

A. Purpose

To outline procedures for fundraising activities in Frederick County Public Schools (FCPS) and by non-school based staff that safeguard instructional time, maximize the safety of students, support a common educational experience for all students, and ensure accountability.

B. Background

FCPS recognizes that school-based and non-school-based staff, student organizations, and parent and community groups use fundraising activities to support co-curricular and extracurricular activities. Consistent with Board of Education of Frederick County (Board) [Policy 426, Fundraising in Schools](#), raising and expending these funds must adhere to all governing laws, policy and regulations, contribute to the educational experience of students, and not be in conflict with or disrupt the operation of the instructional program.

C. Definitions

1. “50/50 Game” or “50/50 Drawing” is defined as a drawing entirely conducted at a single meeting or event of an organization from a finite number of chances or tickets which are sold only at the meeting or event and where the proceeds from the sale of the chances or tickets are evenly split between the winner(s) and the organization sponsoring the game, and does not include pre-sold raffle tickets.
2. “Charitable Cause” is defined as a recognized non-profit organization, or local, regional, national or international charitable concern.
3. “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.
4. “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.
5. “Department Lead” is defined to mean a chief, associate superintendent, executive director, or director who oversees a department in FCPS’s central office.
6. “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.
7. “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.

8. “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.
9. “Game of Chance”, for the purposes of this Regulation, is defined to include a bingo game, a tip jar, or any other activity or event where cash prizes or prizes of significant value are awarded and that may be associated with gambling.
10. “Parent and Community Groups” are defined as affiliated organizations that are separate legal entities from FCPS. Examples included but not limited to are; Parent Teacher Associations (PTAs), Parent Teacher Student Associations (PTSAs), Foundations, and Booster Club organizations.
11. “Promotional Materials” is defined to mean announcements, notices, advertising, and related publications, including online posts and other electronic communications.
12. “Raffle” is defined as a purchased chance entitling the bearer to the right to a prize if the bearer’s chance is randomly selected as a winner.
13. “School Property” or “School Grounds” is defined to mean any school or other FCPS facility, including grounds owned or operated by FCPS, FCPS buses and other FCPS vehicles, chartered vehicles, and the facility and/or grounds of any FCPS-sponsored activity involving students.
14. “School-Sponsored Organization” is defined to mean any organization that is sponsored directly or indirectly by an individual school, including extra-curricular clubs supervised by FCPS staff.

D. Procedures

1. **Types of Fundraisers**
 - a. **Door-to-door or “Traditional” Fundraising.** Recognizing inherent safety concerns associated with door-to-door solicitations, alternative efforts of selling are suggested such as telephone calls, parental assistance through personal or professional contacts, and adult-supervised door-to-door contacts.
 - b. **Online Fundraising and Donation-Based Crowdfunding Sites.** Online fundraising and donation-based crowdfunding involve using an internet-based website to collect monetary donations. Employees must adhere to the following procedures:
 - i. The FCPS staff sponsor is required to share the online site they wish to use with the appropriate Fiscal Agent or their designee, as well as provide background information, the rationale for the request, a complete copy of the proposed listing,

and a copy of the school's profile for listing on the site through the Fundraiser Authorization and Accountability form. The proposed post must also meet the criteria outlined in [FCPS Regulation 426-02, *Donations and Gifts*](#) (formerly 200-33).

