



CHINO VALLEY
UNIFIED SCHOOL DISTRICT

Student Achievement • Safe Schools • Positive School Climate
Humility • Civility • Service

Parent Organizations and Booster Clubs

2020-2021 OPERATING MANUAL

Supporting Chino Valley Unified School District Students



Business Services Division

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Chino Valley Unified School District

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FOREWORD

Thank you for your parent organization/booster club's time and commitment to the students of Chino Valley Unified School District (District).

"The Board of Education recognizes that parents may wish to form parent organizations for the purpose of supporting district activities and helping achieve the District's vision for student learning. The term 'parent organization' may include a booster club, PTA, PFA, or any other organization that generally raises money for classroom activities or activities at specific schools. The Board supports such activities and welcomes parental interest and participation."

CVUSD Board Policy 1230 (a)
School-Connected Organizations

This manual is designed to assist parents and community members in establishing and operating parent organizations/booster clubs within the District.

Only those parent organizations/booster clubs that are approved by the Board of Education and operating under the policies and procedures established within this manual will be authorized to operate as a school-connected organization and allowed to use District school facilities in support of parent organization/booster programs.

Specific questions regarding forming and operating parent organizations/booster clubs should be directed to the school site administration or the District's Business Services Department.

PARENT ORGANIZATION/BOOSTER CLUB BASICS

WHAT ARE PARENT ORGANIZATIONS/BOOSTER CLUBS?

Parent organization/booster clubs are formed by parents of students, community members, and staff members to assist student groups financially with the cost of events, supplies, equipment, and general expenses.

WHAT IS THE DISTRICT'S RELATIONSHIP WITH PARENT ORGANIZATIONS/ BOOSTER CLUBS?

Parent organizations/booster clubs are legally separate from the CVUSD. Parent organizations/booster clubs are not under the legal control of the CVUSD Superintendent, Governing Board, or site administrators.

Parent organizations/booster clubs funds are not controlled by District officials or students.

Parent organizations/booster clubs must not comingle their funds with ASB funds.

Parent organizations/booster clubs must not administer or supervise ASB organizations.

WHAT MUST A PARENT ORGANIZATION/ BOOSTER CLUB DO TO OPERATE IN THE CVUSD?

California Education Code section 51521 states:

"No person shall solicit any other person to contribute to any fund or to purchase any item of personal property, upon the representation that the money received is to be used wholly or in part for the benefit of any public school or the student body of any public school, unless such person obtains the prior written approval of either the governing board of the school district in which such solicitation is to be made or the governing board of the school district having jurisdiction over the school or student body represented to be benefited by such solicitation, or the designee of either of such boards."

As part of each parent organization/booster club's annual application for authorization, the District Board Policies and Administrative Regulations require that all parent organizations/booster clubs shall:

1. Request authorization to operate by applying to the Chino Valley Unified School District Board of Education by a Board meeting in May of each year. To do so, applicants must complete Exhibits A, B, and C attached to this manual.

2. Submit a signed CVUSD Parent Organization/Booster Club Operating Manual Acknowledgment form. **(Exhibit D)**
3. Submit a signed CVUSD Hold Harmless Agreement. **(Exhibit E)**
4. Submit a copy of its current constitution and bylaws.
5. Provide evidence of California State and Federal 501(c)(3) tax-exempt status, as well as proof that each parent organization or booster club has its own Tax Identification Number.
6. Submit a Certificate of Insurance, and name CVUSD as additional insured.
7. Submit a list of proposed fundraisers for the fiscal year for which it intends to request authorization.

Once granted authorization to operate, each parent organization/booster club must submit complete, up-to-date financial statements to the school site principal and the CVUSD Business Office within 15 days of December 31st and June 30th of each school year.

All financial statements submitted must contain up-to-date information on the parent organization's/booster club's revenue and expenses as well as the parent organization/booster club's net gain or loss for each fundraiser held.

OVERVIEW OF PARENT ORGANIZATIONS/BOOSTER CLUBS

DEFINITIONS

ASSOCIATED STUDENT BODY (ASB)

- An ASB is an organization run by students to benefit and conduct activities on behalf of students.
- All ASB organizations at District school sites are legally considered a part of the District.
- ASB groups may conduct fundraisers and spend money for the benefit of students.

PARENT ORGANIZATION/ BOOSTER CLUB

- Parent organizations and booster clubs are formed by parents, community members, and staff members to support school activities (e.g. athletic teams, debate teams, musical groups).
- Parent organizations and booster clubs are NOT legally a part of the District.
- The primary role of a parent organization or booster club is to enrich students' participation in extracurricular activities.

PURPOSE OF PARENT ORGANIZATIONS/BOOSTER CLUBS:

- Provide unified support for student activities at school.
- Raise funds for school activities and programs and for needed equipment and supplies.

FUNDAMENTALS OF PARENT ORGANIZATIONS/BOOSTER CLUBS:

- Parent organizations/booster clubs are often referred to as “school-connected organizations.”
- Parent organizations/booster clubs connect parents and community members with the curricular and co-curricular activities of students at school.
- Parent organizations/booster clubs are legally separate from the District.
- The advisor or coach of a student group serves as the liaison between the group’s booster club and the District, under the supervision of the school Principal. The advisor or coach is responsible for determining the various activities and trips for which the parent organization will fundraise with the approval of the Principal.
- Parent organizations/booster clubs legally do not have free access to schools and their students.
- Parent organizations/booster clubs must be authorized by the District Board of Education before conducting fundraising activities on District property.
- Parent organizations/booster clubs must always maintain a clear separation with school site’s ASB. Parent organization/booster club funds must not be comingled with ASB funds.
- All activities and fundraising events based primarily upon student participation should be conducted through the ASB.
- Parent organizations/booster clubs should serve as auxiliaries to the school program and should conduct activities and fundraising events by relying upon the primary participation of parents and other adult community members.
- Parent organization/booster club fundraisers are intended to support school programs; parent organizations/booster clubs donate funds or goods to District schools or the District for purposes such as purchasing equipment or providing financial assistance to District students for uniforms, trips, or other student needs.
- When a parent organization/booster club donates funds to the school, it can choose to state the specific purpose for which the funds are being donated. Donations must be processed in accordance with CVUSD Board Policy and Administrative Regulations.
- A parent organization/booster club must not discriminate against students on the basis of their family’s membership in, contributions to, or fundraising for the parent organization, or the family’s time spent on parent organization/booster club activities.

FORMATION OF A PARENT ORGANIZATION/BOOSTER CLUB

NAMING THE PARENT ORGANIZATION/BOOSTER CLUB

- A parent organization/booster club's name may not imply any connection with or any form of responsibility of the District, school, or ASB. It is recommended that the name of the school or school mascot not be used in the name of the parent organization or booster club.
- If the name chosen includes Parent-Teacher Association, Parent Faculty Association, Parent Teacher Organization or "Booster Club, only then is the use of the school name or mascot permitted.
- A parent organization/booster club must not use the school or District address on its letterhead or any correspondence without the District's permission. A Parent organization/booster club should create its own unique logo/mascot, separate and distinct from the school site logo or the CVUSD logo.

MEMBERSHIP

Membership in parent organizations/booster clubs is limited to parents, community members, and school staff.

- District employees may not sign parent organization/booster club checks or invoices.
- Any District student advisor, coach, or teacher whose own children may benefit from the operations of a parent organization/booster club may not serve as an officer in that parent organization/booster club but may serve in an advisory capacity.
- Every parent organization/booster club must maintain ongoing communication with the school site Principal or designee.
- Parent organization/booster club membership fees may be assessed for raising funds for specific projects for the school but may not be required for membership in the parent organization/booster club.
- A parent organization/booster club may not unlawfully discriminate against any parents, community members, or staff who wish to participate in the parent organization/booster club's activities.

