

SOLICITATION OF FUNDS FROM AND BY STUDENTS

The Governing Board recognizes that student participation in fund-raising activities for the schools and nonprofit, nonpartisan charitable organizations can help develop a sense of social responsibility in students, enhance the relationship between the school and community, and contribute to the improvement of the school program.

(cf. 1325 - Advertising and Promotion)
(cf. 4135/4235/4335 - Soliciting and Selling)
(cf. 5022 - Student and Family Privacy Rights)
(cf. 6142.4 - Service Learning/Community Service Classes)

Whether solicitations are made on behalf of the school or on behalf of a charitable organization, students shall not be barred from an event or activity because they did not participate in fund-raising. Potential donors, including parents/guardians and members of the community, should not be unduly pressured to contribute to the school system or charitable organizations. Staff is expected to emphasize the fact that donations are always voluntary.

The Superintendent or designee shall ensure that parents/guardians are informed of the purpose of fund-raisers.

Solicitations on Behalf of the School

With the prior written approval of the Superintendent or designee, official school-related organizations may organize fund-raising events involving students.

(cf. 0420 - School Plans/Site Councils)
(cf. 1230 - School-Connected Organizations)
(cf. 1260 - Educational Foundation)
(cf. 3290 - Gifts, Grants and Bequests)
(cf. 3554 - Other Food Sales)

After the fund-raiser has been held, parents/guardians shall be informed how much money was raised and how it was spent.

Solicitations on Behalf of Charities

When approved in advance by the Superintendent or designee, nonprofit, nonpartisan organizations that are properly chartered or licensed by state or federal law may solicit students on school grounds during school hours and within one hour before school has opened and one hour after school has closed. (Education Code 51520)

Legal Reference: (see next page)

SOLICITATION OF FUNDS FROM AND BY STUDENTS (continued)

Legal Reference:

EDUCATION CODE

51520 Prohibited solicitations on school premises

51521 Unlawful solicitations of contribution or purchase of personal property for benefit of public school or student body; exception

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Charitable solicitations

PENAL CODE

319-329 Raffles

REVENUE AND TAX CODE

6361 Sales tax exemption for certain sales

CODE OF REGULATIONS, TITLE 8

11706 Dangerous activities and occupations

Management Resources:

CSBA PUBLICATIONS

Healthy Food Policy Resource Guide, 2003

WEB SITES

Office of the Attorney General: <https://oag.ca.gov>

SOLICITATION OF FUNDS FROM AND BY STUDENTS

Use of Students

The Board is of the opinion that it is not good policy to use students for distribution of non-school materials in the community or for soliciting funds or in sales campaigns to finance extra-curricular activities. It is, therefore, the policy of the Board to limit such activities.

Solicitation of Students for Commercial Ventures

All requests in the Wheatland School District for the distribution or purchase of materials deemed to be a potential solicitation of students for commercial ventures shall be directed to the Superintendent or his/her designee with a recommendation of the principal. The request shall be allowed or denied based on the following criteria in accordance with the Education Code.

1. The extent to which the influence of the schools is being placed in support of one company or industry to the exclusion of others by endorsing the product being promoted.
2. The extent to which resources, including class and teacher time, are being diverted to the proposed promotion.
3. Whether the schools are receiving a substantial benefit from the campaign or whether the benefit is so insubstantial as to be an unwarranted "use" of school time and resources.
4. The extent to which the product promoted or sold is consistent or inconsistent with the objectives of the school program such as nutrition education.
5. The extent to which the promotion advances or assists other educational programs.
6. The extent to which the product promoted or sold is a luxury item or is more expensive than competing products.
7. The extent to which the district is incurring a risk of legal liability in the sale or promotion of a product.

The Superintendent or his/her designee shall notify the principal of the school(s) of origin as to the disposition of the request.

Distribution of Materials Through the Schools

In distributing materials through district schools, the following process will be adhered to:

SOLICITATION OF FUNDS FROM AND BY STUDENTS (continued)

1. All materials to be distributed via the children through the schools must be approved by the district office with the exception that school-sponsored organizations, e.g., individual school-sponsored Cub Scout Packs, would be approved by the principal.
2. Only materials from non-profit community-oriented organizations will be distributed through the schools.
3. If central distribution of materials from non-profit organizations is requested, the district may require the materials be received in the district office on or before the third (3rd) Friday of the month. Distribution of those materials approved will be on the last Friday of the month.
4. Organizations having a legitimate compelling reason to have materials distributed prior to the last Friday of the month may appeal to the Director of Administrative Services.

Promotion by Student Organizations

Students may engage in raising funds, under the control of the school, for certain approved student activities and for a limited number of charities, subject to the following conditions:

1. The project has the approval of the principal of the school involved.
2. The charity involved has been selected by the student body as one in which it wishes to participate.

Regulation
approved: March 1997
reviewed: August 26, 2008
revised:

WHEATLAND SCHOOL DISTRICT
Wheatland, California