



Fundraising Policy

I. PURPOSE

- A. The purpose of this policy is to establish policy specific to Providence Hall Charter School (PHCS) and procedures governing the initiation, authorization, and review of all fundraising activities of PHCS.
- B. This policy is intended to create practices that adequately safeguard public funds, provide for accountability, and ensure compliance with state and federal laws.
- C. PHCS encourages community and business partnerships that enhance and supplement the public education system.
- D. PHCS also desires to protect students, parents/guardians, teachers, and employees from over-commercialization and fundraising efforts that are coercive and disruptive to the education processes, threatening to the health and welfare of students, or lacking in educational merit.

II. SCOPE

- A. This policy applies to all PHCS employees, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for PHCS-sponsored events.
- B. It is expected that in all dealings, PHCS and employees will act ethically and consistent with PHCS' ethics training, the Utah Educators Standards, the Public Officers' and Employees' Ethics Act, and State procurement law.

III. GENERAL POLICY STATEMENTS

- 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 LEAs or other public bodies (Utah Code 51-7-3[26]).
- B. Fundraising is permitted within PHCS to allow PHCS and PHCS schools to raise additional funds to supplement school-sponsored academic and co-curricular programs.
- C. "School-sponsored" means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by PHCS or individual PHCS school(s) that support PHCS or authorized curricular school clubs, activities, sports, classes or programs that also satisfy one or more of the following criteria. The activity:
 - 1. Is managed or supervised by PHCS, or PHCS employees.
 - 2. Uses PHCS' facilities, equipment, or other school resources.
 - 3. Is supported or subsidized, more than inconsequently, by public funds, including the public school's activity funds or minimum school program dollars.
 - 4. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53A-11-1205 through 1208.
- D. PHCS recognizes that fundraising efforts, donations, and public support vary among schools. PHCS is committed to appropriate distribution of unrestricted funds and the management of fundraising to ensure that the educational opportunities of all students are equal and fair.
- E. PHCS is committed to principles of gender equity and compliance with Title IX guidance. PHCS commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. PHCS 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.



- F. All fees for PHCS-sponsored activities must be properly noticed and approved by the Board of Trustees (Board) and are subject to fee waiver provisions in R277-407.
- G. Administration, consistent with PHCS policy, have the responsibility to waive fees, if appropriate. Individual PHCS teachers, coaches, advisors, etc. do not have the authority to waive Board-approved fees.
- H. Annually, each PHCS division, department, or program and individual school will review all planned camps, clinics, activities, and fundraisers and determine those designated as PHCS-sponsored. Those not designated as PHCS-sponsored will follow the non school-sponsored criteria in Section V.
- I. All monies raised through fundraisers for PHCS-sponsored activities are considered public funds. PHCS and individual PHCS schools are ultimately responsible for the expenditure and allocation of all monies collected and expended through student, PHCS-organized fundraising.
- J. The collection of money associated with fundraisers for PHCS-sponsored activities will comply with PHCS cash receipting policies.
- K. The expenditure of any public funds associated with fundraisers for PHCS-sponsored activities will comply with PHCS cash disbursement policies.
- L. Properly approved PHCS-sponsored activities may:
 - 1. Use PHCS school's name, facilities, and equipment.
 - 2. Utilize PHCS employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
 - 3. Be insured under PHCS' risk management policy (pending approval by PHCS' risk manager) or general liability insurance policy.
 - 4. Provide additional compensation or stipends for PHCS employees with the approval of administration or immediate supervisor and under PHCS payroll policies.
- M. PHCS-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules. PHCS may be responsible for providing student transportation for these activities.
- N. Authorization and supervision of fundraising for PHCS-sponsored activities:
 - 1. Fundraising at PHCS district level shall be approved in writing, prior to the activity, by administration or designee and supervised by PHCS employee(s) designated by the approver. The approver shall ensure that the activity is appropriately classified as a school- or PHCS-sponsored activity.
 - 2. Fundraising at individual PHCS schools shall be approved in writing, prior to the activity, by administration and supervised by a member of the faculty or other PHCS employee designated by administration. The approver shall ensure that the activity has been appropriately classified as a PHCS school-sponsored activity. Administration may approve fundraisers or activities where the expectation is to earn up to \$10,000. Fundraisers expected to earn more than \$10,000 and up to \$50,000 must be approved in writing by the Executive Director. Fundraisers expected to earn more than \$50,000 must be approved by the Board.
 - 3. Donations from individuals or organizations will follow PHCS' gift and donation policy.
 - 4. The sale of banners, advertising, signs, or other promotional material that will be displayed on PHCS school property must be approved by administration before the items are initiated or printed, and must meet community standards. 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.
 - 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 Executive Director, and the Board. (See Section VII.)

