

# The Center for Creativity, Innovation and Discovery

## Fundraising Policy

### **Purpose**

The Governing Board of the The Center for Creativity, Innovation and Discovery (“CCID”) establishes this policy in order to provide procedures governing the initiation, authorization, and review of all fundraising activities of CCID. This policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with state and federal laws.

CCID encourages community and business partnerships that enhance and supplement the public education system. CCID also desires to protect students, parents, teachers, and school administrators from over-commercialization and fundraising efforts that are coercive and disruptive to the education processes, that threaten the health and welfare of students, or that lack educational merit.

### **Scope**

This policy applies to CCID administrators, licensed teachers, staff members, students, parents, volunteers, individuals, and organizations who initiate, authorize, or participate in fundraising events or activities on behalf of CCID. It is expected that, in all dealings, CCID’s school employees and volunteers will act ethically and consistent with CCID’s ethics training, the Utah Educator Professional Standards, the Public Officers’ and Employees’ Ethics Act, and State Procurement Law.

### **General Policy Provisions**

- A. 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 CCID or other public bodies (Utah Code 51–7–3[26]).
- B. Fundraising is permitted by CCID to allow the school to raise additional funds to supplement school-sponsored academic and other programs.
  - “School-sponsored” means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, materials, or activities that are authorized by CCID that support CCID’s authorized curricular activities, classes, or programs that also satisfy one or more of the following criteria. The activity:
    - Is managed or supervised by CCID or a CCID employee or volunteer;
    - Uses CCID’s public facilities, equipment, or other school resources;
    - Is supported or subsidized, more than inconsequently, by public funds, including CCID’s activity funds or related school program dollars;
    - Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53A–11–1205 through 1208.
- C. CCID is committed to appropriate distribution of unrestricted funds and the management of fundraising to ensure that the educational opportunities of all students are equitable and fair.
- D. CCID is committed to principles of gender equity and compliance with Title IX guidance. CCID commits to use all facilities, unrestricted gifts, and other available funds in harmony with these principles. CCID reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.

- E. All fees for school-sponsored activities must be properly noticed and approved by CCID's Governing Board and are subject to fee waiver provisions in R277-407.
- F. Consistent with CCID's policy, the Executive Director has the responsibility to waive fees, if appropriate. Individual teachers, coaches, advisors, etc. do not have the authority to waive board-approved fees.
- G. Annually, CCID reviews all planned camps, clinics, activities, and fundraisers and determines those designated as school-sponsored. Those not designated as school-sponsored will follow the non-school-sponsored criteria in Section E.
- H. All monies raised through fundraisers for school-sponsored activities are considered public funds. CCID is ultimately responsible for the expenditure and allocation of all monies collected and expended through student and school-organized fundraising.
- I. The collection of money associated with fundraisers for school-sponsored activities will comply with the CCID cash receipt policies contained in Board-approved financial policies and procedures.
- J. The expenditure of any public funds associated with fundraisers for school-sponsored activities will comply with CCID's cash disbursement policies.
- K. Properly approved school-sponsored activities may:
- Use the school's name, facilities, and equipment.
  - Utilize CCID employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
  - Be insured under CCID's general liability insurance policy.
  - Provide additional compensation or stipends for CCID employees with the approval of the Executive Director and under CCID's payroll policies.
- L. School-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and in Utah State Board of Education rules.
- M. Authorization and supervision of fundraising for school-sponsored activities:
- Fundraising at CCID shall be approved in writing, prior to the activity, by the Executive Director, and in some cases, by the Governing Board as per CCID's *Financial Policies and Procedures*.
  - Donations from individuals or organizations will follow the LEA's gift and donation policy.
  - The posting of banners, advertising, signs, or other promotional material that will be displayed on school property must be approved by the Executive Director before the items are initiated or printed, and must meet community standards. Partisan or political advertising, as well as advertising for companies for profit, and or 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.
  - All fundraising projects for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by

the Executive Director, the Business Manager, and the Board Chair.

