

Community Relations

School-Connected Organizations

The Governing Board 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.

(cf. 0200 - Goals for the School District)

(cf. 6020 - Parent Involvement)

Note: Generally, booster and parent clubs are separate legal entities from the district and thus are not under the control or the responsibility of district personnel. However, Education Code 51521 requires that any fund-raising activity by a school-connected organization, designed to raise money to benefit a school or its students, receive approval from the Governing Board. Thus, it is recommended that districts create an internal control procedure to help ensure district compliance with law.

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

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

(cf. 1330 - Use of School Facilities)

(cf. 3452 - Student Activity Funds)

The Board of Education approves of co-curricular activities and strongly supports parental interest and involvement. The Board recognizes that parents may wish to organize for the purpose of supporting curricular and co-curricular programs, such as athletic teams and musical groups. In order to fulfill the requirements of Education Code 51521, groups desiring to raise money to benefit a student or students at any District school shall request authorization from the Board of Education through the Superintendent. Any such organization which uses the name of the

District or the name of any school of the District must receive prior approval from the Board of Education. In addition to financial support, any booster club authorized by the Board of Education agrees to appropriately support (1) all staff who have responsibility for the program or activity being supported by the booster club, and (2) all student participants. Officers of booster clubs are expected to actively promote appropriate, supportive behavior and sportsmanship among all members of the booster club. The Superintendent or designee may order the removal of any booster club officer who does not demonstrate the appropriate behaviors noted above. PTA/PTSA organizations are governed by state and national rules and regulations that are consistent with and encompass the provisions of this policy, and will continue to follow only their required procedures.

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

Fundraising Activities

Alcoholic Beverages at Educational Facilities

It is the policy of the Governing Board to maintain a drug, tobacco and alcohol - free workplace by prohibiting the unlawful manufacture, distribution, dispensing, possession, sale or use, or be under the influence of any alcoholic beverage, drug or controlled substance, defined in the Controlled Substances Act, the California Education Code, California Business and Professions Code, and Code of Federal Regulations.

When reviewing proposed fundraising events and activities, District personnel and School-Connected organizations shall consider the effects of the activities on student health and safety, evaluate the risk of liability to the district, and ensure that the proposed activities are in compliance with law, Board policy, and administrative regulation. (Education Code 48932)

Business and Professions Code Section 25608 states it is unlawful to offer or sell alcoholic beverages on school premises or to minors. In accordance with this law, no School-Connected organization may engage in the sale, distribution, possession, or donation of alcoholic beverages on school premises. *It is also unlawful to acquire, possess or use alcoholic beverages during a school-sponsored event at a community center (or park) owned by a community services district (CRPD) or a city when students are in attendance.* While Assembly Bill 2073 legislation provides for exceptions to Business and Professions Code Section 25608, the CVUSD Governing Board maintains a strict adherence to the policy that maintains a drug, alcohol and tobacco - free workplace and does not authorize allowances obtainable through Assembly Bill 2073 legislation.

It is permissible for silent auctions to be conducted on school grounds. Items for auction may consist of gift certificates and donated items from a variety of vendors/donors provided that controlled substances, alcoholic beverages, intoxicants, *tobacco products* or their look-a-likes are not included. All silent auction items present on school grounds must not conflict with existing State law, board policies, administrative regulations, or any rules of the sponsoring school.

School-Connected organizations may provide for fundraising activities, at which alcohol is donated for use as auction items. Alcohol may be used as auction items provided the auction is held at a non-public school location and the contents are not decanted during the event or on the premises. School-connected organizations are required to pursue and secure all proper permits when holding such events.

(cf. 3513.3 – Tobacco, Drug and Alcohol-Free Schools)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3554 - Other Food Sales)
(cf. 5030 - Student Wellness)
(cf. 6145 - Extracurricular and Cocurricular 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 Public schoolhouses or grounds

CALIFORNIA GOVERNMENT CODE

8350 - 8357 Drug-Free Workplace

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>

CSBA (9/90 12/90) 7/07

CVUSD (5/89 5/07) (7/08) 1/17