Private and Non-School-Sponsored Activities and Fundraising

Scope of Policy—

This policy applies to all District administrators, licensed educators, staff members, students, organizations, volunteers and individuals who initiate, authorize, or participate in fundraising events or activities for events or activities which are provided, sponsored, or supported by a school; or receive, authorize, accept, value, or record donations, gifts, or sponsorships for the District or individual schools. It is expected that in all dealings, District and school employees will act ethically, consistent with the District's ethics training, the Utah Educator Standards (R277- 217), the Public Officers' and Employees' Ethics Act (Utah Code § 67-16-1 et seq.), and State procurement law (Utah Code § 63G-6a-101 et seq.).

Definitions—

"Provided, sponsored, or supported by a school" means activities, clubs, camps, clinics, or other events or activities that are authorized by the District or individual school(s) that also satisfy one or more of the following criteria. The activity:

1. Is managed or supervised by the District or a District school, or District or District school employee.

2. Uses the District's or a District school's facilities, equipment, or other school resources.

3. Is supported or subsidized, more than inconsequently, by public funds, including the District's activity funds or minimum school program dollars.

4. Does not include non-curricular clubs specifically authorized and meeting all criteria of Utah Code §§ 53G-7-704 through 707.

Utah Admin. Rules R277-113-2(13) (July 8, 2025) Utah Admin. Rules R277-407-2(16) (December 8, 2025)

District Interaction with Non-School-Sponsored Activities—

In interacting with any activity which is not provided, sponsored, or supported by a school, the District shall conduct all transactions at arm's length and may not co-mingle revenue or expenditures of such activities with public (District) funds.

Utah Admin. Rules R277-113-9(7) (July 8, 2025)

Non-School-Sponsored Activities & Fundraisers—

Activities, clubs, groups and their associated fundraisers or other activities, sports, or programs that are not provided, sponsored, or supported by a school MAY NOT:

1. use the school's or District's name without express District permission.

2. use the District's facilities, equipment, and other assets or staff unless a facilities use agreement is initiated and approved. These agreements should follow District policy for other facilities use agreements.

3. utilize District employees (in their official capacity) and other resources to supervise, promote, and otherwise staff the activity or fundraiser.

4. be insured under a District risk management or insurance policy. Non-school-sponsored activities must provide their own insurance through a third-party insurer.

5. provide additional compensation or stipends for District employees, if the activity is not substantially different from a District employee's regular job functions and duties and outside of employee's contract hours. (See District employee disclosure agreement below.)

6. co-mingle public funds and private fundraising proceeds or expenditures.

7. use school records to contact parents or students. Parental notification by a District employee is required if District employees are involved in the planning, administration, advertising, or serving as staff for a non- school-sponsored activity and if District students

are involved. This notification shall occur using the "Non-School-Sponsored Parent Notification" form. A copy of this form shall be submitted to the principal by the District employee prior to the event. Funds, donations, or gifts generated through non-school-sponsored activities or events may be donated to the District or to an individual school to support specific programs, teams, groups, clubs, etc. All donations or gifts shall follow the guidance established in the District's donations and gifts policy. Non-school-sponsored activities may work in conjunction with the District or an individual school to raise funds. The District may allow these groups to use District facilities at little or no charge in exchange for contributions or percentages of proceeds. The District may choose to provide some level of support or pay for portions of these activities. These arrangements shall be set forth in a written agreement or contract, and all transactions will be conducted as "arm's-length transactions." These agreements shall take into consideration the District's fiduciary responsibility for the management and use of public funds and assets. The terms of these contracts will be approved by the principal, the facilities use agreement approver, and the business administrator. The District will consult with its insurer or legal counsel to ensure risks are adequately considered and managed.

Utah Admin. Rules R277-113-9(6), (7) (July 8, 2025)

Non-curricular clubs specifically authorized under Utah Code §§ 53G-7-704 through -707 are not considered school-sponsored.

