

Kenyon-Wanamingo Public Schools



DRAFT 8/6/18

BOOSTER CLUB GUIDELINES

Purpose:

This document has been created to effectively transition practices to align with all current statutory guidelines, best practice, and the pending expansion of district educational and recreational facilities. We strive to begin and end each conversation about this process with gratitude for booster club support past, present, and future.

Thank you boosters and donors!

Definition:

A booster club is defined as “**an organization that is formed to help support the efforts of a district sport or activity**”. Support is shown in many ways, including volunteering time, raising money, and contributing funds to better enhance the team or organization’s performance. A booster club provides enthusiastic support for a team or organization. The type of support is similar to the emotional or psychological support of a parent; however it is given in a collective manner by the whole community.

Booster clubs may raise money by printing promotional items like team schedules, programs, and yearbooks. Booster clubs can financially support the program by providing additional funding for coaches, staff, and event workers. They can organize team events, such as pre- or post-game dinners or social events during the season. Booster clubs may perform, meet, or organize in any way, in accordance with above-stated definition, that supports or “boosts” the program they are formed to support.

It is the charge of the Kenyon-Wanamingo Administration to ensure that booster clubs operate within their defined parameters and be recognized by the Board of Education as a booster club in good standing. Clubs not recognized by the board shall be considered Class 3 or 4 facility use reservations.

Booster Clubs Should:

- *Volunteer time and provide financial support for the extras that help develop our sport and activity participants into well-rounded young adults.
- * Organize social activities that reinforce the bond between participants, parents, school staff, and the community.
- * Work cooperatively with the school staff responsible for operating extra or co-curricular programs.
- * Operate their club in an open, transparent fashion which complies with all legal and ethical expectations.
- * Conduct background checks before appointing officers.
- * Maintain finances separately from the district and follow district policies for fundraising and donations.
- * Maintain sufficient insurance coverage for their activities.
- * Recognize that the district cannot accept donations that hinder its compliance with Title IX requirements.
- * Consider working together within a cooperative booster club to minimize organizational logistics and costs of fundraising.

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Booster Clubs Should Not:

- * Openly discuss the performance review of coaches/advisors or impact district human resources functions, unless invited by the district to participate in employee recruitment or provide feedback through surveys.
- * Openly discuss playing time, participant disciplinary issues or other responsibilities of the coaches/advisors.
- * Organize or attempt to implement off-season training programs or participation without direction or consent of the activities director or head coach/advisor.
- * Utilize district facilities without a reservation permit issued by the Community Education Office.
- * Discuss as official business, any item that does not meet the purposes of the club as defined in its by-laws.

Recognized Booster Club Status (Transition Period August 6, 2018 to July 1, 2019):

1. Each recognized booster club should have elected or appointed officers.
2. Prior to the first practice of each season, each booster club president must inform the activities director with the names and contact information of each officer.
3. Booster club meetings shall have an agenda that will be provided to the district upon request.
4. Provide proof of club liability insurance with Independent School District 2172 named as the additionally insured party.
5. Each club shall remain in good standing with local, state and federal laws or ordinances to be recognized as a "Booster Club" by the District.

Legal Compliance:

1. To remain in good standing each Club shall do the following:
 - Obtain a Federal Taxpayer Identification Number, a State Employer Identification Number and if appropriate, a State Seller's Permit Number for sales tax.
 - Clubs are generally considered non-profit organizations and will fundraise only within the State of Minnesota.
2. To comply with applicable charitable laws, the Club will need to:
 - Become incorporated in the State of Minnesota (including bylaws and articles of incorporation and follow requirements for operating as such) as a nonprofit corporation. See the **Minnesota Office of the State Auditor Statement of Position – Outside Organizations Supporting Schools** for guidance.
 - Register with the State Attorney General's Office as a charitable organization.
 - Request recognition from the IRS as an exempt organization by filing Form 1023.
 - Annually file a form 990 or "post card" filing as applicable with the IRS and file a Charitable Organization Annual Report with Minnesota Attorney General's office. File a Minnesota M4NP if required based upon income or revenue sources.
 - Provide the activities director with a copy of the appropriate annual tax/reporting returns filed with the appropriate federal and state agencies.

Clubs not set up as non-profits will need to demonstrate to the district that they are complying with applicable laws pertaining to reporting of revenue and expenditures as a for-profit corporation, partnership or individual.