### **General Fundraising Standards for School-Sponsored Activities**

- A. CCID reserves the right to prohibit, restrict, or limit any fundraising activities associated with CCID.
- B. Faculty and student participation in fundraisers is typically voluntary. However, employees may be directed to supervise specific activities as an employment assignment.
- C. Participation in fundraising shall not affect a student's grade. Students shall not be required to participate in fundraising activities as a condition of belonging to a team, club or group, nor shall a student's fundraising effort affect his/her participation time or standing on any team, club or group, except as to fee waiver requirements.
- D. Competitive enticements for participation in fundraisers are discouraged. If prizes or rewards are offered by a selected fundraising vendor, they should only be awarded to groups, classes or students, and must be disclosed and approved prior to the fundraiser. Rewards, prizes, commissions, or other direct or indirect compensation shall not be received by any teacher, activity, club or group director, or any other CCID employee or volunteer.
- E. CCID may not impose a sales quota (or the like) as part of fundraising efforts, and students or parents shall not be required to pay for any unsold items, or pay for goals not met.
- F. CCID prohibits door-to-door sales for all students in elementary and middle school.
- G. Approval may be denied for fundraising activities that would expose CCID to risk of financial loss or liability if the activity is not successful.
- H. Fundraising activities shall be age appropriate, if students participate, and shall maintain the highest standards of ethical responsibility and integrity.
- I. Fundraising revenues should be accounted for at an individual contribution level or participation level. Participation logs, when applicable should be retained and turned into the Executive Director to be included with the deposit detail.
- J. 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.
- K. 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.

### **Non-School Sponsored Activities and Fundraisers**

- A. 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 CCID employees, are deemed to be non-school-sponsored. Non-school-sponsored activities may:
  - NOT use the school's name without express permission from CCID.
  - NOT use the school's facilities, equipment, and other assets or staff unless a Facilities Use Agreement is initiated and approved. These agreements should follow CCID's policy for other facilities use agreements.
  - NOT utilize CCID employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
  - NOT be insured under the CCID insurance policy. Non-school-sponsored activities must provide their own insurance through a third-party insurer, in demonstration of which, CCID has obtained a certificate of liability with the school listed as an additionally insured party. CCID may:

- NOT provide additional compensation or stipends for CCID employees, if the activity is not substantially different from a CCID employee's regular job functions and duties and outside of employee's contract hours;
  - Not commingle public funds and private fundraising proceeds or expenditures.
  - Not use school records to contact parents or students.
- B. Parental notification by a CCID employee is required if CCID employees are involved in the planning, administration, advertising, or serving as staff for a non-school sponsored activity and if CCID students are involved. This notification shall occur per CCID's parent notification and other relevant forms.
- C. Funds, donations, or gifts generated through non-school-sponsored activities or events may be donated to CCID to support specific programs, activities, groups, clubs, etc. All donations or gifts shall follow the guidance established in CCID's *Finance Policy and Procedures*.
- D. Non-school-sponsored activities may work in conjunction with CCID to raise funds. CCID may allow groups to use CCID's facilities at little or no charge in exchange for contributions or percentages of proceeds. CCID 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 CCID's fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by the Executive Director, the Business Manager, and the Governing Board as per CCID's *Finance Policies and Procedures*. When appropriate, CCID will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.
- E. Non-curricular clubs specifically authorized under Utah Code 53A-11-1205 through 1208 are not considered school-sponsored.

### **Employee Relationships and Disclosure**

- A. Participation in Private or Non-School-Sponsored Events. CCID employees:
- May participate in a private but public education-related activity, such as a religious seminary graduation or religious firesides, extracurricular travel, etc.;
  - Must ensure that personal participation in activities is separate and distinguishable from the employee's public employment, official job title, or job duties;
  - May not contact students at CCID using education records or information obtained through public employment unless the records or information are available to the general public;
  - May not use school time to discuss, promote, or prepare for a private or non-school sponsored activity;
  - 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;
  - May use school or student publications available to the general public to advertise and promote a private or non-school-sponsored activity.
  - May not require private or non-school sponsored activities for credit or participation in school programs;
  - 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.

- B. CCID employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. CCID 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.)
- C. CCID employees may engage in outside employment with a private entity or other separate organizations that does not interfere with CCID's duties or job functions. Employees must complete the disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions.
- D. Parental notification is required if CCID students are recruited to participate in these activities.
- E. CCID employees may not set up bank accounts for activities or fundraisers associated with CCID responsibilities or job functions.
- F. CCID employees may not direct fees or fundraiser proceeds from school-sponsored activities to outside entities.
- G. CCID employees may not direct operating expenditures to outside funding sources or groups to avoid CCID procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).
- H. CCID employees must comply with CCID procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

### **Capital Fundraising Projects**

- A. All fundraising projects for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by the Executive Director, Business Manager, and the Governing Board. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to the Business Manager for evaluation and recommendation to the Executive Director:
  - Prospective construction, maintenance or renovation plans and estimated costs;
  - Proposed naming opportunities
  - Proposed fundraising timeline
  - Loans or financing agreements;
  - Maintenance or upkeep requirements and costs;
  - Assurances of compliance with Title IX (e.g., available for use by both male and female students and/or for several purposes or activities).
- B. The Executive Director will make a recommendation to the Governing Board. The Board reserves the right to approve plans tentatively, pending fundraising, donations, equity, or other conditions.