ELECTION OF OFFICERS

Election of officers for parent organizations/booster clubs should occur on an annual basis. At a minimum, the position of president, vice president, secretary, and treasurer should be elected. These officers make up the executive board.

- All members of a parent organization/booster club's executive board are legally obligated to be prudent and reasonable in conducting themselves to help preserve parent organization/booster club funds and legally protect the parent organization/booster club.
- All executive board members must actively participate in the management of the parent organization/booster club including attending meetings, evaluating financial reports, and reading minutes.
- All elected officers must provide complete contact information to the District Business Department and school site administrator. (attached as Exhibit C)
- The District Business Department and school site administrator must be notified in writing of any change in officers within 10 days of the change. (CVUSD AR 1230 (b))
- Each elected officer must read this manual and return a signed acknowledgement form (attached as Exhibit D) to the Business Services Department before the first parent organization/booster club meeting of each school year.
- District employees may not serve in a financial capacity for any parent organization/booster club. This includes holding any parent organization/booster club board or officer positions such as:
 - ✓ Treasurer
 - ✓ Fundraising chairperson
 - ✓ Check signer
 - ✓ Person designated to collect any fees, donations, checks, or cash

❖ **Parent Organization/Booster Club President**

The president of a parent organization/booster club should be an individual who has previously been active in the organization and is familiar with the history, procedures, finances, and goals of the parent organization/booster club. The major duties include, but are not limited to, the following:

1. Presides at all parent organization/booster club meetings.
2. Regularly meets with the designated school site District representative regarding planned parent organization/booster club activities.
3. Resolves problems between parent organization/booster club members.
4. Meets monthly or more often with the parent organization/booster club's treasurer to review finances.
5. Designates a parent organization/booster club officer to receive bank statements through the mail at their mailing address. The individual receiving the bank statements shall not be a signer on the account. Upon receipt, the designee must review the bank statement against the previous month's statement for expenses and deposits. This provides an independent review by an individual not associated with disbursement activities.

6. Schedules an annual audit of the parent organization or booster club financial records and requires an audit be performed whenever serious financial issues occur within the parent organization/booster club.

❖ **Parent Organization/Booster Club Vice President**

The vice president acts as the president's representative in his or her absence, and must also be familiar with the parent organizations/booster club's operations and finances. The major duties include, but are not limited to, the following:

1. Presides over meetings in the absence or inability of the president to serve.
2. Performs administrative functions delegated by the president.

❖ **Parent Organization/Booster Club Secretary**

1. Responsible for keeping accurate records of the parent organization/booster club's proceedings and reporting to the members.
2. Ensures accuracy of meeting minutes and have thorough knowledge of the parent organization/booster club's meeting procedures.
3. Reports any recommendations or actions of the executive board.
4. Records all business transacted at each meeting.
5. Maintains membership attendance records.
6. Conducts and reports on all parent organization/booster club correspondence.

❖ **Parent Organization/Booster Club Treasurer**

The treasurer is the authorized custodian of all parent organization/booster club funds. Due to increasing requirements placed for charitable organizations by the Internal Revenue Service, it is strongly recommended that the treasurer has an accounting or bookkeeping background. The major duties include, but are not limited to, the following:

1. Receives and disburses all monies as indicated in the parent organization/booster club's yearly budget or authorized by action of the parent organization/booster club's executive board.
2. Serves as chairperson of the parent organization/booster club's budget and finance committees.
3. Issues receipts for monies received and deposits all monies at least weekly (or daily, whenever cash receipts on hand exceed \$250.00).

4. Submits current financial reports including bank statements, bank reconciliations, and financial statements to the District's Business Services Department within fifteen (15) days of December 31st and June 30th each year.
5. Files current financial reports at the end of each quarter/semester with the parent organization/booster club's executive board.
6. Maintains accurate and detailed record of all monies received and disbursed.
7. Reconciles all bank statements when received and resolves any discrepancies with the bank immediately.
8. Files sales tax reports as required by the California State Controller's office (monthly, quarterly, or yearly).
9. Files annual federal and state tax forms and returns in a timely manner.
10. Submits financial records to the parent organization/booster club's audit committee or independent auditor upon request.
11. Assists the parent organization/booster club's executive board in maintaining the parent organization/booster club's state and federal non-profit status.
12. Makes financial statements and reports available for review by the parent organization/booster club's general membership.

AUDIT COMMITTEE

At the end of the fiscal year, an audit of the parent organization's/booster club's financial records should be conducted. The audit should be performed by at least two individuals who are independent from the parent organization/booster club's day-to-day financial activities.

1. All financial discrepancies discovered during the audit must be brought to the parent organization/booster club president's attention.
2. A plan for resolving all audit exceptions and financial discrepancies must be proposed to the general membership immediately.
3. All officers of the organization and other members of the organization must make all parent organization/booster club financial records available, upon request of the audit committee.
4. An annual external audit conducted by a certified public accountant is highly recommended. The parent organization/booster club's audit may also be conducted by an outside party, such as a certified public accountant.

SPECIAL COMMITTEES

Special committees are created for a specific purpose and voted upon by the parent organization/booster club's membership.

- Special committees should automatically dissolve as soon as their purpose is accomplished and the committee report is made.
- Special committees should complete their assignments within each school year. If objectives are not met by the end of the school year, parent organization/ booster club officers should be required to reappoint members of the committee for the following year, until the purpose of the committee has been achieved.
- Individuals who have a conflict of interest because of the special committee's specific purpose should not serve as members of the committee.

CONSTITUTION AND BYLAWS

All parent organizations/booster clubs must have a constitution and bylaws.

❖ Constitution

At a minimum, a parent organization/booster club's constitution must include the following elements:

1. Name and purpose of the organization.
2. Membership and Tenure.
 - a. Who can join?
 - b. How many members?
 - c. What officers?
 - d. Who has voting rights?
 - e. Will those who move from the school attendance area be allowed to serve out their terms, if desired?
 - f. What are the procedures for removing someone from office?
 - g. How long will they be allowed to serve?
 - h. Will they be allowed to serve consecutive terms? If so, how many?
 - i. How will unexpired terms be filled when vacancies occur?
 - j. Will leaves of absence be permitted?
3. Executive Board or Officers.
 - a. Positions and duties of each position defined
 - b. Position and term limitations (recommended not to serve for more than two consecutive fiscal years in any one position)
4. Method of amendments to the constitution.
 - a. By who
 - b. By petition of percent of members
 - c. By ballot

5. Adoptions or ratification of constitution and any subsequent amendments.
 - a. Shall require (percentage) vote of (Executive Board)

❖ **Bylaws**

A parent organization/booster club's bylaws should include the following elements:

1. Duties and powers of executive board and officers
2. The composition and membership of committees
3. Succession to office
4. Elections and qualification for office
5. Finances
 - a. Statement of internal controls, authorization of financial activities
 - b. Who shall approve prior to any commitment
 - c. Statement determining distribution of assets upon dissolution to another non-profit organization, the parent organization/booster club's school site or ASB, or to the District
6. Meeting schedule/Notice required
 - a. For regular and special sessions
 - b. Time, manner, frequency
 - c. What constitutes a quorum
 - d. Who shall conduct meetings
7. Procedures for resignation of parent organization/booster club officers
8. Procedures for filling vacancies in elected officer positions and term of replacement officer
9. Termination of officers for failing to attend two consecutive noticed meetings without cause or notice to other parent organization/booster club officers

TAX AND CHARITY REGISTRATION

❖ **Incorporation in California**

- ✓ Submit Articles of Incorporation to:

Secretary of State, Business Entities
PO Box 944260
Sacramento, CA 94244-2600
Website: www.sos.ca.gov/
Filing Fee: \$30

- ✓ Articles of Incorporation typically identify:
 - a. The parent organization/booster club's name;
 - b. Purpose(s) of the parent organization/booster club;
 - c. Agent for service of process – a person whose name and addresses are identified and who can receive lawsuits and other official correspondence and other matters;
 - d. The incorporator must sign the articles of incorporation.
- ✓ Within 90 days of filing the Articles of Incorporation, submit Form SI-100 (Statement of Information). The SI-100 form may be filed online at businessfilings.sos.ca.gov or mailed to:

Secretary of State
 Statement of Information Unit
 P.O. Box 9444230
 Sacramento, CA 94244-2300
 Website: www.sos.ca.gov/
 Filing fee: \$20

❖ **Employer Identification Number (EIN)**

A parent organization/booster club is not a legal component of the school district. Therefore, each parent organization/booster club must have its own EIN.

