



Fundraising Policy

I. PURPOSE

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

II. SCOPE

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

III. GENERAL POLICY STATEMENTS

- A. "Fundraiser," "fundraising," or "fundraising activity" means an activity or event provided, sponsored, or supported by a school that uses students to generate funds to raise money to:
 - i. Provide financial support to a school or any of the school's classes, groups, teams, or programs; or
 - ii. Benefit a particular charity or for other charitable purposes
- B. "Public funds" are money, funds, and accounts, regardless of the source from which the funds are derived, that are owned, held, or administered by the state or any of its political subdivisions, including LEAs or other public bodies (Utah Code 51-7-3[26]).
- C. Fundraising is permitted within Gateway to allow the school to raise additional funds to supplement school-sponsored academic and co-curricular programs.
- D. Gateway may provide opportunities for individual fundraising; however, such fundraising cannot be required.
- E. Gateway may allow group fundraising efforts that satisfy all of the following criteria:
 - a. School may not deny a student membership based on non-participation in a group fundraiser.
 - b. A fundraising activity where the money raised is used for the benefit of the group, team, or organization.
 - c. Total per student amount expected to be received through required group fundraising is part of the maximum fee amount for an activity on the fee schedule.
 - d. School must notify parents of required group fundraising, letting parents and students know how and when specific details of the fundraising activity.
- F. "School-sponsored" means activities, fundraising events, clubs, camps, clinics, programs, sports, etc., or events, or activities that are authorized by Gateway that support Gateway or authorized curricular school clubs, activities, sports, classes or programs that also satisfy one or more of the following criteria. The activity:
 - a. Is managed or supervised by Gateway employees.



- b. Uses Gateway' facilities, equipment, or other school resources.
 - c. Is supported or subsidized, more than inconsequently, by public funds, including the public school's activity funds or minimum school program dollars.
 - d. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code 53A-11-1205 through 1208.
- G. Gateway is committed to appropriate distribution of unrestricted funds and the management of fundraising to ensure that the educational opportunities of all students are equal and fair.
- H. Gateway Preparatory Academy is committed to principles of gender equity and compliance with Title IX guidance. Gateway commits to use all facilities, unrestricted gifts and other available funds in harmony with these principles. Gateway reserves the right to decline or restrict donations, gifts, and fundraising proceeds, including those that might result in gender inequity or a violation of Title IX. Fundraising opportunities should be equitable for all students, comply with Title IX, and be in harmony with Article X of the Utah Constitution.
- I. All fees for Gateway-sponsored activities must be properly noticed and approved by the Board of Directors (Board) and are subject to fee waiver provisions in R277-407.
- J. Annually, each Gateway department, or program will review all planned camps, clinics, activities, and fundraisers and determine those designated as Gateway-sponsored. Those not designated as Gateway-sponsored will follow the non-school-sponsored criteria in Section V.
- K. All monies raised through fundraisers for Gateway-sponsored activities are considered public funds. Gateway is ultimately responsible for the expenditure and allocation of all monies collected and expended through student, Gateway-organized fundraising.
- L. The collection of money associated with fundraisers for Gateway-sponsored activities will comply with Gateway cash receipting policies.
- M. The expenditure of any public funds associated with fundraisers for Gateway-sponsored activities will comply with Gateway cash disbursement policies.
- N. Properly approved Gateway-sponsored activities may:
1. Use school's name, facilities, and equipment.
 2. Utilize Gateway employees and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
 3. Be insured under Gateway's risk management policy (pending approval by Gateway's risk manager) or general liability insurance policy.
 4. Provide additional compensation or stipends for Gateway employees with the approval of administration or immediate supervisor and under Gateway payroll policies.
- O. Gateway-sponsored activities must comply with all fee approval and fee waiver provisions established in Utah Code and Utah State Board of Education rules. Gateway may be responsible for providing student transportation for these activities.
- P. Authorization and supervision of fundraising for Gateway-sponsored activities:
1. Fundraising at Gateway shall be approved in writing, prior to the activity, by administration or designee and supervised by Gateway employee(s) designated by the approver. The approver shall ensure that the activity is appropriately classified as a school-sponsored activity.
 2. The approver shall ensure that the activity has been appropriately classified as a GATEWAY school-sponsored activity. Administration may approve fundraisers or activities where the expectation is to earn up to \$10,000. Fundraisers expected to earn more than \$10,000 and up to \$50,000 must be approved in writing by the Executive Director. Fundraisers expected to earn more than \$50,000 must be approved by the Board.
 3. Donations from individuals or organizations will follow GATEWAY' gift and donation policy.



