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To: Members of the Board of Education
From: Doug Larson
Re: First Reading
Date: November 30, 2017

Policy and Legal Services will present one First Reading during the next Board of Education meeting. A summary of the policy's content is provided.

Article V.C.11. Student Fundraising

The District is taking steps to help schools manage fundraising activities. This policy is intended for that purpose. This policy better defines and prescribes appropriate student fundraising activities and processes. This policy governs student fundraising activities only, however. Other revenue development by schools and the District will be governed by a separate policy that will be introduced in January 2018. This policy, among other things, requires professional fundraising vendors to follow a District-level application process to lighten the burden on school administrators.

Article V.C.11. Student Fundraising

A. Statement of Purpose

1. The Board of Education recognizes that student fundraising at the school level provides added resources for programs and activities. The Board also recognizes that issues such as excessive solicitation of business and patrons, student safety, undue distractions, burdensome time commitments, and fiduciary ethics can arise while engaging in student fundraising activities. ers help make school activities accessible to students in Granite School District. The Board intends this policy, therefore, to govern student fundraising activities, as a means to address these issues, to in compliancey with state rules, to limit undue distractions or time commitments, and to ensure educator standards and accounting practices are maintained.
2. In addition to student fundraising activities, a fiscal administrator may permit certain alternative methods of generating revenue at the site consistent with applicable District policies (see Article V.C.8. Donations and Other Revenue Sources). Donations or other revenue sources that do not involve active promotion by the school or enlist students to solicit funds, they are not considered student fundraising activities and are not subject to the restrictions found in this policy.

B. Definitions

Active fundraisers: fundraisers that involve active promotion by the school and active involvement of students.

Group fundraisers: fundraisers where all team or organization members participate and all funds raised are used for the mutual benefit of the team or organization members.

Individual fundraisers: fundraisers wherein participation is optional for individual students and funds raised by individual students are used to pay that individual student's costs.

Passive fundraisers: fundraisers initiated by outside entities that involve minimal supervision or participation (i.e. collecting box tops or proofs of purchase, book fairs, recycling, student pictures, and business patronage partnerships).

School-sponsored fundraisers: fundraising events or activities that (a) are initiated, managed, or supervised by schools, teachers, staff, or administrators; (b) use school facilities, equipment, or other school resources (not part of a rental or other contractual arrangement); or (c) are supported or subsidized by school or District funds, including the public school's activity funds or minimum school program dollars. Events or activities initiated by third parties or intended for the primary benefit of a third party are not school-sponsored.

BC. Approval and Disclosure of Student Fundraising Activities

1. All school or District sponsored student fundraising activitiesers must shall be approved in advance by the school principal/fiscal administrator and documented using the School-Sponsored Student Fundraising Approval and Disclosure Form (the form is attached to this policy and can be found on the Accounting Department website)., thereforeuse (See special considerations in part I regarding approval of private fundraisers.)
2. Fiscal administrators shall exercise discretion when determining approval by considering matters including, but not limited to:
 - a. appropriateness of the student fundraising activities (see Part D of this policy below);
 - b. anticipated benefit of the student fundraising activity; and
 - c. level of planning and oversight, including the following:
 - i. the purpose of the student fundraising activity;
 - ii. manner in which money will be collected and accounted for in compliance with Section 2 of the Fiscal Policy Manual;
 - iii. training given to students regarding their participation;
 - iv. potential risks and measures to mitigate those risks; and
 - v. considerations related to federal and state laws, contracts, or District policies.
 - d. Fiscal administrators should always consider the potential burden on the school's community from over-solicitation when considering approval for student fundraisers.
 - i. Schools are allowed one general school-wide student fundraiser per year.
 - ii. Schools are allowed one school-wide charitable student fundraiser per year.
 - iii. Schools are allowed one school-wide PTA/PTO student fundraiser per year.
 - iv. Schools may participate in one student fundraising effort per year for the Granite Education Foundation.
 - v. While there is no specific cap on the number of student fundraisers allowed by secondary school teams, clubs, classes, or programs,

fewer fundraisers that can meet the needs of the organization are preferred.

e. At most, student fundraisers should not exceed six weeks in length.

f. Fundraising activities of third parties should not compete with or otherwise interfere with school-sponsored fundraising activities.