To obtain an EIN, parent organization or booster club officers or founders should carefully review, complete, and submit IRS Form SS-4, "Application for Employer Identification Number."

- ✓ **Instructions**: <http://www.irs.gov/pub/irs-pdf/iss4.pdf>
- ✓ **On-line application**:
<http://www.irs.gov/business/small/article/0,,id=102767,00.html>

❖ **Federal Tax-Exempt Status**

- ✓ IRS Publication 557, "*Tax-Exempt Status for your Organization*"
- ✓ IRS Rules & Procedures: <http://www.irs.gov/pub/irs-pdf/p557.pdf>
- ✓ To obtain federal/IRS tax exempt status, parent organization/booster club officers and founders should carefully review, complete, and submit IRS Form 1023, "*Application for Recognition of Exemption Under Section 501(c)(3) of the Internal Revenue Code*"
- ✓ **Instructions**: <http://www.irs.gov/pub/irs-pdf/i1023.pdf>
- ✓ **Application**: <http://www.irs.gov/pub/irs-pdf/f1023.pdf>

Note: Upon approval, the IRS will issue a determination letter documenting the parent organization/booster club's 501(c)(3) nonprofit, tax-exempt status.

Remember! Parent organizations/booster clubs cannot legally furnish donors with receipts for a charitable tax deductible donation unless they have obtained the IRS' official determination letter.

❖ **California State Tax-Exempt Status**

- ✓ Parent organizations/booster clubs with a 501(c)(3) federal determination letter can obtain California affirmation of tax exemption from the California State Franchise Tax Board by carefully reviewing, completing, and submitting Form 3500A along with a copy of the IRS determination letter. There is no fee.

FORM: <https://www.ftb.ca.gov/forms/misc/3500a.pdf>

- ✓ Parent organizations/booster clubs without a 501(c)(3) federal determination letter are STILL required to file form 3500 for state income tax exemption. There is a \$25 fee.

FORM: <https://www.ftb.ca.gov/forms/misc/3500.pdf>

Note: FTB 3500A can only be used by organizations that have a federal determination letter under Internal Revenue Code (IRC) Section 501(c)(3).

❖ **Charity Registration**

- Charities are required to register with the California Attorney General's Registry of Charitable Trusts. Any parent organization/booster club that is organized as a nonprofit corporation with California and/or federal tax exempt status must register with the California Attorney General's Registry by filing corporate documents no later than 30 days after initial receipt of assets. All registered charities must file Form RRF-1 annually.
- Registered charities must also file Form 990, 990-ES, or 990-PF annually.
- Forms and instructions can be found at <http://oag.ca.gov/charities/forms>

❖ **Sales and Use Tax /Seller's Permit**

- Parent organizations/booster clubs are not sales tax-exempt, unless they have filled out the proper application forms from the California Franchise Tax Board.
- Organizations that have applied for and received a letter of sales tax exemption do not have to pay sales and use tax when they buy, lease, or rent taxable items necessary to the organization's exempt function.
- For more information on sales and use tax or a seller's permit, you may contact the California Board of Equalization at <http://www.boe.ca.gov> or call 800.400.7115.
- Parent organizations/booster clubs can apply for a California seller's permit online at <http://www.boe.ca.gov/info/reg.htm>

No item purchased tax-free by an exempt organization can be used for the personal benefit of a private party or other individual.

INSURANCE REQUIREMENTS

The District's liability for a parent organization/booster club's conduct and activities may be based upon the nature of the relationship between the parent organization/booster club and the District. A lawsuit based upon a parent organization/booster club activity or fundraiser may likely also name the District and seek a finding of joint liability. Whether the District is appropriately named in the lawsuit or not, the District will incur substantial legal expenses in defending the lawsuit.

Therefore, the District requires parent organizations/booster clubs to provide the following:

- Certificate of Liability Insurance naming the Chino Valley Unified School District as "additional insured" with the following

The minimum required limits of coverage are:

- ✓ General Aggregate: \$2,000,000 (annual)
 - ✓ General Liability: \$1,000,000 (per occurrence)
- Endorsement page naming the District as "additional insured"
 - Declaration page, including any exclusions
 - RECOMMENDED: All parent organizations and booster clubs should purchase crime coverage or a fidelity bond in an amount great enough to cover the total cash assets of the parent organization/booster club.

Any questions relating to insurance requirements should be directed to the District's Risk Management Department.

LIMITS OF LIABILITY

- Parent organizations/booster clubs are not a school-sponsored student activity. Student participation in parent organizations or booster clubs or booster activities is always voluntary.
- Parent organizations/booster clubs are legally separate from the District. They are not under the direct control of nor are they the legal responsibility of school administration, District administration, or the Board of Education.
- Parent organization/booster club funds are not controlled by the District or by District students.
- Parent organizations/booster clubs must not ever be involved in administering or supervising activities of student organizations.
- Parent organizations/booster clubs must not cause others to believe they are in charge of or have any responsibility for school activities. This is especially a concern for sport or band parent organization/booster clubs.
- School site and District administration advise parent organizations and booster clubs on District policies and procedures, and can review or audit any parent organization/booster clubs' operations and finances.

- Any contractual or financial obligation incurred by a parent organization/booster club shall be solely that of the parent organization/booster club.
- Parent organizations/booster clubs are required to sign the Hold Harmless Agreement (**attached as Exhibit E**) included in this operating manual, annually upon submitting its application for authorization to the District.

APPROVAL OF PARENT ORGANIZATION/BOOSTER CLUB

As part of its legal and fiduciary responsibilities under California Law, the District Board of Education must approve all parent organizations/booster clubs and school-connected organizations.

Each parent organization/booster club must complete the CVUSD Booster Club and Parent Organization Request for Authorization form with all required documents attached.

All requests will be considered by the Board of Education at a regular board meeting in May of each year. Authorization shall be granted for a period of up to one fiscal year, beginning on July 1st and ending on June 30th, but may be revoked by the Superintendent or designee if considered necessary.

Requests for continuing authorization must be presented annually.

OPERATING PROCEDURES OF PARENT ORGANIZATION/BOOSTER CLUB

RELATIONSHIPS AND INTERACTIONS WITH DISTRICT PERSONNEL

- Parent organizations/booster clubs as a group may not attempt to influence any District or school representative, principal, or other administrator or act as a lobbying group concerning matters involving duties assigned to District personnel. (e.g. trips, staffing, schedules)
- Parent organizations/booster clubs may not be involved in the decisions of a coach or advisor, personnel issues, scheduling of contests, rules of participation, or policy making activities for any student group or extracurricular program.
- Parent organizations/booster clubs must not directly support political activities by providing campaign donations or placing advertisements in support of a particular candidate. Doing so could jeopardize the parent organization's/booster club's tax-exempt status.
- Announcements of events and related parent/guardian permission slips must clearly indicate that the activity or event is sponsored by the parent organization/booster club, not by the school or District.
- Goods or services are not to be ordered in the name of the school or school personnel. School personnel are not to sign parent organization checks or invoices. Goods or services must be ordered in the name of the parent organization/booster club.