- ii. The Fiscal Agent or their designee will carefully review the proposed post to ensure that there is no potential legal liability, violation of FERPA or IDEA, or violation of Board policies or FCPS regulations (*i.e.*, posting that a fundraiser is for the purchase of snacks could be unintentionally violating the Board's wellness policy and [FCPS Regulation 409-01, *Student Wellness*](#) (formerly 400-82)).
 - iii. When approving a crowdfunding donation campaign, the Fiscal Agent or their designee will remind the FCPS staff sponsor all proceeds and/or materials are the property of the school system; they do not transfer with the employee(s) if they leave or are reassigned to another location.
 - iv. Funds raised and/or items purchased will be distributed directly from the online site to the school being served. All funds raised online must be deposited into the school's Student Activity Fund, if a school-based fundraiser, or in an FCPS bank account held at the central office, if a systemic fundraiser, once disbursed to FCPS.
- c. **Games of Chance, Raffles, 50/50 Games, and Silent Auctions**
- i. **Games of Chance**
 - 1. Gambling and games of chance, such as bingo as a fundraiser, where cash prizes or prizes of significant value are awarded are prohibited in school buildings and on school grounds as outlined in Board Policy 203, *Facilities and Grounds*, and [FCPS Regulation 203-01, *Rental of School Facilities*](#).
 - 2. No school or school-sponsored organizations may conduct events associated with games of chance.
 - ii. **Raffles.** Parent and Community Groups who wish to conduct a Raffle must obtain the appropriate permit as required by State and local Frederick County, MD laws and regulations. Parent and Community Groups must also comply with the procedures outlined in section D(4).
 - iii. **50/50 Games.** Parent and Community Groups wishing to conduct 50/50 Games are not required to obtain a permit. Notwithstanding, Parent and Community Groups must still comply with the procedures outlined in section D(4).
 - iv. **Silent Auctions.** Fundraisers such as silent auctions must establish controls to ensure age-appropriate winning recipients and may not accept items to be auctioned that may violate the letter or spirit of [Board Policy 112, *Promoting a Drug Free, Alcohol Free, and Tobacco/Vaping Free Environment*](#). For example, a gift card from a winery would not be a permissible silent auction item.

2. **General Principles Applicable to All Fundraising Activity**

- a. Participation in fundraising activities shall be on a voluntary basis. Neither students nor their parents or guardians will be compelled to participate in or contribute to any fundraising activity.
- b. Students are prohibited from selling or distributing 50/50 or raffle tickets.
- c. Adult supervision appropriate to the age of the students must be provided for fundraising activities involving students.
- d. All items purchased using fundraising proceeds:

- i. Become the property of FCPS;
- ii. Must adhere to [FCPS Regulation 205-01, Purchasing Regulations](#), [Regulation 400-31, Computer Acquisition](#), and [Regulation 426-02, Donations and Gifts](#) (formerly 200-33); and
- iii. Must conform to appropriate standards, specifications and guidelines for use, as well as relevant Board policies and FCPS regulations.
- e. The sale or distribution of alcohol at fundraising activities occurring in school buildings or on school grounds, including FCPS central office facilities, is expressly prohibited, regardless of whether the event is system or school-sponsored or sponsored by a parent or community group.

3. System or School-Sponsored Fundraising

a. Expectations

- i. The Fiscal Agent or their designee will evaluate the time commitment of fundraising activities to ensure student academic success is not compromised. Supervisors will evaluate the non-school-based staff time commitment of fundraising activities to ensure that their daily responsibilities are not compromised.
- ii. All fundraising activities conducted by schools or school-sponsored organizations are required to have an FCPS employee who acts as the FCPS staff sponsor.
- iii. Fundraising to provide financial support to specific individuals (*e.g.*, students, staff, or community members) who experience illness, house fire, eviction, financial hardship, homelessness, or a family or personal tragedy must adhere to this Regulation and the safeguards against conflict of interest in [Board Policy 305, Conflict of Interests and Employee Ethics](#).
- iv. Any credits, points, gifts, goods, or monetary rewards received by staff and volunteers for participating in or achieving goals in a fundraising effort or the sale of any item or service to students becomes the property of the school and not the staff and volunteers involved with the fundraising or sale effort. This provision does not apply to students.

b. Process

- i. All individuals who organize fundraisers held by a school, a school-sponsored organization, or non-school-based staff are required to complete a Fundraiser Authorization and Accountability form, which can be accessed on Form Finder and the Financial Reporting Department's intranet site.
- ii. **Pre-Fundraising Activity Responsibilities.** The Fiscal Agent or their designee pre-approves all fundraising efforts. Approval is required before the fundraiser can be scheduled, advertised, promoted, or conducted.
- iii. **Post Fundraising Activity Responsibilities**
 - 1. Upon completion of the approved fundraising activity, the FCPS staff sponsor is required to provide an accounting summary to the Fiscal Agent or their designee.
 - 2. The FCPS staff sponsor shall submit the accountability section of the form in a reasonable timeframe at the end of the fundraising activity.
 - 3. The Fiscal Agent's executive assistant or administrative secretary should attach and file the form with Part I Fundraiser Authorization Form.