3. Fiscal administrators shall inform all parents/guardians of students participating in a student fundraiser in advance of the fundraiser through appropriate means. Information about student fundraisers may be communicated to parents/guardians via email, parent newsletters, the school website, or other appropriate means.

CD. Administration of Student Fundraising Activities

1. Students participating in fund raising activities are expected to appropriately represent their school and the District. All District policies regarding student conduct and discipline apply to school-sponsored fund-raising activities.

2. Students who qualify for fee waiver are encouraged to participate in student fundraising activities.

4.3. Proceeds from All funds raised in school or District sponsored student fundraising activities are public funds and are to be used only for the purpose identified and approved in the School-Sponsored Student Fundraising Approval and Disclosure Form for the benefit of students and school programs or activities. Proceeds may not be used to hire additional personnel or to cover or augment the salary/stipend of existing personnel.

4. Proceeds from the annual school-wide charitable student fundraiser must be given to the charity rather than to an individual or family, unless the fact that proceeds will go to an individual or family was specifically included in the disclosure (e.g. Sub-for-Santa). In exceptional circumstances, the Director of Accounting may approve the giving of proceeds from a charitable student fundraiser to an individual or family in the absence of disclosure. In such cases, the fiscal administrator should advise the recipient to consult with the recipient's tax advisor or legal counsel regarding possible tax or other legal ramifications for receiving the proceeds.

Administration, staff, and other district employees responsible for the supervision of school-sponsored fundraising activities shall ensure that district policies and guidelines for handling and depositing funds are strictly followed.

5. Proceeds from a student fundraising activity where all team, club, class, or program members are required to participate must be credited equally among all participants to 1) go against any costs that are assessed individually to them, or 2) go against group costs. In no case shall ownership of proceeds from school-sponsored student fundraising activities be transferred turned over to students.

6. Proceeds from a student fundraising activity where participation by team, club, class, or program members is optional may be credited to each participating

student based on their proportionate participation to go against any costs that are assessed individually to them by the team, club, class, or program. In no case shall ownership of the proceeds from school-sponsored student fundraising activities be transferred to students.

7. Surplus or unused funds from student fundraising activities must be used for other immediate program expenses or they revert to the school. Surplus funds should not be held over from year to year. In no case will surplus funds revert to students or parents.
8. Administration, staff, and other District employees responsible for the supervision of school-sponsored student fundraising activities shall ensure that District policies and guidelines for handling and depositing funds are followed.
9. Sales tax must be charged on all sales associated with student fundraisers unless all of the following conditions are met:
 - a. The proceeds from the student fundraiser are used by the school to buy supplies or equipment or to provide student transportation.
 - b. The student fundraising activity is an officially school-sanctioned activity conducted in accordance with this policy.
 - c. The proceeds from the student fundraiser are not used to directly or indirectly compensate a teacher or other school or District employee.
 - d. The proceeds from the student fundraiser are deposited into a dedicated school account controlled by the school or District.

~~2. Fundraising activities shall not count as instructional time and are not allowed to interfere with classroom instruction.~~

~~3. Only fundraising activities that offer at least forty percent return of proceeds to the school may be considered.~~

410. In all fundraising activities, educators shall comply with Utah Educator Standards (Utah Admin. Code R277-515) and other ~~district~~District policies. In particular, educators shall refrain from using his/her position of influence to profit commercially or benefit personally from fundraising (i.e. teachers should not sell products or services offered by a family owned business unless the transaction is arms-length and the educator receives express permission from the school principal after disclosing the potential conflict of interest). This provision is not intended to prevent educators from communicating opportunities for extracurricular involvement or other enrichment activities.

