A. Policy Purpose

To ensure that all fundraising activities, donations, and gifts are approved and adhere to Board of Education of Frederick County (Board) policy and Frederick County Public Schools (FCPS) regulation, and activities are balanced with the benefit of fundraising and the time commitment involved for students so that academic success is not compromised.

B. Definitions

1. "Charitable Cause" is defined as a recognized non-profit organization, or local, regional, national or international charitable concern.

2. "Co-curricular and Extracurricular Activities" are defined as activities that relate directly to or complement the curriculum, or activities supported by the school or its employees in which students participate.

3. "Crowdfunding" is defined as a type of online fundraising activity, facilitated through an internet-based or social media request utilized to raise funds or obtain donations of materials or other items for a specific purpose or initiative.

4. "Donation Campaign" is defined to mean an organized outreach by an FCPS program, school, team, group, or employee, or by a Parent and Community Group to solicit monetary donations either online, by mail, or in person as part of a fundraising activity.

5. "Donations" are defined to mean equipment, materials, money, or property given to a school or to the school system for use in or in conjunction with educational or extracurricular programs.

6. "Fiscal Agent" is defined to mean an individual, such as a school principal or department lead, who is responsible for fiscal compliance and therefore responsible for all funds raised by the school and/or its school-sponsored organization(s), or by a department.

7. "Fundraising Activity" is defined as any activity or event held by the school system or individual schools or Parent and Community Groups that sells goods or services in order to generate money for the school system as well as any activity or event advertised as intended to raise money on behalf of a charitable cause. Fundraising activities encompass a wide range of strategies, including individual donor outreach and events, as well as crowdfunding and other online fundraising platforms.

8. "Gift" is defined to mean the transfer of anything of economic value, regardless of the form, without adequate and lawful consideration.

9. "Monetary Donations" are defined to mean financial contributions, including but not limited to checks, online payments, debit or credit card payments, cash, and gift cards.

10. "Non-Monetary Donation" or "In-Kind Contribution" is defined to mean a gift or gifts of goods or services at no cost, such as, but not limited to, classroom supplies, backpacks, technology, equipment, and property.

11. "Parent and Community Groups" are defined to mean affiliated organizations that are separate legal entities from FCPS, including but not limited to, Parent Teacher Associations (PTAs), Parent Teacher Student Associations (PTSAs), Foundations, and Booster Clubs organizations, but not including charter operators.

12. "School-Sponsored Organization" is defined to mean any organization that is sponsored directly or indirectly by an individual school, including extracurricular clubs supervised by FCPS staff.

C. Policy Statement

1. The Board acknowledges that student organizations, School-Sponsored Organizations, and Parent and Community Groups use fundraising activities to support curricular, co-curricular, and extracurricular endeavors. Charter school operators, from time-to-time, may also engage in fundraising activities generally directed toward supporting charter school operations and administrative costs. The Board's expectation is that the raising and expending of funds by these groups contribute to the educational experience of FCPS students, not conflict with or disrupt the operation of the instructional program, obtain all required approvals, adhere to all relevant local, State, and federal laws and regulations, and comply with relevant Board policies, FCPS regulations, and FCPS standard operating procedures.

2. Recognizing there are inherent concerns for student safety associated with door-to-door solicitations, the Board advocates alternative efforts of selling, such as telephone calls, social media communications, parental assistance through personal or professional contacts, and parent or other adult supervision for any door-to-door solicitation by students.

3. Crowdfunding, online fundraising, and donation-based campaigns must be reviewed by the appropriate Fiscal Agent or their designee, meet the criteria outlined in FCPS Regulation 426-01, *Fundraising* (formerly 300-38) and FCPS Regulation 426-02, *Donations and Gifts* (formerly 200-33), and comply with Board Policy 444, *Educational Equity and Excellence*.

4. Once accepted, donations and gifts become the property of the Board and are subject to Board policies, FCPS regulations, FCPS standard operating procedures, and applicable federal, state, and local laws and regulations that govern the use of the Board-owned property, including purchases made with donated monies. For charter schools, donations and gifts become the property of the charter operator; however, their use remains subject to all applicable Board policies, FCPS regulations, and legal requirements that govern charter school operations.

5. Under Title IX and the Board's Policy 444, *Educational Equity and Excellence*, the Board's expectation is that fundraising activities, donations, and gifts are offered and applied fairly and equitably among girls and boys school athletic programs.