PURCHASES FOR THE PARENT ORGANIZATION/BOOSTER CLUB

Purchases of supplies or equipment necessary for the day to day operation of the parent organization/booster club, and to conduct fundraisers must be made from parent organization/booster club funds. For example, if a parent organization/booster club runs a concession stand, the parent organization/booster club should purchase items to be sold from parent organization/booster funds.

- Parent Organizations/booster clubs are not eligible for the District's special rates or discounted pricing. Parent organizations/booster clubs cannot make purchases under a District contract.
- Parent Organizations/booster clubs should instead negotiate their own pricing, contracts, or discounts from vendors of their choice.
- School ASBs and the District itself cannot make any purchases for the benefit of a parent organization/booster club using District funds.
- Items necessary for parent organization/booster club fundraisers may not be purchased through any ASB organization, even if the parent organization or booster club provides the funding for the purchase.

USE OF DISTRICT FACILITIES

The school principal or designee must approve all on-campus parent organization/booster activities, including meetings and fundraisers.

- Parent Organization/booster clubs' ability to use District school facilities is regulated by California Education Code sections 38130-38139, known as the Civic Center Act.
- Any requests for use of school facilities must be filed with the District Facilities/Planning Division by completing an online Use of District Facilities Application and Agreement. Information can be obtained on the Facilities/Planning webpage.
- Parent organization/booster club on-campus activities must not conflict with school schedules or activities, or District activities, which always take precedence over parent organization/booster club activities.

DONATIONS

Parent organizations/booster clubs exist to assist school and ASB programs. Such assistance may come in the form of donations of supplies, equipment and payment for student transportation to events.

- Parent organizations/booster clubs can donate funds to ASB accounts, but once money is in ASB accounts, it may not be used by parent organizations/booster clubs or transferred back to parent organization/booster club accounts.
- All donations to ASB must be accepted and approved by the ASB student council.
- Education Code section 41032 and District Board Policy 3920(a) provide that the District Board of Education may accept and approve any donations to a school or the District. Donations to school programs must be processed in accordance with CVUSD Board Policy and Administrative Regulations.
- ❖ **When a parent organization/booster club wishes to donate funds to the District for supplies or equipment:**
 - ✓ Parent organization/booster club must first donate the funds and clearly indicate the purpose of the donation;
 - ✓ District will then carry out the purchase through its purchasing system and in accordance with District guidelines and California law.
- ❖ **When a parent organization/booster club wishes to donate funds for transporting students to and from events:**
 - ✓ The District school site must have already completed a CVUSD field trip request form for the event in question;
 - ✓ The District Business Services Department will bill the parent organization/booster club for the cost of the transportation;

- ✓ Parent organization/booster club may not remit payment directly to the District Transportation Department;
- ✓ Parent organization/booster club cannot directly contract for transportation service with an outside agency.

SCHOLARSHIPS

- Parent organization/booster club wishing to grant a scholarship to a District student must do so with adequate supporting documentation. Documentation should show the source of the scholarship funds, the parent organization/booster club board approval of the scholarship, and the method by which the scholarship recipient was selected.
- A vote among parent organization/booster club members or a vote of a scholarship committee should be part of the selection process for the scholarships.
- Any parent organization/booster board member who has a family relationship with the scholarship applicant must abstain from voting.

PAYMENTS TO DISTRICT EMPLOYEES

Parent organizations/booster clubs may not make direct payments or make payments in the form of gift cards to any District employee for services performed for the parent organization/booster club.

If a parent organization/booster club wishes to make a payment to a District employee (e.g. a coach for services provided at a summer camp), it must follow the procedures outlined below.

❖ Athletic department employees & other District employees

- ✓ Parent organizations/booster clubs may not directly hire any District employees to perform services for the District or a District school site.
- ✓ Procedures for parent organizations/booster clubs to pay for additional support personnel (e.g. additional coaching staff) are as follows:
 1. The parent organization/booster club must obtain the approval from the site principal about the parent organization/booster club's desired staffing.
 2. The principal must then consult with the District's Human Resources Department regarding the legality of hiring such a position.
 3. Upon approval of the Human Resources Department, the principal will complete a personnel requisition and forward it to the Human Resources Department for processing.
 4. The Human Resources Department will collect the donation from the parent organization/booster club for the total cost of the employee, including statutory benefits. An online calculator is available to assist the parent organization/booster club with the calculations of the employee's statutory benefits cost.

5. The employee will be hired by the Human Resources Department through normal process, subject to all rules and regulations imposed and California state and federal law.
6. The employee is not authorized to and should not perform *any* services until after the District Board of Education's approval of the hiring and the District's receipt of donated funds to pay for the employee.
7. The employee will be paid by the District only after the above procedures have been completed. Payment will be made in accordance with applicable collective bargaining agreement and District procedures.

USE OF THE DISTRICT PRINTING, GRAPHICS, MAIL, AND MEDIA CENTER SERVICES

Parent organizations/booster clubs may make use of District printing, graphics, mail, and media center services for parent organization/booster publications, under the following conditions:

1. Requests for classroom support materials take priority over parent organization/booster club requests.
2. Costs for materials, labor, and equipment usage will be billed to the parent organizations/booster clubs.
3. A deposit may be required prior to rendering services to cover the cost of outsourcing or non-stocked materials to be used in the production of requested services.
4. A signed Printing, Graphics and Mail Services authorization form will be required from the Principal or designee of the school supported by the parent organization/booster club, stating that "I have read and examined this publication and approved its contents for distribution."
5. All parent organization/booster club publications must clearly state that they are sponsored by the parent organization/booster club, and not by the school or the District.
6. All parent organization/booster club publications must comply with all copyright and fair use laws and regulations.

FUNDRAISING

Parent organization/booster club fundraising must not conflict with California law, District Board Policy/Administrative Regulation, or any rules of the sponsoring school.

Parent organization/booster club fundraising involves activities planned, operated and run by parent organization/booster parents.

Students may be involved in booster fundraising only after school and during weekends.

FUNDRAISER REQUESTS

All parent organization/booster club fundraisers require submittal of a completed Application for Fundraising Activity (Exhibit F) and the approval of the following departments:

1. Secure facilities use approval. If a fundraiser will take place on school property, submit an online Use of District Facilities Application and secure approval prior to the submission of a fundraiser application.
2. Obtain Site Principal approval. All fundraisers applications require the signatures of the parent organization/booster club president and the high school activities director (if at a high school), prior to seeking approval of the school site Principal.

At the beginning of each school year, each parent organization/booster club shall submit to the principal a list of all the fundraising events that it proposes to hold that year. The site principal will review the proposed events and determine whether they conflict with or detract from the school site's educational program.

3. Obtain Director of Business Services approval. After securing school site principal's approval, submit fundraiser application to the Business Services Department for approval and processing to the board of education for approval.
4. Obtain Board approval. Always receive prior authorization from CVUSD Board of Education for any fundraiser by submitting an "Approval Application for Fundraising."

FUNDRAISER GUIDELINES

Fundraising should be conducted with the goal of benefiting all students in the activity without identification of individual students.

- Fundraising should always have a stated and specific goal and not simply to raise money for the group.
- Students participating in parent organization/booster fundraising activities cannot be required to volunteer.
- No student or teacher may be required to raise any minimum amount of money or to sell any minimum amount of goods.

- All parent organization/booster funds must be collected and deposited into the parent organization/booster club bank account.
- Parent organizations/booster clubs cannot use ASB money nor deposit funds in ASB accounts.
- Parent organizations/booster clubs may not use the District's tax identification number or tax exempt status.
- On-campus activities, especially parent organization/booster club fundraisers, must not supplant, duplicate, nor interfere with other school programs.

ALCOHOL AND TOBACCO

The sale, purchase, or consumption of alcoholic beverages or tobacco products while on District or school property is specifically prohibited.

California Business & Professions Code section 25608(a) states:

“Every person who possesses, consumes, sells, gives, or delivers to any other person, any alcoholic beverage in or on any public schoolhouse or any of the grounds of the schoolhouse, is guilty of a misdemeanor.”