115. With express approval from the ~~principal~~fiscal administrator, ~~district~~District employees may receive reimbursement out of student fundraising funds for expenses incurred while supervising school-sponsored student fundraising activities (i.e. travel, accommodations, and standard, approved per-diems).

E. ~~Student Participation~~

1. ~~Teams, clubs, classes, or programs may sponsor individual or team fundraisers for appropriate purposes such as travel, equipment, professional services, or other specific purposes consistent with other district policies and State law.~~
2. ~~Student participation in school sponsored fundraising activities shall not impact grades, academic credit, or eligibility for teams, clubs, classes, or programs.~~
3. ~~Students shall not be required to solicit door-to-door for school sponsored fundraisers.~~
4. ~~Unused funds from group or individual school sponsored fundraising activities will revert to the designated school account for the team, club, class, or program at the end of the school year and not to students or parents.~~

F. ~~School-Wide Fundraisers~~

~~The following school-wide fundraisers are allowed annually:~~

1. ~~One school-wide fundraiser intended to benefit the school may be sponsored by the school each year.~~
2. ~~One school-wide fundraiser intended to benefit a charitable cause may be sponsored by the school each year.~~
3. ~~One school-wide fundraiser intended to benefit the school's parent/teacher organization may be sponsored by the school each year.~~
4. ~~Schools may participate in one annually designated fundraiser sponsored by the Granite Education Foundation.~~
5. ~~Passive fundraisers are allowed under the direction and at the discretion of the principal. Marketing information regarding passive fundraisers may not be distributed by schools as stand-alone flyers with the exception of information packets for student pictures and forms for school book programs. (Note: for other limitations on access to students and patrons, please refer to Board Policy, Article V.C.10. Access to Students by Non-School and Non-District Entities.)~~

Individual Student Book Orders (Formerly Administrative Memorandum #98)

~~In order to comply with the Utah State Tax Commission guidelines, the following procedures must be observed when ordering books for individual elementary students through mail order companies such as Troll Books, Weekly Readers, etc.~~

- a. ~~Elementary students cannot be required to purchase books to be used as part of the curriculum. These books are to be used only for individual reading or free time activities. Student participation is voluntary.~~
- b. ~~Students who wish to purchase books should:~~
 - i. ~~Complete the order form.~~

- ii. ~~Attach a check or money order (NO CASH) made out to the book company.~~
- iii. ~~Return the order form and check (or money order) to their teacher or a volunteer. The order forms and checks are then sent directly to the publishers.~~

~~Following this procedure, the school is not responsible for collection and remittance of sales tax on these purchases.~~

- e. ~~If payments are processed through the school accounting system, sales tax must be collected and remitted to the Utah State Tax Commission.~~
- d. ~~"Bonuses" received for the orders must remain with the school and cannot be accepted by an individual as a personal gift for initiating the purchase.~~
- e. ~~The principal and individual teachers must agree about class participation in mail order offers.~~

G. ~~Utah Sales Tax~~

1. ~~Utah law provides for a sales tax exemption on school fundraising sales if all of the following conditions are met:~~

- a. ~~Funds are used by the school for the purpose of purchasing equipment or materials or to provide transportation.~~
- b. ~~Fundraising activities are part of an officially school sanctioned activity conducted in accordance with this policy.~~
- e. ~~Funds are not used to directly or indirectly compensate a teacher or other school or district employee.~~
- d. ~~Revenues from the fundraiser are deposited in a dedicated school account controlled by the school or district.~~

2. ~~For all sales made during school sponsored fundraising activities that do not qualify for the sales tax exemption, schools shall charge, collect, and appropriately remit sales tax.~~
May 7, 2013

DH. Limitations and Prohibitions

- 1. Students shall not be required to solicit door-to-door for school-sponsored student fundraisers.
- 2. Student participation in school-sponsored student fundraising activities shall not impact grades, academic credit, citizenship standing, or eligibility for teams, clubs, classes, or programs.