4. The sale of banners, advertising, signs, or other promotional material that will be displayed on Gateway school property must be approved by administration before the items are initiated or printed and must meet community standards. Partisan or political advertising and advertising for products that are prohibited by law for sale or use by minors, such as alcohol, tobacco, or other substances that are known to endanger the health and well-being of students, are prohibited.
5. All fundraising projects for construction, maintenance, facilities renovation or improvement and other capital equipment purchases must be approved in writing by the business administrator, the Executive Director, and the Board. (See Section VII.)

IV. GENERAL FUNDRAISING STANDARDS

- A. GATEWAY reserves the right to prohibit, restrict or limit any fundraising activities associated with GATEWAY.
- B. Faculty and student participation in fundraisers is typically voluntary. However, GATEWAY employees may be directed to supervise specific activities as an employment assignment. Students, including fee-waiver-eligible students, may be required to participate fully in school, team, or group-wide fundraisers in order to benefit from fundraisers.
- C. Participation in fundraising shall not affect a student's grade. Students shall not be required to participate in fundraising activities as a condition of belonging to a team, club or group, nor shall a student's fundraising effort affect his/her participation time or standing on any team, club or group, except as to fee waiver requirements.
- D. Competitive enticements for participation in fundraisers are discouraged. If prizes or rewards are offered by a selected fundraising vendor, they should only be awarded to groups, classes or students, and must be disclosed and approved prior to the fundraiser. Rewards, prizes, commissions, or other direct or indirect compensation shall not be received by any teacher, activity, club or group director, or any other GATEWAY employee or volunteer.
- E. Gateway may not impose a sales quota (or the like) as part of fundraising efforts, and students or parents/guardians shall not be required to pay for any unsold items or pay for goals not met.
- F. Door-to-door sales are prohibited for all students in elementary and middle school. High school students may participate in one door-to-door campaign per sport, club, or group per year. Suitable procedures must be used by Gateway, administrators and supervising faculty to safeguard students and funds collected. Procedures must be clearly communicated to parents/guardians.
- G. Approval may be denied for fundraising activities that would expose the school to risk of financial loss or liability if the activity is not successful.
- H. Fundraising activities shall be age appropriate, and shall maintain the highest standards
- I. of ethical responsibility and integrity.
- J. Fundraising revenues should be accounted for at an individual contribution level or participation level. Participation logs should be retained and turned into the accounting office to be included with the deposit detail.
- K. Gateway employees who approve, manage, or oversee fundraising activities are required to disclose if they have a financial or controlling interest or access to bank accounts in a fundraising organization or company.
- L. Records of all fundraising efforts shall be open to the parents/guardians, students and donors, including accurate reporting on participation levels and financial outcomes. This policy does not require the release of students' personally identifiable information protected by FERPA.



