TITLE: POLICIES GOVERNING SCHOOL FUND-RAISING ACTIVITIES OF PTAs, PTOs, AND BOOSTER CLUBS

NUMBER: BUL-1633.1

ISSUER: V. Luis Buendia, Controller
Accounting and Disbursements Division

DATE: March 8, 2017

POLICY: Fundraising activities by Parent Teacher Associations (PTAs), Parent Teacher Organizations (PTOs), and Booster Clubs must adhere to District policies and guidelines.

MAJOR CHANGES: The bulletin updates and provides clarification on District policy and procedures for fundraising by parent groups (PTA/PTO) and Booster Clubs.

GUIDELINES: California Education Code Section 51521 requires that all organizations that conduct fundraising to benefit clubs, schools, students or the district at the K-12 level have prior approval from the school district’s governing board or the board-assigned designee. The Student Body Finance Section under the Accounting and Disbursements Division is the Board’s designee per Board Rule 2505.

I. LEGAL STATUS OF PTA, PTO, AND BOOSTER CLUBS

PTAs, PTOs, and Booster Clubs are all organizations that are separate legal entities from the District. PTAs and PTOs are groups which can have cooperative activities with the student body. Booster Clubs must raise funds independent of the student body.

Prior to having any involvement with one of these organizations, the school administrator should ensure that the organization has provided the school with copies of appropriate documentation showing independent legal status (for example, nonprofit or 501 (c) (3) status), including their tax identification number. A copy of bylaws is not sufficient. In addition, these organizations must carry separate insurance (see Section IX below).

The school site administration should also provide a copy of this Bulletin to PTAs, PTOs, and Booster Clubs so that they are aware of District policies and procedures.

In order to avoid perceptions of, or an actual, conflict of interest, District employees should not be voting members of these entities’ governing Boards.
II. INVOLVEMENT ON CAMPUSES AND WITH STUDENTS

Schools can have one parent group, which can be either a PTA or a PTO but not both. However, if a campus has a magnet center, and if the principal approves, the magnet center can also have a parent group. Schools can have more than one Booster Club if approved by the principal.

PTAs and PTOs can conduct “cooperative activities” with the school’s students and Associated Student Body (ASB). A cooperative activity is one in which the students participate voluntarily with either the PTA or PTO in an activity through planning, conducting, and/or the sharing of proceeds.

Booster Clubs or any other separate legal entity, other than PTAs/PTOs, cannot conduct cooperative activities with students. Student body organizations, (including clubs and graduating classes) may not participate in fundraising activities with Booster Clubs. The school cannot send Booster Club flyers home with students to promote a Booster Club activity, nor can a school mail Booster Club flyers to the student’s home. As a courtesy, and subject to the approval of the principal, Booster Clubs may leave flyers at the school site (typically in the main office) which can then be picked up on an individual basis. Individual students can volunteer to assist with a Booster Club activity as long as it is outside of the school day.

Communications from PTAs/PTOs and Booster Clubs should be clearly labeled as such, with separate letterhead, address and/or website.

ASB’s can agree to a Booster Club (or a PTA/PTO/ or vendor) having a concession booth/stand at a student body activity (i.e., a football game) for a portion of the sales proceeds, but such agreements must be negotiated prior to the event occurring and documented in writing in the ASB minutes. Agreements must only be for one school year, as each year’s ASB must review and approve concession agreements.

III. APPROVAL PROCESS FOR FUNDRAISING ACTIVITIES

As referenced earlier, per Education Code Section 51521, all fundraising activities by PTAs, PTOs, and Booster Clubs must be approved in advance.

As such, at least three weeks prior to an event, a completed Request for Authorization (Form 34-EHJ-8 or 34-EHJ-8-Booster) must be submitted and approved by the Student Body Finance Section prior to any fundraising event occurring. Appropriate Request for Authorization forms for activities supporting elementary schools and secondary schools may be obtained from your Coordinating Financial Manager assigned to your school. Attachment B of this Bulletin contains the newly created authorization form for Booster Clubs. Requests for Authorization submitted after the fact will not be approved.
At secondary schools, the ASB leadership must also approve a fundraiser that is a cooperative activity with the PTA/PTO or one that is sponsored only by the PTA/PTO so that proposed activities do not interfere with or impact activities sponsored by the ASB.

A Request for Authorization should clearly state the purpose of the fundraiser and how the proceeds will be used. All fundraisers must indicate the percentage split of the proceeds of the fundraiser between the ASB and the PTA/PTO if it is a cooperative activity. Since a cooperative activity is one in which the students participate voluntarily with either the PTA or PTO in an activity through planning, conducting, and/or the sharing of proceeds, it is not appropriate for a PTA/PTO to keep 100% of the proceeds from a cooperative activity.

