

SCHOOL-CONNECTED ORGANIZATIONS

The Governing Board recognizes that parents/guardians/community groups may wish to organize booster clubs, associations, or foundations for the purpose of supporting curricular and/or extracurricular programs such as athletic teams, academic teams, performance groups and the school/District in general. The Board supports such activities and welcomes interest and participation. School connected organizations shall be especially careful not to seek advantages for the activities they support if those advantages might be detrimental to the entire school program.

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, all school-connected organizations must operate as, or under, a registered 501(c)3 tax exempt organization and must have a written statement of purpose and bylaws. School connected organizations that desire to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the District. School connected organizations shall have an administrative designee who serves as a liaison to ensure appropriate communication and approvals for fundraising and expenditures. School-connected organizations will consult with the principal/designee to determine school needs and priorities. It is the desire of the Board that administration support the efforts of school-connected organizations. Schools will use funds to support the donative intent of the school-connected organization. All funds raised to support District students, programs, personnel, facilities or projects must receive prior approval from the Superintendent or designee.

Under no circumstances shall school-connected organizations or their individual members hire a person to be a District employee or pay any District employee directly. Any funds received for the purpose of funding extracurricular positions shall be paid to the District, which will in turn hire the personnel and pay the appropriate wage or stipend.

The Board encourages school-connected organizations to consider the impact of fundraising activities on the overall school and District program. Funds may not be used to create inequities in core academic programs and are meant to supplement and enrich existing programs. Activities by school-connected organizations shall not conflict with law, Board Policies, administrative regulations, or rules of the sponsoring school.

*Legal Reference:*EDUCATION CODE*200-262.4 Prohibition of discrimination on the basis of sex**35160 Authority of governing boards**38130-38138 Civic Center Act, use of school property for public purposes**38131 Use of civic center by public*

Legal Reference: (cont'd.)

- 38134 *Groups which may use school facilities without charge*
- 48931 *Authorization for sale of food by student organization*
- 48932 *Authorization for fund-raising activities by student organization*
- 49431 *Sale of food to elementary students during the school day*
- 49431. *Sale of food to middle, junior, or high school students*
- 49431.5 *Sale of beverages at elementary, middle, or junior high schools*
- 51520 *Prohibited solicitation on school premises*
- 5121 *Fund-raising project*

BUSINESS & PROFESSIONS CODE

- 17510-17510.95 *Solicitations for charitable purposes*
- 25608 *Alcohol on school property; use in connection with instruction*

GOVERNMENT CODE

- 12580-12599.7 *Fundraisers for Charitable Purposes Act*

PENAL CODE

- 319-329 *Lottery, raffle*

CODE OF REGULATIONS, TITLE 5

- 4900-4965 *Nondiscrimination in elementary and secondary education program*
- 15500 *Food sales in elementary schools*
- 15501 *Food sales in high schools and junior high schools*

CODE OF REGULATIONS, TITLE 11

- 300-312.1 *Fundraising for charitable purposes*

UNITED STATES CODE, TITLE 20

- 1681-1688 *Discrimination based on sex or blindness, Title IX*

COURT DECISIONS

- Serrano v. Priest, (1976) 18 Cal.3d728*

Management Resources

CDE LEGAL ADVISORIES

- 1101.89 *School District Liability and "Hold Harmless" Agreements, LO: 4-89*

Websites

- CSBA: <http://www.csba.org>
- California Office of the Attorney General, charitable trust registry:
<http://caag.state.ca.us/charities>
- California State PTA: <http://www.capta.org>