D. Implementation

1. The Board authorizes the Superintendent to accept donations or gifts of money, supplies, materials, equipment, and real property, in accordance with this Policy, FCPS Regulation 426-01, *Fundraising* (formerly 300-38) and FCPS Regulation 426-02, *Donations and Gifts* (formerly 200-33), as well as any and all relevant internal standard operating procedures.

2. **Permissible Fundraising, Donations, and Gifts.** The Superintendent or their designee shall permit fundraising activities, donations, and gifts that meet the following criteria:
   a. Support established school and school system priorities;
   b. Be conducted in accordance with applicable federal, state, and local laws and regulations;
   c. Be conducted in accordance with applicable Board policies, FCPS regulations, and internal standard operating procedures;
   d. Be conducted in a manner that safeguards FCPS assets and ensures appropriate reporting and accountability;
   e. Promote the general welfare, education, morale, and civic mindedness of students; and
   f. Do not take place in an environment that endangers the health or safety of students.

3. **Prohibited Fundraising, Donations, and Gifts.** The Superintendent or their designee shall prohibit any fundraising activity, donation, or gift that:
   a. Conflicts with or disrupts the operation of the education program;
   b. Places restrictions on the educational or extracurricular programs or the school system;
   c. Imposes or is likely to impose undesirable, unacceptable, or hidden costs on the school system (*e.g.*, employee time, maintenance, budget, materials, etc.); or
   d. Violates this Policy, FCPS Regulation 426-01, *Fundraising* (formerly 300-38) or FCPS Regulation 426-02, *Donations and Gifts* (formerly 200-33).

4. Funds raised through fundraising activities, donations, or gifts shall not be used as a means to circumvent a Board decision to discontinue or not fund a program, including the initiation, continuation, or reinstatement of such program. To the extent funds are raised to initiate, continue, or reinstate a program, the Board shall not be obligated to fund the program at any time thereafter.

5. **Naming of Facilities.** The Board may consider requests to grant naming rights for facilities that are donated or funded through private contributions. Criteria and procedures for such requests are outlined in Board Policy 201, *Naming Rights of Board of Education Facilities*.

6. **Donations and Wish Lists/Online Fundraising and Donation-Based Crowdfunding Sites**

a. In accordance with Board Policy 305, *Conflict of Interests and Employee Ethics*, school-based employees may accept donations of supplies through approved "Wish Lists," provided such donations comply with the Superintendent's regulations and are used to supplement, not supplant, FCPS educational programs.
b. Donation campaign initiatives such as Amazon Wishlist, DonorsChoose, Box Tops, or the like, are considered fundraisers. These campaigns, along with online fundraising and donation-based crowdfunding efforts that utilize internet-based platforms to collect monetary or non-monetary donations, are permitted with prior approval. All items and/or funds received through such efforts become the property of the Board.
c. Procedures for donation campaigns, online fundraising, and donation-based crowdfunding are outlined in FCPS Regulation 426-01, *Fundraising* (formerly 300-38) and FCPS Regulation 426-02, *Donations and Gifts* (formerly 200-33).
d. While all donations and gifts are the property of the Board, to the extent possible, donations or gifts to a specific classroom, specific teacher, or for a specific purpose will be honored by the school administration.

7. The Superintendent is directed to provide and maintain regulation(s) to implement this Policy.

E. Related Information

1. **Board Policy**
   a. Policy 113, *Scholarship Programs*
   (https://apps.fcps.org/legal/documents/113)
   b. Policy 115, *Responsible Use of Social Media*
   (https://apps.fcps.org/legal/documents/115)
   c. Policy 201, *Naming Rights of Board of Education Facilities*
   (https://apps.fcps.org/legal/documents/201)
   d. Policy 210, *Technology Acquisition*
   (https://apps.fcps.org/legal/documents/210)
   e. Policy 305, *Conflict of Interests and Employee Ethics*
   (https://apps.fcps.org/legal/documents/305)
   f. Policy 440, *Charter Schools*
   (https://apps.fcps.org/legal/documents/440)
   g. Policy 444, *Educational Equity and Excellence*
   (https://apps.fcps.org/legal/documents/444)
   h. Policy 501, *Selection and Approval of Library Media Materials*
   (https://apps.fcps.org/legal/documents/501)
   i. Policy 509, *Extracurricular and Co-Curricular Activities*
   (https://apps.fcps.org/legal/documents/509)

