

533: Fundraiser, Donations and Gifts Policy

1. Purpose

1.1. To establish an orderly system of reasonable fundraising and provide adequate notice to students and families.

2. Definitions:

2.1. **Public Funds:** are money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions, including LEA or other public bodies ([Utah Code 51-7-3\[26\]](#)).

2.2. **Fundraising:** raising additional funds to supplement school-sponsored activities, and academic and co-curricular programs.

2.3. **School sponsored:** means activities, fundraising events, clubs, camps, clinics, programs, sports, events, or activities that are authorized by St. George Academy.

2.4. **Non-school-sponsored:** 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 SGA employees are deemed to be non-school sponsored.

3. Authorization of fundraiser

3.1. Fundraising will be approved in writing, prior to the activity, by the Director and supervised by the SGA employee designated by the approver. The approver will ensure that the activity is appropriately classified as a school sponsored activity.

3.2. Fundraisers expected to earn more than \$50,000 must be approved by the SGA Board.

3.3. The sale of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the Director before the items are initiated or printed and must meet community standards.

3.4. Partisan or political 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.

3.5. All fundraising projects for construction, maintenance, facilities renovation or improvement and other capital equipment purchases must be approved in writing by the business administrator, the director, and the SGA board.

3.6. Properly approved school-sponsored activities may:

- a. Use the school's name, facilities, and equipment.
- b. Utilize SGA employee's and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
- c. Be insured under SGA's risk management policy (pending approval by SGA risk manager) or general liability insurance policy.

4. Standards for SGA & School-sponsored Activities

- 4.1. St. George Academy reserves the right to prohibit, restrict or limit any fundraising activities associated with SGA.
- 4.2. Faculty and student participation in fundraisers is typically voluntary. However, employee's may be directed to supervise specific activities as an employment assignment. Students, including fee-waiver- eligible students, may be required to participate fully in school, team, or group-wide fundraisers to benefit from fundraisers.
- 4.3. Participation in fundraising may not affect a student's grade.
- 4.4. Students are not required to participate in fundraising activities as a condition of belonging to a team, club, or group, nor will a student's fundraising effort affect their participation time or standing on any team, club, or group, except as to fee waiver requirements.
- 4.5. Competitive enticements for participation of individuals in fundraisers are discouraged.
- 4.6. If prizes or rewards are offered by a selected vendor, they are only to be awarded to groups, classes, or students, and must be disclosed and approved prior to the fundraiser.
- 4.7. Rewards, prizes, commissions, or other direct or indirect compensation shall not be received by any teacher, activity, club or group director, or any SGA employee or volunteer.
- 4.8. SGA or any employee may not impose a sales quota as part of fundraising efforts, and students and parents will not be required to pay for any unsold items or pay for goods not met.
- 4.9. Door-to-door sales are prohibited for middle school students. High school students may participate in one door-to-door campaign per sport, club, or group per year. Suitable procedures must be used by SGA, administration, and supervising faculty to safeguard students and funds collected. Procedures must be clearly communicated to parents.
- 4.10. Approval of a fundraiser may be denied for fundraising activities that would expose SGA to risk of financial loss or liability if the activity is not successful.
- 4.11. Fundraising activities shall be age appropriate and shall maintain the highest standard of ethical responsibility and integrity.

5. Fee waiver

- 5.1. Fee will be waived if deemed appropriate by St. George Academy Administration.
- 5.2. All school-sponsored activities will comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules.

6. Internal Controls & Cash Handling

- 6.1. St. George Academy will appropriately distribute unrestricted funds and will manage fundraising to ensure the educational opportunities of all students are equal and fair.
- 6.2. Fundraising revenues should be accounted for at an individual contribution level or participation level. Participation logs should be retained and turned into the Business Services office to be included with the deposit detail.

- 6.3. Employees who approve, manage, or oversee fundraising activities are required to disclose if they have a financial or controlling interest or access to bank accounts in a fundraising organization or company.
- 6.4. Records of all fundraising efforts shall be open to the parents, students, and donors, including accurate reporting on participation levels and financial outcomes. This policy does not require the release of students' personally identifiable information protected by FERPA.
- 6.5. SGA employees may not set up bank accounts for activities or fundraisers associated with SGA responsibilities or job functions.
- 6.6. SGA employees may not direct fees or fundraiser proceeds from school-sponsored activities to outside entities.
- 6.7. SGA employees may not direct operating expenditures to outside funding sources or groups to avoid SGA procurement rules (such as equipment, salaries or stipends, improvements, maintenance for facilities, etc.)
- 6.8. SGA employees must comply with SGA procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

7. Tax Exempt status and charitable donations receipts

- 7.1. St. George Academy is a 501(c)(3) organization and tax-exempt.
- 7.2. Fundraising events that generate business related income such as, raffles, auctions or gambling (bingo, poker tournaments, etc) are prohibited.

