

UINTAH SCHOOL DISTRICT POLICY ACTION REVIEW

1st Reading	09/14/22	New	
2nd Reading	10/05/33	Revised	X
Approved	10/05/22	Substitute	

004.0611 FUNDRAISING AND DONATIONS: PRIVATE AND NON-SCHOOL-SPONSORED ACTIVITIES AND FUNDRAISING

REVISES POLICY 004.0611 (LAST APPROVED 12/21/16)

1.0 GENERAL POLICY STATEMENT

- 1.1 This policy applies to all District administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for school-sponsored events; or receive, authorize, accept, value, or record donations, gifts, or sponsorships for the District or individual schools. It is expected that in all dealings, District and school employees will act ethically, consistent with the District's ethics training, the Utah Educators' Standards (R277-515), the Public Officers' and Employees' Ethics Act (Utah Code Ann. ' 67-16-1 et seq.), and State procurement law (Utah Code Ann. 63G-6a-101 et seq.).

2.0 DEFINITIONS

- 2.1 "School-sponsored" for purposes of this policy means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by the District or individual school(s) that support the District or authorized curricular school clubs, activities, sports, classes or programs that also satisfy one or more of the following criteria. The activity:
 - 2.1.1 is managed or supervised by the District or public school, or District or public school employee;
 - 2.1.2 uses the District or public school's facilities, equipment, or other school resources;
 - 2.1.3 is supported or subsidized, more than inconsequently, by public funds, including the public school's activity funds or minimum school program dollars;
 - 2.1.4 does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53G-7-704 through 707.
- 2.2 "District" for purposes of this policy means Uintah School District.

3.0 DISTRICT INTERACTIONS WITH NON-SCHOOL SPONSORED ACTIVITIES

- 3.1 In interacting with any activity which is not provided, sponsored, or supported by a school, the District shall conduct all transactions at arm's length and may not co-mingle revenue or expenditures of such activities with public (District) funds.

4.0 NON-SCHOOL-SPONSORED ACTIVITIES & FUNDRAISERS

- 4.1 Activities, clubs, groups and their associated fundraisers or other activities that are not school-sponsored or groups, clubs, sports, and programs that are not managed by District employees are deemed to be non-school-sponsored. Non-school-sponsored activities may:
 - 4.1.1 NOT use the school's or District's name without express District permission;
 - 4.1.2 NOT use the District's facilities, equipment, and other assets or staff unless a Building Use Contract is approved;
 - 4.1.3 NOT utilize District employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser;
 - 4.1.4 NOT be insured under a District's risk management or insurance policy. Non-school-sponsored activities must provide their own insurance through a third-party insurer;
 - 4.1.5 NOT provide additional compensation or stipends for District employees, if the activity is not substantially different from a District employee's regular job functions and duties outside of employee's contract hours. (See District employee disclosure agreement below);
 - 4.1.6 NOT co-mingle public funds and private fundraising proceeds or expenditures;
 - 4.1.7 NOT use school records to contact parents or students.
 - 4.1.8 NOT use the District's tax exempt number or status.
- 4.2 Parental notification by a District employee is required if District employees are involved in the planning, administration, advertising, or serving as staff for a non-school- activity and if District students are involved. This notification shall occur using the "Non-School-Sponsored Parent Notification" form. A copy of this form shall be submitted to the principal by the District employee prior to the event.
- 4.3 Funds, donations, or gifts generated through non-school-sponsored activities or events, may be donated to the District or to an individual school to support specific programs, teams, groups, clubs, etc. All donations or gifts shall follow the guidance established in the District's donations and gifts policy.
- 4.4 Non-school-sponsored activities may work in conjunction with the District or an individual school to raise funds. The District may allow these groups to use District facilities at little or no charge in exchange for contributions or percentages of proceeds. The District may choose to provide some level of support or pay for portions of these activities. These arrangements shall be set forth in a written agreement or contract, and all transactions will be conducted as "arm's-length transactions." These agreements shall take into consideration the District's fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by the principal, the facilities use agreement approver, and the business administrator. The District will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.
- 4.5 Non-curricular clubs specifically authorized under Utah Code 53G-7-704 are not considered school-sponsored.

- 4.6 Gifts or donations with a value from \$1 to \$5,000 require school administrator approval. All gifts or donations \$5,001 and up require Business Administrator approval.
 - 4.6.1 The Business Administrator shall provide a monthly report of donations \$5,001 and up to the Uintah School District Board of Education.

5.0 PARTICIPATION IN PRIVATE OR NON-SCHOOL-SPONSORED EVENTS

- 5.1 District employees:
 - 5.1.1 may participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.;
 - 5.1.2 must ensure that personal participation in activities is separate and distinguishable from the employee's public employment, official job title, or job duties;
 - 5.1.3 may not contact students in the District using education records or information obtained through public employment unless the records or information are available to the general public;
 - 5.1.4 may not use school time to discuss, promote, or prepare for a private or non-school-sponsored activity;
 - 5.1.5 may offer public education-related services, programs or activities to students, provided they are not advertised or promoted during school time or using any type or amount of school resources;
 - 5.1.6 may use school or student publications available to the general public to advertise and promote the private or non-school-sponsored activity;
 - 5.1.7 may not require private or non-school-sponsored activities for credit or participation in school programs;
 - 5.1.8 must satisfy all requirements of Utah Code 53G-3-512, regarding ethical conduct standards, and R277-107, regarding educational services outside of the educator's regular employment.
- 5.2 District employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. The District employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not school-sponsored. (See R277-107-4.)
- 5.3 District employees may engage in outside employment with a private entity or other separate organizations that do not interfere with District duties or job functions. Employees must complete the District disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions.
- 5.4 Parental notification is required if District students are recruited to participate in these activities.
- 5.5 District employees may not set up bank accounts for activities or fundraisers associated with District responsibilities or job functions.
- 5.6 District employees may not direct fees or fundraiser proceeds from school-sponsored activities to outside entities.

- 5.7 District employees may not direct operating expenditures to outside funding sources or groups to avoid District procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).
- 5.8 District employees must comply with District procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.