2. **External Resources**
   a. Maryland State Department of Education (MSDE) (Rev. 2014), *Financial Reporting Manual for Maryland Public Schools*
   (https://fcps-md.info/MSDE_Financial_Reporting)

3. **FCPS Regulations**
   a. Regulation 100-08, *Responsible Use of Social Media* (https://apps.fcps.org/legal/documents/100-08)
   b. Regulation 200-09, *Memorials Honoring Deceased Students and Staff* (https://apps.fcps.org/legal/documents/200-09)
   c. Regulation 200-41, *Research Requests* (https://apps.fcps.org/legal/documents/200-41)
   d. Regulation 202-01, *Modifications to Buildings and Grounds* (formerly 200-17) (https://apps.fcps.org/legal/documents/202-01)
   e. Regulation 400-03, *Disposal or Relocation of School System Property* (https://apps.fcps.org/legal/documents/400-03)
   f. Regulation 400-31, *Computer Acquisition* (https://apps.fcps.org/legal/documents/400-31)
   g. Regulation 400-76, *Volunteer Involvement: Computer-Related Technology Guidelines* (https://apps.fcps.org/legal/documents/400-76)
   h. Regulation 426-01, *Fundraising* (formerly 300-38) (https://apps.fcps.org/legal/documents/426-01)
   i. Regulation 426-02, *Donations and Gifts* (formerly 200-33) (https://apps.fcps.org/legal/documents/426-02)
   j. Regulation 500-03, *Disposal or Donation of Obsolete Textbooks and Library Media Materials* ((https://apps.fcps.org/legal/documents/500-03)
   k. Regulation 501-01, *Selection and Approval of Library Medial Materials* (https://apps.fcps.org/legal/documents/501-01)
   l. Regulation 509-01, *Student Clubs* (formerly 400-58) (https://apps.fcps.org/legal/documents/509-01)

4. **FCPS Resources**
   a. FCPS Booster Guidelines
   b. FCPS / Connect with FCPS / Computer Donations (https://www.fcps.org/connect_with_fcps/computer_donations)
   c. FCPS Extracurricular Activities Handbook
   d. **Fiscal Services Division Standard Operating Procedures**
      i. ACCT-AM-SOP-01, Inventory of System Assets and Sensitive Items (Rev. 10/10/19)
      ii. ACCT-AM-SOP-02, Electronic Equipment Transfer Procedure (Rev. 08/27/19)
      iii. ACCT-AM-SOP-023, Equipment Capitalization Procedure (Rev. 08/27/19)
      iv. PUR-SOP-040, Gift Cards (Rev. Dec. 2020)
      v. PUR-SOP-040.1, Gift Card Accountability Form (Rev. Dec. 2020)
      vi. PUR-SOP-040.2, Gift Card Log Sheet (Rev. Dec. 2020)
   e. **Forms**
      i. Donation Acceptance Form (https://apps.fcps.org/forms/public-regulation-forms/252)
      ii. Donation Log Form (and Flow Charts) (https://apps.fcps.org/forms/staff-financial-reporting/301)
      iii. Receipts Remittance Log (https://apps.fcps.org/forms/staff-accounting/6)

f. School Activity Funds Accounting Manual: Practices, Policies, Administrative Regulations, Procedures and Guidelines (Rev. Aug. 2022)

5. **Federal Law**
   a. Family Educational Rights and Privacy Act (FERPA) (https://fcps-md.info/FERPA_20_USC_1232g)
   b. Title IX of the Educational Amendments Act of 1972 (https://fcps-md.info/Title_IX_20_USC_1681)

6. **Federal Statutes**
   a. 26 U.S.C. § 501 (https://fcps-md.info/IRC_501-c-3)

7. **Maryland Law**
   a. Maryland Solicitations Act

8. **Maryland Statutes**
   a. Md. Code Ann., Educ. § 4-118 (https://fcps-md.info/MD_Educ_Code_4-118)
   b. Md. Code Ann., Educ., D. II, T. 9

F. Policy History (Maintained by Legal Services)

Responsible Office	Financial Reporting Department; Office of the Associate Superintendent of Fiscal Services
Adoption Dates	10/11/06
Review Dates	
Revision Dates	12/11/19; 06/24/26