8. Employee Interactions with parents, donors, and non-school organizations

- 8.1. Participation in Private or Non-school-sponsored events. SGA employees:
 - a. May participate in a private but public education-related activity, such as church graduations, firesides, and extracurricular travel.
 - b. Must ensure that personal participation in activities is separate and distinguishable from employee's public employment, official job title, or job duties.
 - c. May NOT contact SGA students using educational records or information obtained through public employment unless the records or information are available to the general public.
 - d. May offer public education-related services, programs, or activities to students, so long as they are not advertised or promoted during school time or using any type or amount of school resources.
 - e. May NOT use school or student publications available to the general public to advertise and promote the private or non-school-sponsored activities for credit or participation in school programs.
 - f. Must satisfy all requirements of [Utah Code 53a-1-402.5](#), regarding ethical conduct

standards, and [R277-107](#), regarding educational services outside of the educator's regular employment.

8.2. St. George Academy employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. The employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not school sponsored. ([See R277-107-5 through 6](#)).

8.3. St. George Academy employees may engage in outside employment with a private entity or other separate organizations that does not interfere with LEA duties or job functions. Employees must complete the SGA disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions.

9. Disclosure requirements

9.1. All fees for school-sponsored activities will be properly noticed and approved by the Board.

9.2. Parental notification by an SGA employee is required if SGA employees are involved in the planning, administration, advertising, or serving as staff for non-school-sponsored activity and if SGA 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 Director by the SGA employee prior to the event.

9.3. Parental notification is required if SGA students are recruited to participate in these activities.

10. Title IX compliance

10.1. St. George Academy is committed to the principles of gender equity and compliance with Title IX guidance.

10.2. St. George Academy commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles.

10.3. St. George Academy reserves the right decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX.

10.4. Fundraising opportunities will be equitable for all students, comply with Title IX and be in harmony with Article X of the Utah Constitution.

11. Procedures governing allowable types of fundraising, student participation and non-school organizations.

11.1. 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 SGA employees are deemed to be non-school sponsored. Non-school-sponsored activities may:

- a. NOT use the 'St. George Academy' or 'SGA' name without express SGA permission.
- b. NOT use SGA facilities, equipment, and other assets or staff unless a facility use agreement is initiated and approved. These agreements should follow SGA policy for other facilities use agreements.
- c. NOT utilize SGA employees (in their official capacity) and other resources to supervise,

- promote, and otherwise staff the activity or fundraiser.
- d. NOT be insured under an SGA risk management or insurance policy. Non-school-sponsored activities must provide their own insurance through a third-party insurer.
- e. NOT provide additional compensation or stipends for SGA employees, if the activity is not substantially different from an SGA employee's regular job functions and duties and outside of employee's contract hours. (See disclosure requirements).
- f. NOT co-mingle public funds and private fundraising proceeds or expenditures.
- g. NOT use school records to contact parents or students.

11.2. Funds, donations, or gifts generated through non-school-sponsored activities or events may be donated to SGA to support specific programs, teams, groups, clubs, etc. All donations or gifts should follow guidance established in the SGA donations and gifts policy.

11.3. Non-school-sponsored activities may work in conjunction with SGA to raise funds. SGA may allow these groups to use SGA facilities at little or no charge in exchange for contributions or percentages of proceeds. SGA 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 SGA's fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by the Director and the Business Administrator. SGA will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.

11.4. Non-curricular clubs specifically authorized under [Utah Code 53A-11-1205](#) through 1208 are not considered school-sponsored.

12. Capital Fundraising/Large Fundraising Projects

12.1. All fundraising projects for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by the business administrator, the director and the SGA board. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to the business administrator for evaluation and recommendation to the director:

- a. Prospective construction, maintenance or renovation plans and estimated costs
- b. Proposed naming opportunities
- c. Proposed fundraising timeline
- d. Loans or financing agreements
- e. Maintenance or upkeep requirements and costs
- f. Assurances of compliance with Title IX (e.g., available for use by all students regardless of gender/orientation and/or for several purposes or activities)

12.2. The director will make a recommendation to the SGA board. The board reserves the right to tentatively approve plans, pending fundraising, donations, equity, or other conditions.