c. Approvals

- i. The Fiscal Agent or their designee must pre-approve all school-based or school sponsored organization fundraiser activities.
- ii. The appropriate Cabinet member or their designee approves fundraising activity efforts conducted collectively by multiple schools, by countywide student organizations, or activities conducted countywide by FCPS employees.
- iii. All modification requests funded through fundraising require prior authorization and approval before any fundraising efforts commence. Only the Executive Director of Facilities Services or their designee is authorized to approve these types of requests. Procedures are detailed in [FCPS Regulation 202-01, *Modification to Buildings and Grounds*](#) (formerly 200-17).
- iv. The Executive Director of Systemwide Services or their designee must pre-approve all fundraising that will result in the purchase of technology.
- v. The appropriate curriculum director approves all fundraising that will result in the purchase of curricular materials.
- vi. The Board must pre-approve any fundraiser including a request to grant naming rights.

4. Parent and Community Group Fundraising

a. Guiding Principles

- i. Parent and Community Groups are not under the control of or the responsibility of the Board, the Superintendent, or a school-based administrator. Their funds are not controlled by the district or the students, nor should they be involved in the administering or supervising of the activities of school-sponsored student organizations. With that said, due to the nature of FCPS employees involved, collaboration between the organizations is paramount.
- ii. Parent and Community Groups are expected to adhere to [Board Policy 426, *Fundraising in Schools*](#), to ensure that all fundraising activities are balanced, do not conflict with or disrupt the operation of the instructional program, and adhere to relevant federal, State, and local laws and regulations, as well as all relevant Board policies and FCPS regulations.

b. Process

- i. Parent and Community Groups must notify the Fiscal Agent or their designee of all fundraising efforts to ensure that the Fiscal Agent or their designee is aware of all fundraising activities taking place in the school's or FCPS's name.
- ii. The organization's fundraising events, while held to support and finance school projects, need to clearly state and distinguish the event is being sponsored by the organization (not FCPS) when advertised/promoted.
- iii. The Fiscal Agent or their designee should ensure parent and community group fundraising activities do not conflict with calendared school-group sponsored events and have similar goals or initiatives acceptable to FCPS.
- iv. The parent or community group conducting the fundraising activity must request approval from the Fiscal Agent or their designee before using the FCPS or school logo on any fundraising materials or advertisements in accord with [FCPS Regulation 200-20, *School Marks*](#).

c. Additional Approvals

- i. Additional approvals from leadership are required prior to the commencement of the fundraising effort if the funds raised will be directed for facility or grounds improvements or technology purchases.
- ii. All modification requests funded through fundraising require prior authorization and approval before any fundraising efforts commence. Only the Executive Director of Facilities Services or their designee is authorized to approve these types of requests. Procedures are detailed in [FCPS Regulation 202-01, *Modification to Buildings and Grounds*](#) (formerly 200-17).
- iii. Fundraising activities to support technology purchases must be pre-approved by the Executive Director of Systemwide Services or their designee. When raising funds for technology it is critical that the technology purchase meets the specifications of the Department of Technology & Infrastructure (DTI) to ensure maximum use, security and connectivity of the device and support. The cost of software licenses or maintenance agreements should be considered as the fundraising 'budget' for these items are drafted for approval.
- d. **Athletic Fundraisers.** Sport programs are welcome to and encouraged to engage in fundraising activities to support the needs of their program in order to create a professional environment that improves the experience of the student-athlete. [Board Policy 509, *Extracurricular Activities*](#), should be reviewed to ensure booster related fundraisers align with goals of the Board, and the FCPS Booster Guidelines should be reviewed to ensure compliance with the expectations articulated therein.