3. Sales quotas for students may shall not be part of any school-sponsored student fundraising activity. Similarly, fiscal administrators shall not approve school-sponsored fundraising activities that require pre-purchasing product inventory or service units for resale or a contractual commitment to sell a specific number of items or service units.
4. Students may shall not be required to pay for any unsold items that are returned to the school.
5. Students may shall not participate in a student fundraising effort for a team, club, class, or program to which they do not belong.
6. No rewards or prizes may shall be offered to students, teams, clubs, classes, or programs in association with a student fundraising activity unless specifically approved by the fiscal administrator.
7. Goods or services may be donated to schools for student fundraising activities, but Aactivities where the students for whom the funds are being raised are the primary 'buyers' or recipients of the goods or services are not considered student fundraisers, and are subject to the District's policies on student fees.
8. Student fundraising activities shall not count as instructional time and are not allowed to interfere with classroom instruction.
9. School-sponsored student fundraisers cannot require students to submit the personal information of other people, and students shall not be used to develop mailing or contact lists for any commercial or fundraising organization.
10. Schools shall ensure against that selling food or beverages sold during the school day as part of a student fundraiser, including during lunch time, food and beverage items that do not meet nutrition standards for competitive foods. (Ssee Utah Administrative Code R277-719-5-) with the exception of three student fundraisers during the school year that do not exceed five consecutive days. To be exempted from this requirement:
 - a. The number of such student fundraisers may not exceed three per year.
 - b. The duration of such student fundraisers may not exceed five consecutive days.
 - e. The fiscal administrator shall designate an individual to maintain records of fundraisers at which foods and beverages that do not meet nutrition standards for competitive foods are sold.
11. Selling baked goods or other food items intended for human consumption, prepared at home by students or their parents/guardians, is not allowed.
12. Lotteries, Raffles, or drawings in which nothing of value is provided in exchange for the cost of an opportunity to win something of value are illegal in Utah and are therefore not allowed as a student fundraising activity. A raffle is defined as an activity in which people purchase an opportunity to win something which is ultimately determined by chance.

13. No District employee may receive compensation, other than their normal hourly wage or stipend, in the form of profits, percentage of revenues, kickbacks, products, gifts, or anything of financial value because of, or associated with a student fundraising activity. Individual District employees are not permitted to accept personal payments, bonuses, or gratuities from commercial fundraising organizations or individuals (Utah Code 63-56-72 and Utah Administrative Code R277-515). Fundraising incentives, bonuses, etc., must shall be used by the school to directly benefit students, clubs, classes, and/or programs involved in the fundraising effort.
14. Individual district employees are not permitted to accept personal payments, bonuses, or gratuities from commercial fundraising organizations or individuals (Utah Code 63-56-72 and Utah Administrative Code R277-515). Fundraising incentives, bonuses, etc., however, may be accepted if used to directly benefit students and/or programs. School-sponsored fundraising may not involve communication, advertising, and/or depictions of tobacco or alcoholic products, or any other material or product that may not legally be used by school age children or is otherwise not in compliance with the state, district/District, or school rules; that may be harmful to the health and welfare of students; that may exploit or create undue intrusion into the classroom or home; that would detract from or interfere with student learning; that would conflict with the educational mission of the district/District; or that would commercialize or damage the image of the district/District or the school(s).
15. An individual student or third party who wishes to conduct a personal or private fundraiser (non-school sponsored) using school facilities, equipment, or other resources may only do so under the following circumstances:
- a. Individuals must enter into a rental or other contractual arrangement with the District to use such resources.
 - b. With the exception of officially recognized Student Support Organizations (see Section 9 of the Fiscal Policy Manual) individuals may not use the school's name to promote the fundraising activity.
 - c. The fundraising activity may not be conducted during normal school operating hours or in conjunction with a school-sponsored activity.
 - d. Proceeds from funds raised by individual students or third parties belong to the third party and are not considered public funds unless and until such time when they may be that the funds are donated to the school.
 - e. The individual student or third party retains all risk as well as all obligations to comply with State laws and /or requirements/regulations.
316. Schools may not sponsor or co-sponsor fundraising events with the intended or unintended effect of offering an undue advantage to any outside entity or otherwise circumventing district/District policies or state laws regarding facility