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Club Finances:

1. Treasurer report shall contain all transactions that took place since the last meeting.
2. The finance report will be open to all club members.
3. District employees will not have club purchasing authority.
4. All donations shall follow district procedure including the receipt of a donation form. Donations are considered by the Board of Education at regular business meetings and approved only by the majority of a roll call vote.
5. The district will follow its policies and purchasing procedures.
6. The district will not provide its tax-exempt number to clubs for any purpose.
7. All financial transactions of a club must be witnessed by two members of the club.
8. To remain in good standing, clubs must supply tax statements, receipts, expenditure, or balance information when requested by the district or its auditor.
9. Items purchased following a donation to the district, shall become property of the district and shall be delivered to a district address.
10. Booster clubs may not hire coaches or advisors. Any intention to support student/staff ratios will be the result of a defined donation to the district. All district human resources procedures and policies will apply.
11. Booster clubs may donate funds to the district with the intention of supporting transportation, equipment, and other fees that are considered beyond the scope of necessary for a traditional Minnesota State High School League (MSHSL) or member conference schedule.
12. The district assumes responsibility for all necessary expenses for participation of a team or activity during their basic MSHSL or conference schedule; including post-season qualifications.
13. Fundraising is considered a viable option only for expenses above and beyond the basic needs. Recognized booster clubs in good standing will follow the guidelines of District Policy 511.
14. Any approved booster club dues should be returned to any participant if they are cut from a program due to participation or roster limits.
15. A participant's status on a team or activity shall not be impacted by their participation in fundraising activities or club dues.

Promotions:

1. The activities director or his/her designee must approve all advertisements or promotional items. The district reserves the right to cancel promotions or facility reservations made without approval or that misrepresent the identity of the facility user.
2. Booster clubs may not use the Board of Education adopted district logos or the descriptors "Kenyon Wanamingo Public Schools or K-W High School" without expressed, written permission.
3. Recognized clubs in good standing may use the term "K-W Knights or Knights" for promotional or organizational purposes. There are no restrictions (other than those stated above) on the use of original, historic or public domain logos.
4. The Board of Education must consider all applicable policies and approve any sponsorship arrangements between the District and booster clubs, donors, or business partnerships.

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REFERENCES

Thank you to the Cannon Falls Public Schools for sharing their research and guidelines with us to jumpstart our transition plan!

Legal References:

Minnesota Statute 609.761, Subd. 5, Charity Raffles at Schools

Allows for the conduct of a raffle if the following conditions are met:

1. Tickets for the raffle may only be sold and the drawing conducted at a high school event sponsored by a school district. All tickets must be sold for the same price.
2. Tickets may only be sold to persons 18 years of age or older attending the event.
3. The drawing must be held during or immediately after the conclusion of the event.
4. One-half of the gross receipts from the sale of tickets must be awarded as prizes for the raffle, and the remaining one-half may only be expended to defray the school district's costs of sending event participants to high school activities held at other locations.
5. If the gross receipts from the conduct of raffles exceed \$12,000 in a calendar year or \$5000 in a single raffle, the school district must report the following information to the Gambling Control Board annually: the total amount of gross receipts received, the total expenses for the raffles, the total prizes awarded, and an accounting of the expenditure from the gross receipts of the raffles.

Minnesota Statute 349.165, Subd. 5, Charitable Gambling for Non-profits and Off-site Permits

Minnesota Statute 465.717, Subd. 1, Creation of Corporations

School Districts are prohibited from creating a non-profit corporation, unless explicitly authorized to do so by law.

Minnesota Statute 123B.02, Subd. 1-6, General Powers of School Districts

The School Board is required by law to control the business of the School District. This includes the approval of the overall budget, all expenditures for the programs for the school district, hiring and firing of staff, and the acceptance of all gifts from outside entities. The School District will only accept gifts from groups that are determined to be in good standing with the District. Good standing does not apply to individuals and one-time gifts.

Minnesota Statute 471.345, Uniform Municipal Contracting Law

Groups wishing to purchase equipment and other supplies for the School District must gain prior written approval from the District. The preferred process for this transaction, after gaining the appropriate approval, is to donate the funds for the purchase to the District with the specification of the item to be purchased.

Minnesota School Boards Association (MSBA) and Minnesota State High School League (MSHSL) combined publication

“Outside Organizations Supporting School Districts”, October 23, 2017

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Relevant K-W School Board Policies:

<http://www.kw.k12.mn.us/kwschoolpolicieslist>

- 511 - Student Fundraising
- 610 - Field Trips
- 655 - School Volunteers
- 706 - Acceptance of Gifts (pending)
- 802 – Disposition of Obsolete Material or Property (pending)
- 902 - Use of School District Facilities and Equipment
- 903 - Visitors to School District Buildings and Sites