This prohibition applies to all employees, students, and visitors at any school-sponsored instructional program, activity, or athletic event held on or off district property. Any written joint use agreement governing community use of district facilities or grounds shall include notice of the district's tobacco-free schools policy and consequences for violations of the policy.

FOOD SALES

Parent organizations/booster clubs must comply with Federal and State laws and District Board Policy/Administrative Regulations regarding the sale and handling of food on school premises as well as the District's wellness policy.

- All parent organization/booster club food sales on District property must comply with healthy snack requirements, unless the sales take place at least one-half hour before or one-half hour after school hours.
- No fundraising food sales of any kind, including bake sales, are allowed during school hours.
- Parent organizations/booster clubs may be authorized by the District to operate concession stands at athletic events in order to raise funds for the organization. However, ASBs always has first priority.

SALES OF GOODS OR MERCHANDISES

Parent organizations/booster clubs planning to conduct fundraisers involving the sale of goods or merchandise must obtain a California's seller's permit.

- Operating concession stands and selling school spirit clothing or other items require a seller's permit.

- Sales by a parent organization/booster club are generally taxable.
- For more information on obtaining a seller's permit, or on sales and use tax, you may contact the California Board of Equalization at <http://www.boe.ca.gov> or call 800.400.7115. Information can also be found on the following web-sites:
 - ✓ Publication 73, "Your California Seller's Permit": <http://www.boe.ca.gov/pdf/pub73.pdf>
 - ✓ Publication 18, "Nonprofit Organizations": <http://www.boe.ca.gov/pdf/pub18.pdf>
- Online Seller's Permit Registration, "Register a Business Activity With BOE": <https://efile.boe.ca.gov/ereg/index.boe>

RAFFLES AND BINGOS

California Penal Code Section 330 (as well as the San Bernardino County Code and the Chino Municipal Code) provide that:

"Every person who deals, plays, or carries on, opens, or causes to be opened, or who conducts, either as owner or employee, whether for hire or not, any game of faro, monte, roulette, lansquenet, rouge et noire, rondo, tan, fan-tan, seven-and-a-half, twenty-one, hokey-pokey, or any banking or percentage game played with cards, dice, or any device, for money, checks, credit, or other representative value, and every person who plays or bets at or against any of those prohibited games, is guilty of a misdemeanor, and shall be punishable by a fine not less than one hundred dollars (\$100) nor more than one thousand dollars (\$1,000), or by imprisonment in the county jail not exceeding six months, or by both the fine and imprisonment."

Gambling is illegal in California. Parent organizations/booster clubs are required to comply with gambling prohibitions under California state law and may not hold any illegal gambling, casino, bunco or other lottery type events, including poker tournaments.

Illegal raffles, bingo games or gambling fundraisers can result in revocation of the parent organization/booster club's authorization to operate.

❖ Raffles

Legal raffles can only be conducted if the parent organizations/booster clubs meet the following requirements:

1. Obtained both federal and state tax-exempt status;
2. Licensed to do business in California for at least one year;
3. Registered with the California Attorney General;
4. Completed the California Attorney General's annual raffle registration form by September 1 of the year in which the raffle will be held;
5. Submit an annual report to the California Attorney General that includes gross receipts and expenses incurred from the operation of the raffle, as well as the charitable or beneficial purposes for which the proceeds were used.

Other Restrictions regarding raffles

- ✓ At least 90% of the profits of each raffle must be distributed to beneficial or charitable purpose. This means “50/50” raffles are illegal!
- ✓ Detachable tickets must have identifying numbers.
- ✓ Only adults may supervise the raffle drawing.
- ✓ The raffle may not be conducted over the internet.

For more information on conducting a legal raffle, visit the California Attorney General’s website.

❖ Bingos

Legal bingo games can only be operated if parent organizations/booster clubs meet the following requirements:

1. Complied with all of the City of Chino/City of Chino Hills/City of Ontario and the County of San Bernardino’s extensive ordinances regarding the operation of bingo games;
2. Obtained California tax-exempt status;
3. Held a valid bingo license prior to conducting any games;
4. Did not allow any minors to participate in any bingo game
5. The total value of prizes awarded does not exceed \$250.00 in cash or kind, for each game held.

California law and city and county ordinances provide that it is a criminal misdemeanor to violate bingo ordinances, or to pay or receive a profit, wage, or salary from any bingo game.

PRIVATE INUREMENT/PRIVATE BENEFIT

No individual may personally or privately benefit from a nonprofit tax-exempt organization’s fundraising.

The use of individual fundraising accounts could result in denial or revocation of the parent organization’s/booster club’s tax-exempt status by the IRS or the California Franchise Tax Board. In addition, the individuals who received benefits from donors could result in taxable income to them.

❖ Cooperative Fundraising and Individual Fundraising Accounts

- ✓ Cooperative fundraising occurs where individuals receive credit for funds raised.
- ✓ Individual fundraising accounts are used to keep record of credits to an individual student or parent for funds raised.
- ✓ The IRS has indicated that use of cooperative fundraising and individual fundraising accounts may disqualify a nonprofit organization’s tax exempt status.

❖ **Capital Gymnastics Booster Club v. Commissioner (2013)**

- ✓ In *Capital Gymnastics Booster Club v. Commissioner* (2013), a United States Tax Court upheld the Internal Revenue Service's revocation of a parent-run booster club's tax-exempt status.
- ✓ In *Capital Gymnastics*, the deciding issue cited by the Court was that funds raised by parents were specifically earmarked for their own children.
- ✓ The Capital Gymnastics system also allowed parents to pay certain out-of-pocket costs and then fundraise less.
- ✓ Because of this fundraising structure, the Court found there was "private inurement" because specific dollars raised were earmarked for particular students and not the group generally.
- ✓ The Court ruled this meant some parents were using the tax-exempt booster club to raise money solely to benefit their own children.

FINANCIAL MANAGEMENT PROCEDURES

All parent organizations/booster clubs' bylaws should include written instructions on the recording of accounting transactions, such as the accounting method (cash vs. accrual), number of authorized signers on the bank account(s) and number of authorized signatures required for each check. All transactions should be recorded in the parent organization/booster club's financial records.

BUDGET

Before the beginning of each fiscal year, parent organizations/booster clubs should develop a budget to project expected revenues and expenses for the one-year period.

- The budget should include annual financial goals and a plan for achieving these goals.
- The budget should plan for:
 - ✓ What fundraisers will be held to raise the budgeted amount of revenue?
 - ✓ What will the planned fundraisers cost to hold?
 - ✓ Will there be enough revenue left over to accomplish the parent organization/booster club's financial goals?
- The parent organization/booster club's elected officers must continuously monitor the budget throughout the fiscal year by regularly comparing the budget to their club's actual revenues and expenses.
- When significant changes in the estimated revenues occur or increases in expenses are expected, parent organization/booster clubs should revise their budget accordingly.

FINANCIAL REPORTING

The parent organization/booster club's financial statement should contain information on the parent organization/booster club's income and expenses and the net gain or loss of each fundraiser the parent organization/booster club has conducted.

- The parent organization/booster club treasurer must submit financial statements comparing the current budgeted versus actual expenditures and receipts to the parent organization/booster club members and the school site principal or his/her designee at each meeting.
- The parent organization/booster club treasurer must submit financial statements to the District Business Services Department within 15 days of December 31st and June 30th of each fiscal year.

BANK ACCOUNT

Parent organizations/booster clubs must establish their own bank accounts. Comingling parent organization/booster club funds and Associated Student Body funds is strictly prohibited.

- The parent organization/booster club must not use the school site or District's name on its checks unless its name includes Parent-Teacher Association, Parent Faculty Association, Parent Teacher Organization or Booster Club.