rentals, donations, boosters clubs, access to students, etc. For example, an individual or entity shall not be allowed to profit commercially by promising a donation or a portion of event proceeds to a team, club, class, or program in exchange for free or reduced-rate use of facilities, work performed by students or ~~district~~District personnel, or some other advantage gained by using a public facility. (See Board Policies, Article VIII.A.28. School Building and Grounds as Civic Centers; Article V.C.8. Donations; Article V.C.10. Access to Students by Non-School and Non-District/District Entities; and Administrative Memorandum No. 42, Use and Rental of School Facilities.)

4. ~~Schools shall ensure against co-mingling of any school/district funds or funds generated through school-sponsored fundraising activities with the funds of any other individual or entity (i.e. booster organizations, commercial organizations, athletic programs, etc.)[†]. It is imperative, therefore, that principals become familiar with the distinctions between fundraisers and donations and account for both separately (Board Policy, Article V.C.8. Donations).~~
5. ~~School-sponsored fundraisers cannot require students to submit the personal information of other people, and students shall not be used to develop mailing or contact lists for any commercial or fundraising organization.~~
6. ~~Schools shall ensure against selling during the school day, as part of a fundraiser, food and beverage items that do not meet nutrition standards for competitive foods unless exempted. To be exempted, the number of such fundraisers may not exceed three (3) per year with each fundraiser lasting no longer than five (5) consecutive days. If these conditions are not met, the school shall ensure that all food and beverage items sold as part of a fundraiser meet such nutrition standards. (See Utah Administrative Code R277-719-5.)~~

I. ~~Private Fundraisers~~

1. ~~A third party who wishes to conduct a fundraiser using school facilities, equipment, or other resources may do so provided they enter into a rental or other contractual arrangement with the District to use such resources.~~
2. ~~Private fundraisers using school facilities, equipment, or other resources may not be conducted during normal school operating hours.~~
3. ~~Private fundraisers must be approved by the principal. In doing so, the principal shall consider whether the private fundraiser will compete or otherwise interfere with school-sponsored fundraising activities.~~
4. ~~The funds raised belong to the third party and are not considered public funds.~~
5. ~~The third part retains all risk as well as all obligations to comply with State laws and/or requirements.~~

[†]As the sole exception to this provision, allowed for by the Utah State Office of Education rules, schools may collect funds on behalf of parent/teacher organizations.

E. Approved Fundraising Partner List

1. When student fundraising activities 1) involve the sale of third party or vendor products or services (e.g. wrapping paper, cookie dough, coupon books, apps or websites that sell discount coupons, apps or websites that solicit contributions, etc.), and 2) those third parties or vendors retain or receive a portion of the fundraising proceeds, such third parties or vendors must be on the District's preapproved fundraising partner list. To obtain approval, vendors must comply with several conditions, including the following:
 - a. Vendors shall meet the requirements of the Charitable Solicitations Act, (See Utah Code 13-22-1 et seq.).
 - b. Vendors shall agree to maintain confidential and secure all personally identifiable student information solely for the purpose of completing transactions associated with the fundraiser and to provide fundraiser accountability. Such information shall not be stored, shared, or used for any other purposes (e.g. compilation of mailing lists, contact lists, marketing contacts, etc.) and shall be destroyed after its intended use.
 - bc. Vendors shall agree to maintain confidential and secure all personal information of those solicited by District students in student fundraising efforts and such information shall be afforded the same protections as outlined in the proceeding section unless alternate use is expressly authorized by the individuals.
 - e. The District or school will receive at least forty percent of the student fundraising proceeds.
 - dd. The fundraising activities will not involve communication, advertising, and/or depictions of tobacco or alcoholic products, or any other material or product that may not legally be used by school age children or is otherwise not in compliance with the state, District, or school rules; that may be harmful to the health and welfare of students; that may exploit or create undue intrusion into the classroom or home; that would detract from or interfere with student learning; that would conflict with the educational mission of the District; or that would commercialize or damage the image of the District or the school(s).
 - ee. The vendor will not offer, pay, supply, or otherwise provide funds, percentage of revenues, kickbacks, products, gifts, bonuses, gratuities, or anything of financial value to any District employee, their family, or their business as enticement or reward in relation to the fundraising activity.