IV. GENERAL FUNDRAISING STANDARDS

- A. PHCS reserves the right to prohibit, restrict or limit any fundraising activities associated with PHCS or individual PHCS schools.
- B. Faculty and student participation in fundraisers is typically voluntary. However, PHCS employees 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 in order to benefit from fundraisers.
- 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 PHCS employee or volunteer.
- E. PHCS schools may not impose a sales quota (or the like) as part of fundraising efforts, and students or parents/guardians shall not be required to pay for any unsold items, or pay for goals not met.
- F. Door-to-door sales are prohibited for all students in elementary and middle schools. High school students may participate in one door-to-door campaign per sport, club, or group per year. Suitable procedures must be used by PHCS schools, administrators and supervising faculty to safeguard students and funds collected. Procedures must be clearly communicated to parents/guardians.
- G. Approval may be denied for fundraising activities that would expose the PHCS school or PHCS to risk of financial loss or liability if the activity is not successful.
- H. Fundraising activities shall be age appropriate, 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 should be retained and turned into the accounting office to be included with the deposit detail.
- J. PHCS 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/guardians, 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.

V. NON SCHOOL-SPONSORED ACTIVITIES AND FUNDRAISERS

- A. Activities, clubs, groups and their associated fundraisers or other activities that are not PHCS school-sponsored or groups, clubs, sports, and programs that are not managed by PHCS employees are deemed to be non school-sponsored. Non school-sponsored activities may:
 - 1. NOT use the PHCS school's or PHCS' name without express PHCS permission.



2. NOT use PHCS' facilities, equipment, and other assets or employees unless a facilities use agreement is initiated and approved. These agreements should follow PHCS policy for other facilities use agreements.
 3. NOT utilize PHCS employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
 4. NOT be insured under PHCS' risk management or insurance policy Non PHCS school- sponsored activities must provide their own insurance through a third-party insurer.
 5. NOT provide additional compensation or stipends for PHCS employees, if the activity is not substantially different from a PHCS employee's regular job functions and duties and outside of employee's contract hours. (See Section VI)
 6. Not commingle public funds and private fundraising proceeds or expenditures.
 7. Not use PHCS records to contact parents/guardians or students.
- B. Parent/guardian notification by a PHCS employee is required if PHCS employees are involved in the planning, administration, advertising, or serving as staff for a non PHCS-sponsored activity and if PHCS 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 administration by the PHCS employee prior to the event.
- C. Funds, donations, or gifts generated through non PHCS-sponsored activities or events may be donated to PHCS or to an individual PHCS school to support specific programs, teams, groups, clubs, etc. All donations or gifts shall follow the guidance established in PHCS' donations and gifts policy.
- D. Non PHCS-sponsored activities may work in conjunction with PHCS or an individual PHCS school to raise funds. PHCS may allow these groups to use PHCS facilities at little or no charge in exchange for contributions or percentages of proceeds. PHCS 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 PHCS' fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by administration, the facilities use agreement approver, and the business administrator. PHCS will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.
- E. Non-curricular PHCS clubs specifically authorized under Utah Code 53A-11-1205 through 1208 are not considered school-sponsored.

VI. EMPLOYEE RELATIONSHIPS AND DISCLOSURE

A. Participation in Private or Non PHCS-Sponsored Events

1. PHCS employees:
 - a. May participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.
 - b. Must ensure that personal participation in activities is separate and distinguishable from the employee's public employment, official job title, or job duties.
 - c. May not contact students in PHCS using education records or information obtained through public employment unless the records or information are available to the general public.
 - d. May not use PHCS time to discuss, promote, or prepare for a private or non PHCS-sponsored activity.
 - e. May offer public education-related services, programs or activities to students, provided they are not advertised or promoted during PHCS time or using any type or amount of PHCS resources.



- f. May use PHCS school or PHCS student publications available to the general public to advertise and promote the private or non PHCS-sponsored activity.
 - g. May not require private or non PHCS-sponsored activities for credit or participation in PHCS school programs.
 - h. 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. PHCS employees may purchase advertising space to promote private or non PHCS-sponsored events in the same manner as the general public. The PHCS employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not PHCS-sponsored. (See R277-107-5 through 6.)
- C. PHCS employees may engage in outside employment with a private entity or other separate organizations that do not interfere with PHCS duties or job functions. Employees must complete the PHCS disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions.
- D. Parent/guardian notification is required if PHCS students are recruited to participate in these activities.
- E. PHCS employees may not set up bank accounts for activities or fundraisers associated with PHCS responsibilities or job functions.
- F. PHCS employees may not direct fees or fundraiser proceeds from PHCS-sponsored activities to outside entities.
- G. PHCS employees may not direct operating expenditures to outside funding sources or groups to avoid PHCS procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).
- H. PHCS employees must comply with PHCS procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

VII. CAPITAL FUNDRAISING/LARGE 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 Director of Operations, the Executive Director, and the Board. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to PHCS for evaluation and recommendation to the Executive Director:
- 1. Prospective construction, maintenance or renovation plans and estimated costs
 - 2. Proposed naming opportunities
 - 3. Proposed fundraising timeline
 - 4. Loans or financing agreements
 - 5. Maintenance or upkeep requirements and costs
 - 6. 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 Board. The Board reserves the right to tentatively approve plans, pending fundraising, donations, equity, or other conditions.