**3024**

**External Booster Clubs and Parent-Teacher Organizations**

Parent-teacher organizations and booster clubs (collectively, “External Supporting Entities” or “ESE”) create good will in the community and strengthen education programs by promoting parental and community involvement with the district. However, the district’s involvement in an ESE may result in negative legal and political consequences.

**External Supporting Entities.** ESEs are separate entities from the district and board. They are independent, not formed under school sponsorship, and should be separately incorporated as Nebraska Nonprofit Organizations or determined to be tax-exempt organizations by the Internal Revenue Service. ESEs include parent-teacher organizations, booster clubs, and any other non-school sponsored or non-student sponsored organizations formed to support the school district and its students.

As a condition of the school district’s accepting funds or materials from an ESE and as a condition of an ESE using the school district’s name, nickname, logo, or mascot, the ESE shall comply with the following conditions:

1. The ESE shall apply for and receive formal recognition and approval from the board of education.
2. Upon application for recognition and on or before August 1st of each school year after receiving recognition, the ESE shall designate a representative for communicating with and providing true and accurate information to the school district.
3. The ESE treasurer shall handle all funds.
4. Two signatures shall be required on all ESE checks.
5. ESE funds shall be deposited only into ESE-authorized bank accounts.
6. Two individuals shall count all money received by the ESE and provide the treasurer with a signed proceeds receipt.
7. Proof of payment in the form of a sales slip, receipt, or invoice shall be provided for every ESE expenditure.
8. Bank statements shall be reconciled by the ESE treasurer on a monthly basis and reviewed by another individual who does not have check signing authority.
9. A copy of the ESE budget shall be provided to the school district superintendent no later than the first day of each school year.
10. ESE funds shall not be deposited into school district accounts.
11. No school district employee is authorized to sign checks on behalf of the ESE.
12. The ESE shall provide a full and complete accounting of all funds raised as well as a full and complete accounting of all funds expended no later than the last day of each school year and upon request at any other time. The ESE shall also provide audited financial records concerning its activities upon request.
13. The ESE shall submit a list of activities planned for the school year to the superintendent, activities director, and liaison no later than the first day of each school year and at least 7 days in advance of any proposed change to the schedule. Each activity must be approved in writing by the superintendent or liaison.
14. The ESE must obtain prior approval from the [superintendent/school board/school district] before conducting any fundraising activity which will be used to support the school or its students and before including any students in a fundraising activity. In no event shall student participation include door-to-door sales.
15. All ESE donations of equipment, improvements, cash, or any other item shall be in accordance with all applicable laws and shall belong to the school district without restriction.
16. The ESE shall maintain adequate liability insurance as determined by the school district with the school district named as an additional insured.
17. All ESE flyers, advertisements, newsletters, announcements, websites, or other written or electronic materials shall include a disclaimer that the ESE is a separate and legally distinct entity from the school district and contact information for the ESE.
18. The ESE and its members shall comply with all applicable laws and regulations and all school policies.
19. The ESE shall provide all information requested by the school district for purposes of determining compliance with Title IX of the Educational Amendments of 1972 (Title 20, U.S.C. 1681-1687, *et seq*.) and shall refrain from engaging in any activity which, in the opinion of the school district, adversely affects the school district’s ability to comply with Title IX.
20. The ESE shall provide a list of its members upon request by the school board, superintendent, or liaison.
21. All ESE actions shall comply with any Nebraska School Activities Association rules, regulations, or bylaws.

**Formal Recognition.** To receive formal recognition from the board of education, an ESE must:

* 1. Submit evidence that the ESE is incorporated as a Nebraska Nonprofit Organization or has been determined to be a tax-exempt organization by the Internal Revenue Service
  2. Submit to copies of all organizational documents and bylaws to the superintendent.
  3. Submit a list of names, address, e-mail address, of all officers, updated annually and upon the occurrence of any changes.
  4. Require bonding of the treasurer, and restrict access to banking accounts.
  5. Implement the financial policies required by this policy, including, but not limited to, requiring deposits in an FDIC insured bank, proper accounting practices, with a submission of the annual (or more frequent) accounting to the liaison.
  6. Submit proof of adequate liability insurance as determined by the school district with the school district named as an additional insured.

The board of education reserves the right to revoke recognition of any ESE at any time and for any reason.

**School District Liaison.** The board of education or superintendent shall appoint a school district liaison to the ESE after formal recognition.

**Use of School District Facilities.** ESE use of school district facilities shall be in accordance with school district policies.

**Tax Identification Number.** An ESE is not permitted to use the district’s federal or state tax identification number.

**School District Employees.** District employees may not participate in an ESE in their capacity as a district employee and may not direct or receive ESE funds for their benefit. Nothing in this paragraph shall prevent a district administrator or liaison employed by the district from attending ESE meetings.

Adopted on: May 8, 2017

Revised on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Reviewed on: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_