Article V.C.11. Student Fundraising

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2. In addition to student fundraising activities, a fiscal administrator may permit certain alternative methods of generating revenue at the site consistent with applicable District policies (*see* Article V.C.8. Donations and Other Revenue Sources). Donations or other revenue sources that do not involve active promotion by the school or enlist students to solicit funds, are not considered student fundraising activities and are not subject to the restrictions found in this policy.

B. Approval and Disclosure of Student Fundraising Activities

1. All school or District sponsored student fundraising activities shall be approved in advance by the fiscal administrator using the School-Sponsored Student Fundraising Approval and Disclosure Form (the form is attached to this policy and can be found on the Accounting Department website).
2. Fiscal administrators shall exercise discretion when determining approval by considering matters including, but not limited to:
 - a. appropriateness of the student fundraising activities (see Part D of this policy below);
 - b. anticipated benefit of the student fundraising activity; and
 - c. level of planning and oversight, including the following:
 - i. the purpose of the student fundraising activity;
 - ii. manner in which money will be collected and accounted for in compliance with Section 2 of the Fiscal Policy Manual;
 - iii. training given to students regarding their participation;
 - iv. potential risks and measures to mitigate those risks; and
 - v. considerations related to federal and state laws, contracts, or District policies.

- d. Fiscal administrators should always consider the potential burden on the school's community from over-solicitation when considering approval for student fundraisers.
 - i. Schools are allowed one general school-wide student fundraiser per year.
 - ii. Schools are allowed one school-wide charitable student fundraiser per year.
 - iii. Schools are allowed one school-wide PTA/PTO student fundraiser per year.
 - iv. Schools may participate in one student fundraising effort per year for the Granite Education Foundation.
 - v. While there is no specific cap on the number of student fundraisers allowed by secondary school teams, clubs, classes, or programs, fewer fundraisers that can meet the needs of the organization are preferred.
 - e. At most, student fundraisers should not exceed six weeks in length.
 - f. Fundraising activities of third parties should not compete with or otherwise interfere with school-sponsored fundraising activities.
3. Fiscal administrators shall inform all parents/guardians of students participating in a student fundraiser in advance of the fundraiser. Information about student fundraisers may be communicated to parents/guardians via email, parent newsletters, the school website, or other appropriate means.

C. Administration of Student Fundraising Activities

1. Students participating in fund raising activities are expected to appropriately represent their school and the District. All District policies regarding student conduct and discipline apply to school-sponsored fundraising activities.
2. Students who qualify for fee waiver are encouraged to participate in student fundraising activities.
3. Proceeds from school or District sponsored student fundraising activities are public funds and are to be used only for the purpose identified and approved in the School-Sponsored Student Fundraising Approval and Disclosure Form. Proceeds may not be used to hire additional personnel or to cover or augment the salary/stipend of existing personnel.
4. Proceeds from the annual school-wide charitable student fundraiser must be given to the charity rather than to an individual or family, unless the fact that proceeds will go to an individual or family was specifically included in the disclosure (e.g. Sub-for-Santa). In exceptional circumstances, the Director of Accounting may

approve the giving of proceeds from a charitable student fundraiser to an individual or family in the absence of disclosure. In such cases, the fiscal administrator should advise the recipient to consult with the recipient's tax advisor or legal counsel regarding possible tax or other legal ramifications for receiving the proceeds.