5. **Accountability and Reporting**

- a. Monies collected through school or school-sponsored fundraising activities are to be deposited in the school's Student Activity Fund and managed according to the School Activity Funds Accounting Manual. Monies collected through systemic or central office fundraising activities are to be deposited into an FCPS bank account and must follow the Accounting Department's procedures for cash handling, safeguarding, and remittance. Non-school based Fiscal Agents are required to submit a completed Receipts Remittance Log form to the Accounting Associate, Cashier and Record Retention.
- b. Schools, non-school-based staff, and school-sponsored organizations are responsible for providing appropriate accounting regarding the collection and disbursement of funds.
- c. Checks must be made payable to the school or FCPS to be accepted. Checks cannot be made payable to individuals and are prohibited from being deposited in an employee's personal bank account.
- d. Funds raised by Parent and Community Groups are prohibited from flowing through the school accounts. Funds raised by these organizations shall be handled by that organization and cannot be commingled with funds of the school. In the event the parent or community group donates the fundraising proceeds to a school, the funds would then be deposited into the student activity fund and managed in accordance with the Student Activity Fund Accounting Manual procedures and must comply with [FCPS Regulation 426-02, *Donations and Gifts*](#) (formerly 200-33).
- e. Promotional materials must clearly state the purpose for which funds are being raised, and all net proceeds from fundraising activities must be disbursed for the purpose for

which they were collected and in accordance with established policies and procedures. Promotional materials should also name a secondary beneficiary of the funds in the event that funds are raised in excess of the targeted amount, should the original initiative change or is unable to be seen through to execution. In the absence of a secondary beneficiary, FCPS may allocate any excess or unused funds for other purposes consistent with the nature of the purpose for which the funds were raised.

6. Fundraising Activities for Charitable Causes

- a. Schools or school-sponsored organizations may conduct a donation campaign for charitable purposes.
- b. FCPS staff sponsors must verify the legitimacy of the charity and its intended beneficiaries.
- c. The Fiscal Agent or their designee may deny a fundraising activity that does not meet the requirements of this Regulation or other relevant FCPS regulations or Board policies. The decision to permit or deny fundraising for a charitable cause may not be based on the point of view of the charitable organization.
- d. When fundraising efforts are approved for charitable causes and/or to provide financial support to specific individuals, all funds collected must be deposited into an appropriate FCPS bank account (SAF checking or Operating Checking) and a check processed to remit the collections to intended recipients. This provides the required audit trail and a transaction record for both the funds collected and the funds disbursed.

E. Related Information

1. Board Policy

- a. [Policy 112, Promoting a Drug-Free, Alcohol-Free, and Tobacco/Vaping-Free Environment](#)
- b. [Policy 201, Naming Rights of Board of Education Facilities](#)
- c. [Policy 202, Construction, Renovation and Maintenance](#)
- d. [Policy 203, Facilities and Grounds](#)
- e. [Policy 305, Conflicts of Interests and Employee Ethics](#)
- f. [Policy 426, Fundraising in Schools](#)
- g. [Policy 509, Extracurricular Activities](#)

2. FCPS Regulations

- a. [Regulation 200-20, School Marks \(i.e., Logos\)](#)
- b. [Regulation 203-01, Rental of School Facilities](#) (formerly 100-01)
- c. [Regulation 205-01, Purchasing Regulations](#)
- d. [Regulation 400-31, Computer Acquisition](#)
- e. [Regulation 409-01, Student Wellness](#) (formerly 400-82)
- f. [Regulation 414-01, Field Trips](#) (formerly 400-05)
- g. [Regulation 426-02, Donations and Gifts](#) (formerly 200-33)
- h. [Regulation 513-01, Distribution of Informational Materials](#) (formerly 400-30)

3. FCPS Resources

- a. FCPS Booster Guidelines
- b. Fundraiser Authorization and Accountability Form

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

4. **Federal Law**

- a. Family Educational Rights and Privacy Act (FERPA), 20 USC § 1232(g)
- b. Individuals with Disabilities Education Act (IDEA), 20 USC § 1400, *et seq.*

5. **Maryland Statutes**

- a. Md. Code Ann., Crim. Law T. 12
- b. Md. Code Ann., Crim. Law T. 13

F. Regulation History (Maintained by Legal Services)

<i>Responsible Office</i>	Financial Reporting Department
Adoption Dates	03/15/91
Review Dates	
Revision Dates	09/07/11; 08/31/16; 06/10/20; 05/27/25