

Educational Foundation(s)

The Governing Board recognizes the importance of community support of district programs, including voluntary financial contributions, to assist the district in achieving its goals for student learning.

(cf. 0200 - Goals for the School District)

(cf. 1230 - School-Connected Organizations)

(cf. 5030 - Student Wellness)

(cf. 6020 - Parent Involvement)

(cf. 6145 - Extracurricular and Cocurricular Activities)

(cf. 6145.2 - Athletic Competition)

Note: An educational foundation is a separate legal entity from the district and thus its activities are not under the control of the district. Certain tax-exempt organizations may be required to register with the state Attorney General's Registry of Charitable Trusts. As part of this registration, organizations may be required to file copies of the organization's articles of incorporation and other documents governing its operations. These documents should also define the Board's relationship with the foundation and specify how foundation directors will be chosen. The California Consortium of Education Foundations provides information on its web site regarding the creation of foundations.

Note: Educational foundations may be created to benefit the entire district, a specific school, or to support or sustain a variety of purposes, such as the arts, music, and/or computer programs; to provide graduating students with scholarships and/or loans; and to develop programs which meet new educational needs. It is strongly recommended that the Board and foundation work cooperatively to identify specific needs and to develop guidelines as to how resources will be used. For language regarding the acceptance of gifts and grants, see BP 3290 - Gifts, Grants and Bequests.

The Board desires to work cooperatively with the educational foundation in determining the purposes for which funds may be used to meet the changing needs of the district and its students. The Board recognizes that an educational foundation is a separate legal entity, independent of the district. However, the foundation is encouraged to provide regular reports to the Board on the status of its work and to communicate ways that the district can help support the foundation's activities.

(cf. 3290 - Gifts, Grants and Bequests)

(cf. 9140 - Board Representatives)

With the consent of the Superintendent or designee, the educational foundation, as appropriate, may use the district's name, a school's name, a school team's name, or any logo attributable to a school or the district.

Note: In some districts, there may be concerns in the community about the equity of some schools benefiting from the money raised by a foundation while other schools in the district may not have access to the same resources. The following optional paragraph reflects the Board's goal that all of the schools within the district share in the benefits provided by the foundation's work.

The Board supports foundation allocations that serve all district schools equitably.

(cf. 0410 - *Nondiscrimination in District Programs and Activities*)

Legal Reference:

EDUCATION CODE

38130-38138 *Civic Center Act, use of school property for public purposes*

BUSINESS AND PROFESSIONS CODE

12580-12599.7 *Fundraisers for Charitable Purposes Act*

17510-17510.95 *Solicitations for charitable purposes*

25608 *Alcohol on school property; use in connection with instruction*

PENAL CODE

319-329 *Lottery, raffle*

CODE OF REGULATIONS, TITLE 11

300-312.1 *Fundraising for charitable purposes*

COURT DECISIONS

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Consortium of Education Foundations: <http://www.ccefink.org>

*California Office of the Attorney General, charitable trust registry: <http://caag.state.ca.us/charities>
(9/91) 7/07*