V. NON SCHOOL-SPONSORED ACTIVITIES AND FUNDRAISERS

- A. Activities, clubs, groups and their associated fundraisers or other activities that are not school-sponsored or groups, clubs, sports, and programs that are not managed by Gateway employees are deemed to be non school-sponsored. Non school-sponsored activities may:
1. NOT use the school's name without express written administrative permission.
 2. NOT use Gateway's facilities, equipment, and other assets or employees unless a facilities use agreement is initiated and approved. These agreements should follow school policy for other facilities use agreements.
 3. NOT utilize Gateway employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser.
 4. NOT be insured under Gateway's risk management or insurance policy. Non-school-sponsored activities must provide their own insurance through a third-party insurer.
 5. NOT provide additional compensation or stipends for Gateway employees, if the activity is not substantially different from a Gateway employee's regular job functions and duties and outside of employee's contract hours. (See Section VI)
 6. Not commingle public funds and private fundraising proceeds or expenditures.
 7. Not use Gateway records to contact parents/guardians or students.
- B. Parent/guardian notification by a Gateway employee is required if Gateway employees are involved in the planning, administration, advertising, or serving as staff for a non school-sponsored activity and if Gateway students are involved. This notification shall occur using the "Non School-Sponsored Parent Notification" form. A copy of this form shall be submitted to the administration by the Gateway employee prior to the event.
- C. Funds, donations, or gifts generated through non Gateway-sponsored activities or events may be donated to Gateway to support specific programs, teams, groups, clubs, etc. All donations or gifts shall follow the guidance established in Gateway's donations and gifts policy.
- D. Non Gateway-sponsored activities may work in conjunction with Gateway to raise funds. Gateway may allow these groups to use Gateway facilities at little or no charge in exchange for contributions or percentages of proceeds. Gateway may choose to provide some level of support or pay for portions of these activities. These arrangements shall be set forth in a written agreement or contract, and all transactions will be conducted as "arm's-length transactions." These agreements shall take into consideration Gateway's fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by administration, the facilities use agreement approver, and the business administrator. Gateway will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.
- E. Non-curricular Gateway clubs specifically authorized under Utah Code 53A-11-1205 through 1208 are not considered school-sponsored.

VI. EMPLOYEE RELATIONSHIPS AND DISCLOSURE

A. Participation in Private or Non Gateway-Sponsored Events

1. Gateway employees:
 - a. May participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.
 - b. Must ensure that personal participation in activities is separate and
 - c. distinguishable from the employee's public employment, official job title, or job



- duties.
 - d. May not contact students in Gateway using education records or information obtained through public employment unless the records or information are available to the general public.
 - e. May not use Gateway time to discuss, promote, or prepare for a private or non Gateway-sponsored activity.
 - f. May offer public education-related services, programs or activities to students, provided they are not advertised or promoted during Gateway time or using any type or amount of Gateway resources.
 - g. May use Gateway school or Gateway student publications available to the general public to advertise and promote the private or non Gateway-sponsored activity.
 - h. May not require private or non Gateway-sponsored activities for credit or participation in Gateway school programs.
 - i. Must satisfy all requirements of Utah Code 53A-1-402.5, regarding ethical
 - j. conduct standards, and R277-107, regarding educational services outside of the educator's regular employment.
- B. Gateway employees may purchase advertising space to promote private or non Gateway-sponsored events in the same manner as the general public. The GATEWAY employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not Gateway-sponsored. (See R277-107-5 through 6.)
- C. Gateway employees may engage in outside employment with a private entity or other separate organizations that do not interfere with Gateway duties or job functions. Employees must complete the Gateway disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions.
- D. Parent/guardian notification is required if Gateway students are recruited to participate in these activities.
- E. Gateway employees may not set up bank accounts for activities or fundraisers associated with Gateway responsibilities or job functions.
- F. Gateway employees may not direct fees or fundraiser proceeds from Gateway-sponsored activities to outside entities.
- G. Gateway employees may not direct operating expenditures to outside funding sources or groups to avoid Gateway procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.).
- H. Gateway employees must comply with Gateway procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

VII. CAPITAL FUNDRAISING/LARGE FUNDRAISING PROJECTS

- A. All fundraising projects for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by the Executive Director and the Board. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to Gateway for evaluation and recommendation to the Executive Director:
1. Prospective construction, maintenance or renovation plans and estimated costs
 2. Proposed naming opportunities
 3. Proposed fundraising timeline
 4. Loans or financing agreements
 5. Maintenance or upkeep requirements and costs



6. Assurances of compliance with Title IX (e.g., available for use by both male and female students and/or for several purposes or activities)
- B. The Executive Director will make a recommendation to the Board. The Board reserves the right to tentatively approve plans, pending fundraising, donations, equity, or other conditions.

Board Reviewed and Approved:

November 12, 2020