



Mars Area School District

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| Book | Policy Manual |
| Section | 900 Community |
| Title | School-Affiliated Organizations |
| Number | 915 |
| Status | Active |
| Legal | <ol style="list-style-type: none">1. Pol. 9162. <u>10 P.S. 328.101 et seq</u>3. <u>10 P.S. 162.1 et seq</u>4. Pol. 7075. Pol. 7026. Pol. 9137. <u>61 PA Code 901.701</u> |
| Adopted | July 19, 2016 |
| Last Revised | February 14, 2017 |

Purpose

The purpose of this policy is to articulate and define the requirements to become a Board-approved School-Affiliated Organization (SAO) and to outline the District's requirements and guidelines regarding the organizational structure, operations and activities of the SAOs.

Definition

An **SAO** is defined as an organization composed of volunteer parents/guardians and community members who choose to support an extracurricular, interscholastic athletic or co-curricular activity, such as Booster Groups, Parent-Teacher Organization (PTO), Parent Advisory Board (PAB), Concession Stand Committee and the Mars Planet Foundation. Community-based youth programs are not considered to be SAOs.

SAOs exist to support and assist, but not to direct or supplant, the existing activity/athletic programs. It is necessary that all School District-sponsored activities remain under the control, direction and supervision of the Board and administration. Only those SAOs recognized by the Board will be formally accepted by the School District and permitted to use the School District's name and logo; however, SOA-sponsored events are considered to be non-school events.

SAOs that support club sports, such as hockey or bowling, must also adhere to the requirements of this policy.

Guidelines

SAOs shall adopt policies and procedures that ensure compliance with the requirements of the Child Protective Services Law.[1]

SAO members, who will be in direct contact with District students during the school day or during any school and/or District-sponsored activities that take place outside of regular school hours, shall be required to submit annual proof of all clearances established in District policy. The term "direct contact" is defined as the care, supervision, guidance or control of children and routine interaction with children.[1]

SAO members who work under the guidance of District personnel and who will not be in direct contact with District students must submit to an annual Driver's License scan (Nation Sex Offender Registry). Driver's license scans shall be conducted in the District's Administration Office by personnel designated by the Superintendent and properly trained to operate the scanning equipment. A record of all driver's license scans and the results of each scan shall be submitted to, reviewed and maintained by designated administration office personnel.

Disclaimer

Although SAOs are approved by the Board, these volunteer organizations are separate legal entities that are not under the direction, control or supervision of the Board, the District or its employees. As such, the District has no financial liability for the financial affairs, operations, actions, or activities of the SAOs.

District Requirements

Annual Status Renewal

To be recognized as a SAO or to maintain its Board-approved status, the SAO must have in place and submit to the Superintendent by September 1st of each year the items listed below:

1. An application for SAO approval or an application to renew an existing SAO (attached).
2. A list of the current officers, including their names, positions, terms, addresses, phone numbers and e-mail addresses.
3. A copy of the SAOs current bylaws that detail financial control measures and reporting requirements.
4. Accounts of all SAOs shall be subject to an audit, as requested by the Board. A copy of the audit must be forwarded to the District's Business Office.

Fundraising and Contributions/Donations

1. All proposed fundraising activities must be submitted at least two (2) weeks prior to the event to the Building Principal or the Athletics/Activities Director for prior approval.
2. The Building Principal or Athletics/Activities Director shall ensure that all SAO-approved fundraisers are posted on the District's website for community reference to ensure legitimacy.
3. SAOs must comply with Board policies, guidelines, PIAA regulations and all other applicable federal and state laws and local ordinances related to fundraising activities, including, but not limited to, the Small Games of Chance Act and PA Solicitation of Funds for Charitable Purposes Act.[\[2\]](#)[\[3\]](#)[\[4\]](#)[\[7\]](#)
4. Donations or gifts by SAOs to individual District programs shall be made in accordance with Board policy and with the approval of the Building Principal, Athletic/Activities Director and/or administration. The District reserves the right to decline any donation.[\[5\]](#)
5. Donations to specific athletic programs must be made with the advice and approval of the Athletic Director to ensure equity among programs in keeping with Title IX and to protect athletes from potential PIAA regulations concerning amateur gifts.

SAO Operations

1. SAOs must comply with all Board policies and procedures when conducting activities on School District property including, but not limited to, the Use of School Facilities policy and the Athletic Complex Concession Stand agreement.[\[4\]](#)
2. SAOs shall never use or attempt to use the District's tax-exempt number.
3. District employees, including advisors, sponsors, and coaches, shall serve in an advisory capacity only to SAOs. They shall not be officers or directors of the SAO and shall not control the money and/or accounts and/or make purchases on the SAO's behalf. Board-approved volunteer advisors, sponsors, and/or coaches are exempt from this section requirement.
4. SAOs shall refrain from imposing a mandatory SAO membership fee and/or any financial obligation on any parent/guardian as a condition of SAO participation and shall refrain from imposing mandatory fundraising obligations, except for the financial obligations associated with the student's participation in specific Board-approved activities, such as trips, tournaments and camps and/or off-season tournaments where fees are

assessed on a per student basis. Parent/Guardian participation in the SAO shall have no influence on the student's opportunity to participate in the activity or on the receipt of awards or benefits distributed by the SAO.

Banners, Signs and Other Promotional Materials

1. All parties, including SAOs, interested in seasonal/annual advertising on fences at outdoor District facilities and/or all District scoreboards must do so through Mars Planet Foundation, which will coordinate the purchase and/or production of such materials.

The Mars Planet Foundation has exclusive permission to affix/remove seasonal/annual advertising on fences at outdoor District facilities and/or all District scoreboards through its fundraising campaign.

