

School-Connected Organizations

The Board of Education recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district and extracurricular programs, such as athletic teams, debate teams, or musical groups. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities and helping to achieve the district's vision for student learning.

The term "school-connected organization" may include booster clubs, parent-teacher associations aligned with the California State PTA, or other parent-teacher organizations.

The Board desires equitable programs and opportunities for all district students, and for school-connected organizations to conform to best practice and law.

(cf. 0200 - Goals for the School District)

(cf. 6020 - Parent Involvement)

(cf. 1260 - Educational Foundation)

The Board recognizes that school-connected organizations may be separate legal entities, independent of the district. These organizations may raise money to support student programs or activities in the district.

In order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any organization that desires to raise money to benefit district students shall annually submit to the Board a request for authorization as a school-connected organization. This request shall first be approved by the Superintendent or designee.

(cf. E 1230 - School-Connected Organization Authorization Form)

Upon authorization, a school-connected organization may use the school's name, school team or club name, or any logo attributable to the school or district, and may receive preferential use of school facilities.

(cf. BP 1330 - Use of School Facilities)

The Board encourages school-connected organizations to consider the impact of fundraising activities on the overall school and district program.

Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school. The Board desires that school-connected organizations not discriminate in making grants to students on the basis of their family's membership in or funding to the organization, or the family's fundraising or time put into organization sponsored activities.

Food sales by outside organizations may not compete with the district's school nutrition program and must comply with the nutritional standards specified in Education Code 49431 and 49431.2 and all applicable health and safety regulations.

(cf. BP/AR 3554 - Other Food Sales)

(cf. California Retail Food Facilities Law section 114314.)

Legal or gender equity concerns may result from the benefit provided to a particular school or programs while other schools or programs in the district do not receive the benefit from the additional resources. For example, pursuant to federal and state law (Title IX, 20 USC 1681-1688; Education Code 200-262.4; 5 CCR 4900-4965), the Board is responsible for ensuring that the district's athletic program provides equivalent opportunities for both males and females. Booster club activities must be included in the district's analysis of the equivalent opportunities provided by each school.

(cf. BP/AR 6145.2 - Athletic Competition.)

(cf. BP 3290 - Gifts, Grants, and Bequests.)

When the activities of a school-connected organization appear to conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school, the Superintendent or designee shall request necessary information for a review, which may include financial statements showing current income and expenditures of the organization. If needed, the Superintendent or designee will communicate to the organization the appropriate remedy.

If the school-connected organization fails to comply with a request for information or remedy within a reasonable timeframe, the Superintendent may recommend that the Board revoke authorization for the organization to act as a school-connected organization. The decision of the Board will be final.

(cf. 1321 - Solicitation of Funds from and by Students)

(cf. 1330 - Use of School Facilities)

(cf. 3452 - Student Activity Funds)

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 3554 - Other Food Sales)

(cf. 5030 - Student Wellness)

(cf. 6145 - Extracurricular and Co-curricular Activities)

(cf. 6145.2 - Athletic Competition)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

35160 Authority of governing boards

38130-38138 Civic Center Act, use of school property for public purposes

48931 Authorization for sale of food by student organization

48932 Authorization for fund-raising activities by student organization

49431 Sale of food to elementary students during the school day

49431.2 Sale of food to middle, junior, or high school students

49431.5 Sale of beverages at elementary, middle, or junior high schools

51520 Prohibited solicitation on school premises

51521 Fund-raising project

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

PENAL CODE

319-329 Lottery, raffle

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

WEB SITES

CSBA: <http://www.csba.org>

California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Policy DAVIS JOINT UNIFIED SCHOOL DISTRICT

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