- School site or District employees may not be signers on parent organization/booster club bank accounts.
- Only individuals who are authorized officers to handle parent organization/booster club funds may have access to funds through parent organization/booster club bank accounts.

COLLECTION OF MONEY

All parent organization/booster club cash or check collections must be supported by records documenting the source, the amount of funds, and when the money was received.

- Cash received from parent organization/booster club fundraisers should always be counted by two parent organization/booster club officers who then both sign a cash receipt with multiple copies.
- Multiple copies of all such parent organization/booster club cash receipt documentation should be readily available for annual audit purposes.
- The person receiving the money should give a receipt to the person delivering the money (both parties should retain their copy of the receipt).
- Any checks received should be restrictively endorsed immediately.
- Post-dated checks should not be accepted from any source.
- Receipts should indicate whether cash, check, money order, or cashier's check was received; date of the receipt; and signature of person receiving the money.
- Copies of all receipts and a list of checks, money orders, and cashier's checks received should be made to assist in recovery of money if these items are lost, stolen, or returned due to insufficient funds.
- If a money order or cashier's check is received, the receipt should indicate the total check amount; brand name of the money order or the issuing bank's name of the cashier's check; and the complete check or money order number.

PETTY CASH

Petty cash is a small amount of money kept in an office to pay for small items such as postage or office supplies. The amount of petty cash should be as little as is practical but should not exceed \$200.00.

- Strict controls must be maintained by keeping petty cash in a locked box accessible by only the treasurer and one other officer.
- District employees may not control parent organization/booster club petty cash accounts.
- Petty cash funds should be used for small purchases only.
- All purchases greater than the amount set as petty cash should be made with a sequentially numbered parent organization/booster club check for better cash control.
- Written records must be kept for all petty cash disbursements.

- Receipts must be kept for all purchases using petty cash.
- At any given time, the amount of petty cash remaining and the total of the petty cash receipts on hand should always equal the amount of the established petty cash amount.

BANK DEPOSITS

All parent organization/booster club funds money must be deposited to the parent organization/booster club bank accounts prior to holidays and weekends.

- Bank deposits should be made daily when cash on hand exceeds \$250.00.
- If daily cash received is less than \$250.00, bank deposits should be made within one week.
- Prior to depositing money, at least two people should count the money together.
- Receipts should be reconciled with all money turned in and deposited.
- Deposit slips should be retained and reconciled monthly to the account.
- There should be only one person authorized to make cash deposits of parent organization/booster club funds. Unauthorized personnel may not make cash deposits.
- Best practice is for two parent organization/booster club officers to always go to the bank together to make deposits.

DISBURSEMENT OF FUNDS

Proper receipts and invoices must be maintained for all disbursements of parent organization/booster club funds. At least two authorized signatures should be required for each check written to assist in establishing good internal controls over check disbursements.

- Prior to any disbursement of funds, the request to spend the specific funds should be compared with the parent organization/booster club's budgeted expenditures.
- A written record such as a purchase order should be completed, regardless of the amount. Each line item of expenditure must be described with specificity.
- Appropriate supporting documentation (invoices, receipts), including a signature from an authorized officer, should be attached to the written record and filed in check number order.
- Disbursements of parent organization/booster club funds outside the scope of the parent organization/booster club's budget or line items exceeding the approved budget should require a majority vote by the general membership of the parent organization/booster club.
- All parent organization/booster club expenses are to be paid by check from the parent organization/booster club's bank account.
- All parent organization/booster club checks must be sequentially numbered.
- All voided parent organization/booster club checks must always be documented and accounted for.

- Parent organizations/booster club should never pay for expenses from cash collections.
- Parent organization/booster club checks must never be made payable to “CASH.”
- Do not sign blank checks.
- Total “miscellaneous” line item expenditures listed must not exceed \$1,000.

BANK RECONCILIATION

The parent organization/booster club treasurer should reconcile bank statements and prepare financial reports monthly.

- Upon receipt of the parent organization/booster club’s monthly bank statement, the balance indicated on the statement must be reconciled with the bank account balance in the parent organization/booster club’s general ledger as of the last day of the month. The reconciliation should be completed within thirty (30) days of the date of the bank statement.
- The sequence of check numbers should be accounted monthly for when reconciling the bank statement with the parent organization/booster club’s books.
- Items needed for reconciliation include:
 - Bank reconciliation form
 - Prior month’s bank reconciliation
 - Bank statement
 - Check register and/or cash disbursement journal
 - Cash receipts journal
 - General ledger

SAFEGUARDING MONEY

- Parent organization/booster club money should never be kept in an unlocked drawer, unlocked filing cabinet, vehicle, or other unsecured place.
- Do not store the records of the money received (i.e., receipts, copies of checks) in the same place as the money. If records and money are stored together and a theft occurs, the record of the money may be taken along with the money. Subsequently, determination and recovery of losses will be more difficult.
- Money received and not yet deposited should not be used for purchases, check cashing, loans, advances, reimbursements, or for any other purpose.
- All unused checks should be kept safe and secure at all times.
- “Blank” checks should never be issued and checks should never be pre-signed.

1099 REQUIREMENTS

IRS requires that all payments for services in excess of \$600 made to a vendor or an individual by a parent organization/booster be reported on Form 1099 annually.

- Secure an IRS form W-9 from the provider at the time of service in order to obtain an accurate record of the taxpayer identification number.
- Issue a Form 1099 to all vendors who performed services in the last calendar year by January 31 of the next year.

ANNUAL AUDIT REQUIREMENTS

An audit is an examination of the parent organization/booster club's financial operations and financial records. It assures that all income and expenses are accounted for and are consistent with the parent organization/booster club's budget and bank statements. It also verifies that the bank and ledger balances match. The purpose of the audit is to protect the parent organization/booster club officers and the organization itself from financial fraud.

An audit is conducted:

- At the end of every fiscal year;
- Whenever there is a change in the person serving as treasurer;
- Whenever there is a change in any parent organization/booster club officer who signs parent organization/booster club checks; and
- When either District personnel or an accounting firm designated by the Superintendent requests an audit.

The best practice is to have the annual audit conducted by an independent party, such as a certified public accountant chosen by the parent organization/booster club's audit committee.

If the audit is not conducted by an external independent person, the audit committee may conduct the annual audit. The audit committee should be made up of at least two members of the parent organization/booster club who are not involved in the parent organization/booster club's day-to-day financial operations or the handling of cash receivables or expenditures. The president or the treasurer should not be conducting the audit.

❖ Audit Procedures for the Audit Committee:

1. Review reconciled bank statements and cancelled checks to determine that:
 - a. All disbursements have been properly documented with an invoice or receipt.
 - b. All disbursements have been properly approved.
 - c. All checks have been properly signed.
 - d. All checks have been deposited or cashed by the payee indicated.
 - e. All checks have been accounted for in the proper sequence (no missing checks).

2. Review the addition and subtraction on all cash receipts and deposits.
3. Compare all cash receipts and deposits to all bank statements.
4. Verify that all receipts and disbursements were allocated to the correct accounts and budget categories.
5. Verify that all income from sales, dues, or any other sources has appropriate backup. The total amount collected should match the amount deposited into the bank account.
6. Review all of the treasurer's monthly reports and check them for accuracy. Review beginning and ending balances on reports to verify that correct ending balances were carried forward as beginning balances on subsequent reports.
7. Verify that only current parent organization/booster club officers are authorized signers on bank account(s). Former officers should not remain on the account(s) as authorized signers. District employees must not be authorized signers on any parent organization/booster club account.
8. Obtain proof that all applicable sales taxes were paid.
9. The audited financial report should be signed by all members of the audit committee and submitted to the Business Services department no later than September 1 following the end of the fiscal year.
10. Verify that all necessary 1099s were issued to all applicable vendors.

RETENTION OF RECORDS

Because voluntary organizations such as parent organizations/booster clubs often experience frequent changes of officers and members, it is important that all of the financial activities of the parent organization/booster club are always clearly documented and that clear procedures for retaining documents both electronically and hard copy are established.

