of the policy.

#### **State**

11 CCR 300-312.1

5 CCR 15500

#### **Description**

[Fundraising for charitable purposes](#)

[Food sales in elementary schools](#)

**State**

5 CCR 15501  
 5 CCR 15575-15578  
 5 CCR 4900-4965  
 Bus. Code 17510-17510.95  
 Bus. Code 25608  
 Ed. Code 200-262.4  
 Ed. Code 35160  
 Ed. Code 38130-38138  
 Ed. Code 48931  
 Ed. Code 48932  
 Ed. Code 49011  
 Ed. Code 49431-49431.7  
 Ed. Code 51520  
 Ed. Code 51521  
 Gov. Code 12580-12599.10  
 Pen. Code 319-329

**Description**

[Food sales in high schools and junior high schools](#)  
[Requirements for foods and beverages outside the federal meals program](#)  
 Nondiscrimination in elementary and secondary educational programs receiving state or federal financial assistance  
[Charitable solicitations](#)  
[Alcohol on school property; use in connection with instruction](#)  
[Prohibition of discrimination](#)  
[Authority of governing boards](#)  
[Civic Center Act; use of school property for public purposes](#)  
[Authorization for sale of food by student organization](#)  
[Authorization for fund-raising activities by student organization](#)  
[Student fees; definition](#)  
[Nutritional standards](#)  
[Prohibited solicitation on school premises](#)  
[Fundraising projects](#)  
[Fundraisers for Charitable Purposes Act](#)  
[Lottery; raffle](#)

**Federal**

20 USC 1681-1688  
 7 CFR 210.11  
 7 CFR 220.12

**Description**

Title IX of the Education Amendments of 1972; discrimination based on sex  
[Competitive food services](#)  
[Competitive food services](#)

**Management Resources**

Court Decision  
 Fiscal Crisis & Management Assistance Team Pub.  
 Website  
 Website  
 Website  
 Website  
 Website

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[Serrano v. Priest \(1976\) 18 Cal. 3d 728](#)  
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