For Booster Clubs, the Request for Authorization must be approved by the principal and the Student Body Finance Section but not the ASB leadership, unless it is occurring during an ASB event.

In some instances, depending upon the type of fundraiser, additional offices such as Risk Management, may need to approve the activity.

**Fundraisers cannot occur during instructional time. This also applies to those fundraisers that claim to have an instructional component or where pledges for the activity are obtained outside of the instructional time. E.g., It is impermissible for pledges for laps to be obtained outside of the instructional day and have the laps run during Physical Education (P.E.) or other instructional periods. Further, fundraising activities may not be linked to course credit or grades.**

PTA/PTO fundraising activities can take place on school grounds during the day, but not during instructional time. However, sales of food/beverage items that are not on the approved list issued by Food Services Division can only occur 30 minutes after the end of the school day. Approved items can be sold during non-instructional time as part of the “four times per year” sales referenced in Publication 465 and 464.

Booster Club fund-raising activities, including the actual sale of items, shall not take place on school grounds during the school day. Sales of food items can only occur 30 minutes after the end of the school day. In addition, funds for a Booster Club activity should not be collected/turned in to teachers or others during the school day by individual students who are volunteering with a Booster Club activity.

**IV. ACCOUNTING FOR PROCEEDS**

Funds raised through a cooperative activity with a PTA/PTO must initially be carried on the student body books. However, after all the expenses are paid, and the profits of the fundraiser determined, a student body check must be sent to the PTA/PTO for its share.
of the profit. PTA/PTO share of proceeds from a cooperative activity, or those of a solely sponsored activity, must not be kept on the ASB books.

The District recommends that as a best practice, PTOs/PTAs/Booster Clubs should limit their deposits in bank accounts to the FDIC insured amount.

As indicated in earlier, since a cooperative activity is one in which the students participate voluntarily with either the PTA or PTO in an activity through planning, conducting, and/or the sharing of proceeds, it is not appropriate for a PTA/PTO to keep 100% of the proceeds from a cooperative activity.

Fundraising financial statements must be completed and turned in to the Student Body Finance Section within 30 days after the event for either a cooperative activity or an activity solely sponsored by a PTA/PTO.

In addition, as a best practice, PTOs/PTAs/Booster Clubs should adhere to annual audit requirements as indicated in the “Guide for Charities” issued by the California Attorney General’s Office.

Schools receiving donations from a PTA/PTO/Booster club must complete Attachment A of Bulletin 5895.1, “Donations”, issued by the Accounting and Disbursements Division. ASB’s receiving donations from a PTA/PTO/Booster club must complete a “Request for Authorization”.

V. COORDINATION OF FUNDRAISING ACTIVITIES

It is recommended that a master schedule of fundraising activities be developed by school site staff and provided to the principal at start of each school year. This master schedule should include fundraising by the general ASB, by club/classes, by the PTA/PTO, and Booster Clubs. Proposed fundraising activities by the general ASB and its club and classes must take precedence over fundraising by other organizations.

Please see Attachment A for a template that can be used for scheduling fundraising activities.

As always contributions and participation by students, employees, and parents in any fundraising activity must be entirely voluntary.

School websites may include links to a PTA/PTO or Booster Club website and on-line school calendars can list events by these organizations.
VI. REQUESTS FOR DONATIONS

The principal must review and approve any letter that is sent to parents requesting donations to ensure that it is appropriate and cannot be misconstrued as being required or as an unauthorized charging of pupil fees for educational activities. The Educational Equity Compliance Office and the Education Legal Services team in the Office of the General Counsel can assist principals in this review.

VII. STUDENT DATA PRIVACY REQUIREMENTS

Schools may give personally identifiable information (PII)/Directory Information to PTA’s and PTO’s unless the parent has opted out. Schools can verify whether a parent has opted out by:

a.) logging into MiSiS with “Office Manager” role
b.) searching for the student and clicking on the student’s name and then
c.) selecting “Exclusions” from the Census menu.

*Please note that a PTA/PTO shall not release the student PII to a vendor or other third party without written parental consent.*

Schools may never provide personally identifiable information (PII)/Directory Information to Booster Clubs.