- Keep all documentation and records for each year separate from the subsequent year's records and documentation.
- Label folders and use separate folders for different types of documents.
- Retain the following documents permanently:
 - ✓ All cash receipts.
 - ✓ All cash disbursements and general ledger.
 - ✓ All bank records.
 - ✓ All income tax returns.
 - ✓ All minutes of all parent organization/booster club meetings as required by the parent organization/booster club's constitution or bylaws.

PARENT ORGANIZATION/BOOSTER CLUB DO'S AND DON'TS

DO...

- Obtain a tax identification number and federal/state tax-exempt status.
- Open a separate bank account for your parent organization/booster club.
- Maintain, keep and file properly all financial records.
- Create a logo and name to be used.
- Communicate the parent organization's or booster club's fundraising plans to the school site Principal and his/her designee.
- Donate all funds or goods in accordance with District Board policy.
- Consult the District maintenance department prior to purchasing items that require installation or involve school site or building improvements.
- Consult the District Business Office prior to purchasing goods or services that require ongoing maintenance contracts.
- Elect a treasurer with a bookkeeping/accounting background or regularly consult with a certified public accountant.
- Look for a local accountant or other financial professional who will donate their time to ensure that proper accounting procedures are always followed.
- Annually renew CVUSD Board approval for your parent organization/booster club.

DO NOT...

- Conduct fundraiser activities that *require* students to participate.
- Comingle parent organization/booster club funds with ASB funds.
- Represent parent organizations/booster club activities as those of the Chino Valley Unified School District or any of its schools.
- Use the CVUSD's tax identification number.
- Elect district employees to serve in any financial capacity.
- Give athletic coaches money *because*:
 - ✓ **CIF Blue Book Rule 507, "Coaching Compensation"**: *A coach shall not be reimbursed for coaching services from any source other than school funds without the approval of the school's governing board, nor be subject to any bonus arrangement dependent upon the success of the school's team.*
 - ✓ **CIF Blue Book Rule 509, "Penalty for Non-Certification & Improper Compensation"**: *Any team, coached by an uncertified person, or by any person receiving any part of the salary for coaching other than school funds without the approval of the school's governing board is ineligible under California Interscholastic Federation rules.*
- Give coaches gifts at the end of the season that exceed \$499.99 in value. (CIF Blue Book Rule 805).

RESOURCES

Chino Valley Unified School District Board Policy and Administrative Regulations

(Available online at CVUSD website)

- BP 410 “*Nondiscrimination in District Programs and Activities*”
- BP/AR 1113 “*District and School Web Sites*”
- BP/AR 1230 “*School-Connected Organizations*”
- BP/AR 1240 “*Volunteer Assistance*”
- BP/AR 1321 “*Solicitation of Funds from and by Students*”
- BP/AR 1330 “*Use of School Facilities*”
- BP 3250 “*Transportation Fees*”
- BP/AR 3260 “*Fees and Charges*”
- BP 3290 “*Gifts, Grants and Bequests*”
- BP 3310 “*Purchasing*”
- BP/AR 3452 “*Student Activity Funds*”
- BP 3512 “*Equipment*”
- BP/AR 3554 “*Other Food Sales*”
- BP 4135 “*Soliciting and Selling (All Personnel)*”

California Laws

(Available online at: <http://leginfo.legislature.ca.gov/faces/codes.xhtml>)

California Education Code

- Section 51520 “*Prohibited solicitations on school premises*”
- Section 52521 “*Fund-raising projects*”

California Business and Professions Code

- Sections 17200-17210 “*Enforcement*”
- Sections 17500-17509 “*False advertising in general*”
- Sections 17510-17510.95 “*Charitable solicitations*”

California Government Code

- Sections 11180-11191 “*Investigations and Hearings*”
- Sections 12580-12599.8 “*Uniform Supervision of Trustees for Charitable Purposes Act*”

California Penal Code

- Sections 319-329 “*Lotteries*”
- Sections 330-337 “*Gaming*”
- Section 532(d) “*Fraudulently obtaining money, property or labor*”

California Corporations Code

- Sections 5000-10841 “*Nonprofit Corporation Law*”

California Revenue and Taxation Code

- Section 214 *“Welfare exemption; exemption for religious, hospital, scientific, or charitable property; Application of 2004 amendments”*
- Section 23701d *“Religious, charitable, scientific, literary, educational organizations, national or international amateur sports competition, prevention of cruelty to children or animals”*

Other Online Resources

- Internal Revenue Service (Federal Tax Exemption and Reporting Compliance) <http://www.irs.gov/>
- California Franchise Tax Board (California Tax Exemption) <http://www.ftb.ca.gov/>
- California Board of Equalization (Property taxes and sales taxes) <http://www.boe.ca.gov/>
- California Employment Development Department (California payroll taxes) <http://www.edd.ca.gov>
- California State Attorney General Charities Program Requirements <http://oag.ca.gov/charities>
- California Attorney General’s *“Guide for Charities”* http://oag.ca.gov/sites/all/files/agweb/pdfs/charities/publications/guide_for_charities.pdf?
- California state PTA <http://www.capta.org/>

EXHIBITS/FORMS

- EXHIBIT A Parent Organization/Booster Club Request for Authorization to Operate**
- EXHIBIT B Parent Organization/Booster Club Bank Information**
- EXHIBIT C Parent Organization/Booster Club Officers Contact Information**
- EXHIBIT D Parent Organization/Booster Club Operating Manual Acknowledgement Form**
- EXHIBIT E Parent Organization/Booster Club Hold Harmless Agreement**
- EXHIBIT F Parent Organization/Booster Club Application for Fundraising Activity**
- EXHIBIT G Parent Organization/Booster Club Printing, Graphics, and Mail Services
Authorization Form**

All forms are available online at <http://www.chino.k12.ca.us/Domain/47>

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Parent Organization/Booster Club Request for Authorization to Operate

GENERAL INFORMATION

| | |
|--|--------------------|
| Parent Organization/Booster Club Name: _____ | School Year: _____ |
| | School Site: _____ |
| Mailing Address: _____ | |
| E-mail Address: _____ | |

PURPOSE (Describe the purpose of the organization)

| |
|--|
| |
| |
| |

GOALS (List specific goals for the school year)

| |
|--|
| |
| |
| |

All parent organizations/booster clubs operating in the CVUSD must be established as non-profit entities under Section 501(c)(3) of the Internal Revenue Code and must have their own Tax Identification Number. All Parent Organizations/Booster Clubs are responsible for their own tax filings and accounting.

REQUIRED DOCUMENT (I certify that copies of all of the following documents required by the District are attached to this Request)

| | |
|--|--|
| <input type="checkbox"/> Parent Organization/Booster Club Constitution <input type="checkbox"/> Parent Organization/Booster Club Bylaws <input type="checkbox"/> 501(c)(3) Federal Determination Letter <input type="checkbox"/> Proof of Tax ID No. <input type="checkbox"/> California Seller's Permit <input type="checkbox"/> Proof of State Tax Exempt Status <input type="checkbox"/> Certificate of Insurance <input type="checkbox"/> Naming CVUSD as Additional Insured Endorsement <input type="checkbox"/> List of Proposed Fundraisers | <input type="checkbox"/> Parent Organization/Booster Club Bank Information (Exhibit B) <input type="checkbox"/> Parent Organization/Booster Club Officers Contact Information (Exhibit C) <input type="checkbox"/> Parent Organization/Booster Club Operating Manual Acknowledgement Form (Exhibit D) <input type="checkbox"/> Parent Organization/Booster Club Hold Harmless Agreement (Exhibit E) |
|--|--|

NOTE: Any information or required documents missing from this request will prevent a parent organization/booster club from being approved by the CVUSD Board of Education.