5. Proceeds from a student fundraising activity where all team, club, class, or program members are required to participate must be credited equally among all participants to 1) go against any costs that are assessed individually to them, or 2) go against group costs. In no case shall ownership of proceeds from school-sponsored student fundraising activities be transferred to students.
6. Proceeds from a student fundraising activity where participation by team, club, class, or program members is optional may be credited to each participating student based on their proportionate participation to go against any costs that are assessed individually to them by the team, club, class, or program. In no case shall ownership of the proceeds from school-sponsored student fundraising activities be transferred to students.
7. Surplus or unused funds from student fundraising activities must be used for other immediate program expenses or they revert to the school. Surplus funds should not be held over from year to year. In no case will surplus funds revert to students or parents.
8. Administration, staff, and other District employees responsible for the supervision of school-sponsored student fundraising activities shall ensure that District policies and guidelines for handling and depositing funds are followed.
9. Sales tax must be charged on all sales associated with student fundraisers unless all of the following conditions are met:
 - a. The proceeds from the student fundraiser are used by the school to buy supplies or equipment or to provide student transportation.
 - b. The student fundraising activity is an officially school-sanctioned activity conducted in accordance with this policy.
 - c. The proceeds from the student fundraiser are not used to directly or indirectly compensate a teacher or other school or District employee.
 - d. The proceeds from the student fundraiser are deposited into a dedicated school account controlled by the school or District.
10. In all fundraising activities, educators shall comply with Utah Educator Standards (Utah Admin. Code R277-515) and other District policies. In particular, educators shall refrain from using his/her position of influence to profit commercially or benefit personally from fundraising (i.e. teachers should not sell products or services offered by a family owned business unless the transaction is arms-length and the educator receives express permission from the school principal after disclosing the potential conflict of interest). This provision is not intended to

prevent educators from communicating opportunities for extracurricular involvement or other enrichment activities.

11. With express approval from the fiscal administrator, District employees may receive reimbursement out of student fundraising funds for expenses incurred while supervising school-sponsored student fundraising activities (i.e. travel, accommodations, and standard, approved per-diems).

D. Limitations and Prohibitions

1. Students shall not be required to solicit door-to-door for school-sponsored student fundraisers.
2. Student participation in school-sponsored student fundraising activities shall not impact grades, academic credit, citizenship standing, or eligibility for teams, clubs, classes, or programs.
3. Sales quotas for students shall not be part of any school-sponsored student fundraising activity. Similarly, fiscal administrators shall not approve school-sponsored fundraising activities that require pre-purchasing product inventory or service units for resale or a contractual commitment to sell a specific number of items or service units.
4. Students shall not be required to pay for any unsold items that are returned to the school.
5. Students shall not participate in a student fundraising effort for a team, club, class, or program to which they do not belong.
6. No rewards or prizes shall be offered to students, teams, clubs, classes, or programs in association with a student fundraising activity unless specifically approved by the fiscal administrator.
7. Goods or services may be donated to schools for student fundraising activities, but activities where the students for whom the funds are being raised are the primary buyers or recipients of the goods or services are not considered student fundraisers.
8. Student fundraising activities shall not count as instructional time and are not allowed to interfere with classroom instruction.
9. School-sponsored student fundraisers cannot require students to submit the personal information of other people, and students shall not be used to develop mailing or contact lists for any commercial or fundraising organization.
10. Schools shall ensure that food or beverages sold during the school day as part of a student fundraiser, including during lunch time, meet nutrition standards for competitive foods (*see* Utah Administrative Code R277-719-5) with the exception of three student fundraisers during the school year that do not exceed five consecutive days. The fiscal administrator shall designate an individual to maintain records of fundraisers at which foods and beverages that do not meet nutrition standards for competitive foods are sold.