The District reserves the right to enter into independent contracts that may include advertising in District facilities outside of the Mars Planet Foundation fundraising campaign.

2. SAOs must submit all other banner, signage and other promotional material requests to the Superintendent or designee for pre-approval a minimum of two (2) weeks in advance of the date(s) of the corresponding activity and/or event. No materials are to be ordered or displayed by SAOs without prior approval.

Any announcements and/or advertising of any non-school event or activity shall clearly indicate that it is sponsored by the SAO and not the School District in accordance with District policy.[6]

Any use of the Mars Area School District name and/or logo(s) on any banners, signs and other promotional materials is prohibited without prior written approval from the District.

- a. SAOs may request the use of the District logo(s) by completing the Trademark Consent Form.
 - b. Approval for use of the District logo(s) shall be granted only for the specific use outlined in the request and does not extend to any other uses. Separate approval is required for any additional use of the logo(s).
 - c. An SAO may not assign or sublet the approved use of the name and/or logo.
- d. Placement of any banners, signs and other promotional materials in District facilities or on school grounds may not present a safety hazard; inhibit any public ingress/egress; or violate District policy and/or

applicable local municipal ordinance(s).

- e. All banners, signs and other promotional materials not included in the Mars Planet Foundation fundraising campaign shall be temporary and shall be removed immediately upon conclusion of the corresponding activity and/or event. Such banners, signs and other promotional materials that are not removed immediately upon conclusion of the corresponding activity and/or event will be removed by the District and discarded.

Any organization that fails to comply with the requirements of this policy is strictly prohibited from holding itself out as a SAO of the District. The Board reserves the right to revoke at any time its approval of a SAO that fails to comply with the requirements of this policy.

Recommendations

The District recommends that each SAO should:

1. Obtain insurance and/or bond its officers in order to protect the SAO from theft and/or misappropriation of funds.
2. Retain a certified public accountant to help implement and oversee appropriate accounting practices for all SAO funds.
3. Take steps to notify third parties that the Board, the District and its employees have no liability, financial or otherwise, for the financial management, operations, actions or activities of the SAO.
4. Take the steps necessary to obtain and maintain its tax-exempt status, including the timely filing of the appropriate tax returns or other required documentation.
5. Notify third parties of whether the SAO is or is not a tax-exempt organization for federal tax purposes.
6. Ensure the use of funds raised to the SAO's activities and operational expenses in accordance with the SAO's stated purpose in its bylaws.

7.

Delegation of Responsibility

Any questions about this policy or concerns regarding the financial management, operations, activities, or actions of a SAO, its officers, or other individuals within the organization should be submitted in writing to the appropriate Building Principal. Upon receipt, the Building Principal shall notify the Superintendent and initiate a timely investigation, as directed by the Superintendent.

*Attachment 1 – School-Affiliated Organizations – Exhibit A
Attachment 2 – MASD Trademark Consent Form*

MARS AREA SCHOOL DISTRICT
EXHIBIT A
TO
POLICY NO. 915
STUDENT-AFFILIATED ORGANIZATIONS

Background Data



Name of School-Affiliated Organization Date of Formation

Contact Person

Address

City State Zip Code

Phone Number E-mail Address EIN

Officer Information

Name/Position Address Phone Number E-mail Address Term

- 1.
- 2.
- 3.
- 4.



Bylaws Information



When were the Bylaws adopted by the School-Affiliated Organization: ____/____/____

Were the Bylaws adopted by a quorum of the members of the organization? ____ Yes ____ No

Do the Bylaws contain a provision that district employees, including advisors, sponsors and coaches, shall serve in an advisory capacity only unless there is a Board-approved exemption for volunteer advisors, sponsors and/or coaches? ____ Yes ____ No

If yes, please identify the section(s) of the Bylaws that contains this information.



Do the Bylaws contain a provision that prohibits the imposition of a mandatory School-Affiliated Organization fee and/or any financial obligation on any parent/guardian as a condition of participation in the School- Affiliated Organization? ____ Yes ____ No

If yes, please identify the section of the Bylaws that contains this information.

Has the School-Affiliated Organization obtained insurance and/or a bond for its officers in order to protect the School-Affiliated Organization against theft and/or misappropriation of funds? ____ Yes ____ No

Has the School-Affiliated Organization hired a Certified Public Accountant? ____ Yes ____ No
If yes, please list his/her name and address:

Has the School-Affiliated Organization obtained tax exempt status? ____ Yes ____ No

If yes, when was it obtained: ____/____/____

If no, when was the application submitted: ____/____/____

Does the School-Affiliated Organization take the necessary steps to notify all third parties whether or not the School-Affiliated Organization is a tax-exempt organization? ____ Yes ____ No

Has the School-Affiliated Organization adopted policies and procedure that comply with the requirements of the Child Protective Services Law? ____ Yes ____ No

I certify that answers given herein are true and complete to the best of my knowledge. I understand that false or misleading information given in my application or interview(s) may result in immediate termination of recognition as a School-Affiliated Organization.

Signature/Date

Printed Name

Position

**MARS AREA SCHOOL DISTRICT
TRADEMARK CONSENT FORM**



Date:

I, (name) _____, on behalf of the

(School-Affiliated Organization) _____,

do hereby acknowledge and agree that any use of the Mars Area School District trademark "M" shall be for the sole purpose of having said logo applied to apparel and/or accessories by (name of vendor) _____, which shall be for the exclusive use of the members/representatives of the booster organization. Any resale of the apparel and/or accessories outside of the booster organization is strictly prohibited.

ACKNOWLEDGMENT AND AGREEMENT:

By: _____

Name

Organization

By: _____

Name

Mars Area School District