VIII. USE OF DISTRICT FACILITIES

PTAs/PTOs solely sponsoring an event/activity, and Booster Clubs holding a fundraising activity on District property must obtain a license agreement from the Leasing Department prior to the event. License agreements or permits will not be issued without a Request for Authorization approved by the Student Body Finance Section, so it is important to allow enough time to secure the necessary approvals prior to the event or activity.

When Student Body Finance approves a Request for Authorization for an event/activity solely sponsored by the PTA/PTO or an event/activity for a Booster Club, the Request will be forwarded to Leasing and Space Utilization. The Leasing Department will then contact the applicant to set up a license agreement and include the approved Request for Authorization in the license agreement package.

IX. LIABILITY INSURANCE FOR PTAS, PTOS, AND BOOSTER CLUBS

PTAs, PTOs, Booster Clubs are all organizations that are separate legal entities from the school district. Therefore, these organizations are required to provide proof of insurance which meets the insurance requirements as set forth by the Division of Risk.
Management and Insurance Services. The guidelines and limits for insurance are subject to change at the discretion of the Division of Risk Management and Insurance Services based on risk, exposure and liability; specialized insurance coverage may be required depending on the type of event. Insurance requirements may be obtained from the Division of Risk Management and Insurance Services.

It is required that the certificate of insurance names the Los Angeles Unified School District and its Board Members as the certificate holder and as the additional insured. Division of Risk Management and Insurance Services suggests contacting a commercial insurance agent for insurance information.

The Division of Risk Management and Insurance Services offers a “Special Events Liability Insurance Program” through the broker Alliant Insurance Services for those organizations that opt to purchase insurance. The coverage is reasonably priced and competitive for special events. The coverage purchased through this program is preset to meet the District’s insurance requirements. You may obtain an application by accessing www.lausd.net, and following these steps:

- Click on Office, find Division of Risk Management and Insurance Services. For information regarding Special Event Liability Insurance, click the tab for Risk Finance and then click on Special Events.
- For the application, click on Risk Finance and choose the tab for Special Events, then click on Insurance Application for Special Event Liability Coverage. Please allow two to three weeks for processing of your application.

For questions, please call the Division of Risk Management and Insurance Services at (213) 241-0329. For information regarding leasing District property, please contact Leasing and Space Utilization at (213) 241-6785.

RELATED RESOURCES: Publications 464 and 465.
ASSISTANCE: For assistance or further information, please contact your Coordinating Financial Manager.

For assistance with insurance requirements, please contact the Division of Risk Management and Insurance Services at (213) 241-0329.

For more information about the attached Activity Checklist, please contact the Office of Environmental Health and Safety at (213) 241-3199.

For more information about use of facilities, please contact Leasing and Space Utilization at (213) 241-6785.

For more information about Civic Center Act permits, please contact the Civic Center Permits Office at (213) 241-6900.

For more information regarding unauthorized charging of pupil fees, contact the Education Legal Services team in the Office of the General Counsel or the Educational Equity Compliance Office at (213) 241-7600.
Calendar of Fundraising Activities
for Fiscal Year 20_______
(Name of School)

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Los Angeles Unified School District  
Booster Club Fundraising Permission Request  
(Form 34-EHJ-8-Booster)

Booster Club Name: ___________________________ School: ___________________________

Permission is requested to conduct the following activity for the following purpose (include description of activity and/or items to be sold):*

_________________________________________________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

*Booster Club activities at ASB events (such as Athletic concession stands) must also be approved by the ASB. ASB must agree to the percentage of proceeds between ASB and the Booster Club. (please refer to page 2 in the Bulletin)

Begin Date: ___________ End Date: ______________

On Campus: ☐ Yes ☐ No

Specific Location such as quad, auditorium, athletic field, restaurant (provide whether “on campus” or “off”):

_________________________________________________________________________________

Time of day: ___________________________________________________________________

If “On-Campus”, is any third party vendor/business involved? ☐ Yes ☐ No

If yes, please provide name of vendor/business and description of services provided:

_________________________________________________________________________________

_________________________________________________________________________________

_________________________________________________________________________________

Booster Club Representative Name  Booster Club Representative Signature  Date

Principal (or Designee) Name  Principal (or Designee) Signature  Date

If Athletic Booster fundraiser, coach and Athletic Director must also approve.

Coach Name  Coach Signature  Date

Campus Athletic Director Name  Campus Athletic Director Signature  Date

After completion, please submit to Student Body Finance Section (via email or mail) three weeks prior to event.