11. Selling baked goods or other food items intended for human consumption, prepared at home by students or their parents/guardians, is not allowed.
12. Lotteries, raffles, or drawings in which nothing of value is provided in exchange for the cost of an opportunity to win something of value are illegal in Utah and are therefore not allowed as a student fundraising activity.
13. No District employee may receive compensation, other than their normal hourly wage or stipend, in the form of profits, percentage of revenues, kickbacks, products, gifts, or anything of financial value because of, or associated with a student fundraising activity. Individual District employees are not permitted to accept personal payments, bonuses, or gratuities from commercial fundraising organizations or individuals (Utah Administrative Code R277-515). Fundraising incentives, bonuses, etc., shall be used by the school to directly benefit students, clubs, classes, and/or programs involved in the fundraising effort.
14. School-sponsored fundraising may not involve communication, advertising, and/or depictions of tobacco or alcoholic products, or any other material or product that may not legally be used by school age children or is otherwise not in compliance with the state, District, or school rules; that may be harmful to the health and welfare of students; that may exploit or create undue intrusion into the classroom or home; that would detract from or interfere with student learning; that would conflict with the educational mission of the District; or that would commercialize or damage the image of the District or the school(s).
15. An individual student or third party who wishes to conduct a personal or private fundraiser (non-school sponsored) using school facilities, equipment, or other resources may only do so under the following circumstances:
 - a. Individuals must enter into a rental or other contractual arrangement with the District to use such resources.
 - b. With the exception of officially recognized Student Support Organizations (*see* Section 9 of the Fiscal Policy Manual) individuals may not use the school's name to promote the fundraising activity.
 - c. The fundraising activity may not be conducted during normal school operating hours or in conjunction with a school-sponsored activity.
 - d. Proceeds from funds raised by individual students or third parties belong to the third party and are not considered public funds unless and until such time that the funds are donated to the school.
 - e. The individual student or third party retains all risk as well as all obligations to comply with State laws and regulations.
16. Schools may not sponsor or co-sponsor fundraising events with the intended or unintended effect of offering an undue advantage to any outside entity or otherwise circumventing District policies or state laws regarding facility rentals, donations, booster clubs, access to students, etc. For example, an individual or

entity shall not be allowed to profit commercially by promising a donation or a portion of event proceeds to a team, club, class, or program in exchange for free or reduced-rate use of facilities, work performed by students or District personnel, or some other advantage gained by using a public facility. (See Board Policies, Article VIII.A.28. School Building and Grounds as Civic Centers; Article V.C.8. Donations; Article V.C.10. Access to Students by Non-School and Non-District Entities.)

E. Approved Fundraising Partner List

1. When student fundraising activities 1) involve the sale of third party or vendor products or services (e.g. wrapping paper, cookie dough, coupon books, apps or websites that sell discount coupons, apps or websites that solicit contributions, etc.), and 2) those third parties or vendors retain or receive a portion of the fundraising proceeds, such third parties or vendors must be on the District's preapproved fundraising partner list. To obtain approval, vendors must comply with several conditions, including the following:
 - a. Vendors shall meet the requirements of the Charitable Solicitations Act, (See Utah Code 13-22-1 *et seq.*).
 - b. Vendors shall agree to maintain confidential and secure all personally identifiable student information solely for the purpose of completing transactions associated with the fundraiser and to provide fundraiser accountability. Such information shall not be stored, shared, or used for any other purposes (e.g. compilation of mailing lists, contact lists, marketing contacts, etc.) and shall be destroyed after its intended use.
 - c. Vendors shall agree to maintain confidential and secure all personal information of those solicited by District students in student fundraising efforts and such information shall be afforded the same protections as outlined in the proceeding section unless alternate use is expressly authorized by the individuals.
 - d. The fundraising activities will not involve communication, advertising, and/or depictions of tobacco or alcoholic products, or any other material or product that may not legally be used by school age children or is otherwise not in compliance with the state, District, or school rules; that may be harmful to the health and welfare of students; that may exploit or create undue intrusion into the classroom or home; that would detract from or interfere with student learning; that would conflict with the educational mission of the District; or that would commercialize or damage the image of the District or the school(s).
 - e. The vendor will not offer, pay, supply, or otherwise provide funds, percentage of revenues, kickbacks, products, gifts, bonuses, gratuities, or anything of financial value to any District employee, their family, or their business as enticement or reward in relation to the fundraising activity.