

1 **R277. Education, Administration.**

2 **R277-408. School Fundraising.**

3 **R277-408-1. Authority, Purpose, and Oversight Category.**

4 (1) This rule is authorized by:

5 (a) Utah Constitution [Article X, Section 3](#), which vests general control and  
6 supervision over public education in the Board; and

7 (b) Subsection [53E-3-401\(4\)](#), which allows the Board to make rules to execute  
8 the Board's duties and responsibilities under the Utah Constitution and state law; and

9 (c) Subsection [53E-3-501\(1\)\(e\)](#), which allows the Board to adopt rules regarding  
10 financial, statistical, and student accounting requirements.

11 (2) The purpose of this rule is to establish fundraising requirements for LEAs.

12 (3) This Rule R277-408 is categorized as Category 2 as described in Rule [R277-](#)  
13 [111](#).

14  
15 **R277-408-2. Definitions**

16 (1) "Cash" or "cash receipts" means the same as that term is defined in Rule  
17 [R277-113](#).

18 (2)(a) "Fundraiser," "fundraising," or "fundraising activity" means an activity or  
19 event provided, sponsored, or supported by a school to generate funds to raise money  
20 to:

21 (i) provide financial support to a school or any of the school's classes, groups,  
22 teams, or programs; or

23 (ii) benefit a particular charity or for other charitable purposes.

24 (b) "Fundraiser," "fundraising," or "fundraising activity" may include:

25 (i) the sale of goods or services;

26 (ii) the solicitation of monetary contributions from individuals or businesses; or

27 (iii) other lawful means or methods to generate funds.

28 (3) "Group fundraiser" or "group fundraising" means a fundraising activity where  
29 the money raised is used for the benefit of a group, team, or organization.

30 (4) "Individual fundraiser" or "individual fundraising" means a fundraising activity  
31 where money is raised by an individual student to pay the individual student's fees.

32

33 **R277-408-3. LEA Fundraising Requirements.**

34 (1) An LEA may use funds raised through fundraising or donations to offset the  
35 cost of waivers and to offset the cost of program expenses.

36 (2) An individual or private organization, including a booster club, that engages  
37 in fundraising or collects a donation on behalf of a school shall comply with the  
38 requirements of this Rule R277-408 and Rule [R277-113](#).

39 (3) If an LEA allows a booster club, a parent organization, employee, coach, or  
40 volunteer, to fundraise or collect a donation related to the school, the LEA shall have a  
41 policy that:

42 (a) establishes requirements and guidance for the booster club or parent  
43 organization;

44 (b) requires a booster club or parent organization to comply with requirements of  
45 this Rule R277-408 and Rule [R277-113](#), including following the LEA's cash handling  
46 policy required in Section [R277-113-5](#); and

47 (c) complies with federal Title IX requirements, found in 20 U.S.C. 1681, et seq.

48 (4) An LEA, booster club, parent organization, employee, coach or volunteer  
49 shall deposit money received by the LEA, employee, booster club or parent organization  
50 within 3 days of receiving the money.

51

52 **R277-408-4. LEA Fundraising Policies.**

53 (1) An LEA governing board shall establish a fundraising policy that includes a  
54 fundraising activity approval process.

55 (2) An LEA's fundraising policy described in Subsection (1):

56 (a) may not authorize, establish, or allow for required individual student  
57 fundraising;

58 \_\_\_\_\_ (b) may provide optional individual fundraising opportunities for students to raise  
59 money to offset the cost of the student's fees;

60 \_\_\_\_\_ (c) may allow for required group fundraisers;

61 \_\_\_\_\_ (d) may not deny a student membership on a team or group nor impact a  
62 student's grade for a course, based on the student's effort or non-participation in a  
63 fundraiser;

64 \_\_\_\_\_ (e) shall require compliance with the provisions of Rule [R277-113](#);

65 \_\_\_\_\_ (f) complies with federal Title IX requirements, found in 20 U.S.C. 1681, et seq;  
66 and

67 \_\_\_\_\_ (g) shall include a requirement that a school notify parents of required group  
68 fundraising, letting parents and students know how and when specific details, as  
69 described in Subsection (3), will be provided.

70 \_\_\_\_\_ (3) The specific details described in Subsection (2)(f) shall include a description  
71 of the nature of the required group fundraiser and the estimated participation time  
72 required of the student or parent for the required group fundraiser.

73 \_\_\_\_\_ (4) An LEA governing board shall annually review the LEA's policies on  
74 fundraising and donations.

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76 **KEY: fundraising; policies; donation; booster**

77 **Date of Enactment or Last Substantive Amendment:**

78 **Authorizing, and Implemented, or Interpreted Law: [53E-3-401](#); [53E-3-501\(1\)\(e\)](#)**