Student Body Finance Section: ☐ Approved ☐ Not Approved Signature: __________________ Date: ___________

If “On Campus”, Student Body Finance will forward to Leasing and Space Utilization for license agreement.
ACTIVITY CHECKLIST FOR CARNIVALS AND OTHER EVENTS

The following guidelines are recommended to ensure that a safe environment is provided for a successful event. The administrator or activity delegate is responsible for completing the form and fulfilling the requirements of the checklist.

**Preliminary Procedures**
- Secure authorization from the Fire Prevention Bureau, Schools and Churches Unit or the local City or County Fire Department. L.A. City 213-978-3660/3, L.A. City (Valley Bureau) 818-374-1110, L.A. County Fire 818-362-6472, 323-264-7342 or 310-217-8395.
- Check for compliance with regulations and guidelines outlined in applicable bulletins and memorandums.
- Check area suitability for the proposed activity.
- Include a detailed list of all games or contests, with the "Request for Authorization for Student Body Expenditure and Receipt "or "Notice of Intent".
- All events must have permission to use the school property from Leasing and Asset Management before the event can occur. All events must comply with all LAUSD, city, state and federal regulations.
- It is the responsibility of the school to verify with the assistance of Risk Management that vendors have proper liability insurance.

The Los Angeles Unified School District will not approve the following types of activities: Sharp Darts or Arrows, Throwing of an Object at a Person (pies, sponges, balloons, etc.), Dunking Pupils or adults into Water Tanks, Destruction of Old Automobiles Using a Hammer or Other Means, Animal Rides, Trampolines, Climbing Walls, Bungee Jumping Equipment, Gyroscopes, Giant Slides, Food Eating Contests and Car Washes. See Bulletin 5353.0 for policy on mechanical rides. This is not an exclusive list and all activities are subject to review.

**Activity Checklist**

1. **Booths, Bleachers, Platforms, etc.**
   - Install booths made of non-combustible or fire resistive materials (plywood, pressed wood at least ¼" thick or metal).
   - Have Maintenance personnel inspect temporary seating, bleachers, etc., authorized by Civic Center permits and/or the individual school with final approval from the Office of Environmental Health and Safety (OEHS).
   - If an aisle is only on one side, no more than 7 chairs may be bound together for any one group of chairs. The use of individual loose chairs is permitted up to total room capacity in rooms having an occupant load of 200 or less.

2. **Decorations**
   - Use flameproof material. No flammable materials permitted.
   - Stage seats, curtains, draperies, floats, wrapping paper, streamers & signs shall be made of flame retardant materials.
   - Butcher paper may be used as a table cover if secured at all ends with no overhang.

3. **Electrical, Fire, Lighting**
   - Temporary wiring, lighting, and appliances usage must be approved by the Electrical Technical Unit prior to event.
   - Do not use any open flames, flame producing devices, candles, oil lamps or lanterns.
   - Have an adequate number of portable fire extinguishers with proper classifications available or garden hoses.
   - Fireworks and other pyrotechnic devices must be validated with a Fire Department Fire Permit obtained through the local fire authority having jurisdiction for the area the school is located.
   - Barbeques and grills are approved for use when permitted by the local fire authority having jurisdiction. Only adults are permitted to use barbeques; no children may use equipment.
   - Do not chain any doors closed.

4. **Food and Refreshments**
   - Food preparation areas must be fully enclosed & have a cleanable floor surface.
   - Water must be supplied through a food grade hose or stored in approved food grade containers.
   - Hot water shall have a minimum temperature of 120 degrees.
   - All booths that handle non -packaged food (including beverages) must have hand washing facilities within the booths.
   - All booths using utensils require a 3 compartment metal sink.
   - Approved toilet facilities must be located w/in 200’ walking distance of all food booths.
   - All food or beverages that have been stored or prepared in a private home may not be offered for sale or given away. The only exception is non-potentially hazardous baked goods or candy.
   - Food and beverages dispensed through LAUSD cafeteria kitchens must have a LAUSD Food Service Representative on site.
   - Follow all applicable Health and Safety codes.

5. **Parking**
   - Arrange parking in designated areas with permission of Principal. Locations must comply with Fire Department regulations.

6. **Rubbish**
   - Provide metal rubbish containers for waste and empty them regularly.
   - Rubbish containers shall not obstruct aisles, pathways or exits.

7. **Salvage/Rummage Drives**
   - Arrange for constant supervision during the removal of salvage/rummage goods.
   - Loading and unloading of salvage must be conducted by authorized personnel such as a District person or other individuals trained for this activity.
   - Used clothing is not approved for rummage sales.

8. **Screens and Barricades**
   - Barricades shall not obstruct aisles, pathways or exits.
   - Barricades shall be secured against falling.

Revised 01/20/11