PARENT ORGANIZATION/BOOSTER CLUB PRESIDENT SIGNATURE

As the parent organization/booster club president, I have read this form and hereby agree to abide by its terms. This authorization when granted will be valid until June of the following school year; however, we understand that if the Superintendent or Designee considers it necessary, this authorization to operate can be revoked at any time.

| | |
|---------------------|-------------|
| Signature: _____ | Date: _____ |
| Printed Name: _____ | |

SCHOOL SITE APPROVAL

Administrator

Signature: _____

Date: _____

Activities Director

Signature (HS only): _____

Date: _____

CVUSD BOARD OF EDUCATION APPROVALChino Valley Unified School District Board of Education Recognition and
Authorization to Operate for school year: _____

20 - 20

Board Approved on: _____

Date

Chino Valley Unified School District

Director, Business Services

Date

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Parent Organization/Booster Club Bank Information

| | |
|---|--|
| Parent Organization/Booster Club Name: _____ | School Year: _____ |
| Name of Bank: _____ | School Site: _____ |
| 501C Nonprofit Organization <input type="checkbox"/> Yes <input type="checkbox"/> No | California Entity Number: _____ |
| Federal EIN: _____ | _____ |

| | | |
|-----------------------|--|--------------------------|
| Account Number | Account Type | Authorized Signor |
| Bank Address | Tax ID Number | Authorized Signor |
| Bank Telephone | Number of signatures required to withdraw funds | Authorized Signor |

NOTE: Signors cannot be a CVUSD employee.

Disposition of any fund balance should the parent organization/ booster club disband or be denied authorization to operate in the CVUSD as included in the parent organization/booster club bylaws:

I understand that our parent organization/booster club's financial statements must be submitted to the school principal or his/her designee and to the District's business office within 15 days of December 31st and June 30th of each school year.

| | |
|----------------------------|---------------------------|
| Signature: _____ | Date: _____ |
| Printed Name: _____ | Office Held: _____ |

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Parent Organization/Booster Club Officers Contact Information

Parent Organization/Booster Club Name: _____ School Year: _____

_____ School Site: _____

| President | | Term: | |
|------------------|--|--------------|--|
| Name: | | | |
| Address: | | | |
| Phone Number: | | | |
| E-mail Address: | | | |

| Vice President | | Term: | |
|-----------------------|--|--------------|--|
| Name: | | | |
| Address: | | | |
| Phone Number: | | | |
| E-mail Address: | | | |

| Secretary | | Term: | |
|------------------|--|--------------|--|
| Name: | | | |
| Address: | | | |
| Phone Number: | | | |
| E-mail Address: | | | |

| Treasurer | | Term: | |
|------------------|--|--------------|--|
| Name: | | | |
| Address: | | | |
| Phone Number: | | | |
| E-mail Address: | | | |

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Parent Organization/Booster Club Operating Manual Acknowledgement Form

As an elected officer of a parent organization/booster club operating within the Chino Valley Unified School District (CVUSD), I hereby certify that I have read the CVUSD Parent Organization/Booster Club Operating Manual. I understand the procedures outlined in the Parent Organization/Booster Club Manual and will adhere to them. At any time should I have questions regarding policies or procedures, I will contact the school site administration for clarification or further instruction.

I further understand it is the responsibility of the parent organization/booster club to fully understand and obey all California laws that govern the operation of parent organizations/booster clubs. Whenever necessary, our parent organization/booster club will seek competent professional financial and tax advice for accounting and filing requirements.

I also understand that as an officer of the parent organization/booster club, and member of the executive board, I am required to ensure the parent organization/booster club's procedures and operating practices are financially and legally sound, and in conformance with CVUSD Board Policies and all rules, regulations, laws, ordinances and statutes applicable to the organization. The CVUSD assumes no accountability or liability for the actions of or the operation and management of any parent organization/booster clubs.

I further understand and accept that I am legally obligated to be prudent and reasonable in conducting myself to help preserve and protect the District and the parent organization/booster club.

Signature: _____ **Date:** _____

Printed Name: _____

Parent Organization/Booster Club Name: _____

Office Held: _____

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Parent Organization/Booster Club Hold Harmless Agreement

Parent Organizations/Booster Clubs and their officers or operators hereby agree to indemnify, defend, and hold harmless the Chino Valley Unified School District, its Board Members, officers, agents, teachers, staff or any other employees from any damage injury or harm involving any student, parent or third party arising from or which occurs in any way as a result of or related to parent organization/booster club activity regardless of location, including every claim or demand made, every liability, loss, damage, or expense, of any nature whatsoever by any student, parent or third party which may be incurred by reason of:

Death or bodily injury to persons, loss of or injury to property, or any loss, damage or expense which may have been sustained by the parent organization/booster club or its representatives or participants, including any corporations, district employees, firm or corporation employed by the parent organization/booster club which arises from negligence or misconduct on the part of the parent organization/booster club, its representatives, students or participants , or which in any way is related to parent organization/booster club activity, regardless of date, time or location.

Any injury to or death of persons or damage to property, any loss or theft sustained by persons, firms or corporations, including the Applicant participating in parent organization/booster club activity or conduct related to parent organization/booster club activity, or otherwise arising from any act of neglect, default, omission, negligence or willful misconduct of the Applicant, its members, or any person, firm or corporation employed by the Applicant, either directly or by independent contract, and attributable in connection with the activity covered by this agreement, on or off District property and during or outside of school hours.

The _____ Parent Organization/Booster Club, at its own expense, cost and risk, shall defend any and all actions, suits or other proceedings that may be brought or instituted against the District, its Board, officers, agents, or employees and shall pay or satisfy any such claim, demand, liability or judgment rendered against the District, its Board, officers, agents, or employees in any action, suit or other proceedings arising out of the parent/booster activities.

Acknowledged and agreed by parent organization/booster club president:

Signature: _____ **Date:** _____

Printed Name: _____

Parent Organization/Booster Club Name: _____

CHINO VALLEY UNIFIED SCHOOL DISTRICT
Parent Organization/Booster Club Application for Fundraising Activity

FUNDRAISER INFORMATION

Parent Organization/Booster Club Name: _____

Date: _____

School Site: _____

Name of Fundraiser: _____

Date(s) of Fundraiser: _____ / _____ / _____ to _____ / _____ / _____

Time of Day: _____

☐ On Campus Sales

☐ Off Campus Sales

Location: _____

Note: On campus fundraisers by parent organizations/booster clubs during the school day are prohibited.

Items to be Sold: _____

Price: _____

Estimated Gross Income: _____

Estimated Expense: _____

Intended Use for Funds Raised: _____

PLEASE INDICATE THE METHOD(S) TO BE USED FOR OFF CAMPUS SALES:


Sponsorships/Pledges



Internet



Sale of Merchandise



Tournaments/Meets



Family & Friends



Ticket Sales



Restaurant Family Nights



Membership



Coin Containers



Other (Specify): _____

APPROVALS

Parent Organization/Booster Club

President Signature: _____

Date: _____

Site Administrator Signature: _____

Date: _____

Activities Director Signature

(High School only): _____

Date: _____

CVUSD BOARD OF EDUCATION APPROVAL

Board Approved on: _____

Date

Director of Business Services

Signature: _____

Date: _____

Date Received by Department

PLEASE PRINT FOR READABILITY

Request submitted without budget code will be returned to submitter.

Principal/Administrator's Signature _____

Date _____

attached and/or electronically submitted publication and approves of its contents for distribution. AR 1230(d)

Allow at least two weeks processing time from date needed. Request received with the "Date Needed" left blank or with "ASAP" will be scheduled into production at the convenience of the Printing, Graphics and Mail Department. Request must be submitted with originals at time of submission (i.e. hardcopy or electronic file in a capable format).

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| <input type="checkbox"/> Other | X | = \$ | |

GRAND TOTAL



Business Services Division
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