Participation in Private or Non-School-Sponsored Events—

District employees:

1. May participate in a private but public education-related activity, such as LDS seminary graduation and firesides, extracurricular travel, etc.

2. Must ensure that personal participation in activities is separate and distinguishable from the employee's public employment, official job title, or job duties.

3. May not contact students in the District using education records or information obtained through public employment unless the records or information are available to the general public.

4. May not use school time to discuss, promote, or prepare for a private or non-school-sponsored activity.

5. May offer public education-related services, programs or activities to students, provided they are not advertised or promoted during school time or using any type or amount of school resources.

6. May use school or student publications available to the general public to advertise and promote the private or non-school-sponsored activity.

7. May not require private or non-school-sponsored activities for credit or participation in school programs.

8. Must satisfy all requirements of Utah Code § 53E-3-512, regarding ethical conduct standards, and R277-107, regarding educational services outside of the educator's regular employment. District employees may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. The District employee's employment and experience can be used to demonstrate qualifications. The advertisement must specifically state that the activity is not school-sponsored. (See R277-107-4.) District employees may engage in outside employment with a private entity or other separate organizations that does not interfere with District duties or job functions. Employees must complete the District disclosure agreement annually when engaging in outside employment that is similar to the employee's official job duties or functions. Parental notification is required if District students are recruited to participate in these activities. District employees may not set up bank accounts for activities or fundraisers associated with District responsibilities or job functions. District employees may not direct fees or fundraiser proceeds from school- sponsored activities to outside entities.

District employees may not direct operating expenditures to outside funding sources or groups to avoid District procurement rules (such as equipment, uniforms, salaries or stipends, improvements, maintenance for facilities, etc.). District

employees must comply with District procurement policies and procedures, including complying with competitive quotes; bid splitting; and not accepting gifts, gratuities, or kickbacks from vendors or other interested parties.

GFA Appendix A - Parent Notification and Release of Liability - Local Form Framework

A local parent notification and release form should identify the sponsoring individual or organization, the activity, the fact that the activity is not sponsored, endorsed, or associated with Millard School District, the statement that District transportation, supervision, costs, liability coverage, and responsibility are not provided, and any financial benefit or compensation received by the sponsor or District employee.

The form should be signed by the parent or guardian and retained by the school with the related non-school-sponsored activity documentation according to District records-retention expectations.

Source: MSD School Transparency Packet, Parent Notification and Release of Liability, updated 2024.

GFA Appendix B - Employee Involvement in Non-District Sponsored Independent or Self-Employed Activity - Local Form Framework

A local employee disclosure form should identify the educator or employee, school, private activity, private activity sponsor, travel destination, dates of activity, required parent notification, compensation disclosure, insurance responsibility where applicable, and the employee's acknowledgment that the activity is outside the scope of District employment and not sponsored by the school or District.

The form should be signed by the employee and principal or designee and retained in the appropriate school or personnel records as directed by District administration.

Source: MSD School Transparency Packet, Employee Involvement in Non-District Sponsored Independent or Self-Employed Disclosure Statement, updated 2024.

GFA Appendix C - Employee of Outside Sponsor Disclosure - Local Form Framework

A local outside-sponsor disclosure form should identify the educator or employee, private activity, outside sponsor, dates, travel destination if applicable, related contracts, compensation or benefits received, insurance responsibility, required parent notification, and the employee's acknowledgment that duties to the sponsor are outside the scope of District employment.

The employee shall provide the Business Administrator or designee copies of required contracts and disclosures, and the District shall retain copies consistent with applicable personnel, audit, and activity records procedures.

Source: MSD School Transparency Packet, Employee Involvement in Non-District Sponsored Employee of an Outside Sponsor Disclosure Statement, updated 2024.

Source Traceability

Source	Use in this policy
2026 USBA Model Policies, GFA - Private and Non-School- Sponsored Activities and Fundraising.	Retained as the controlling model policy text and legal framework.
MSD School Transparency Packet, Guidelines for Non- School Sponsored Events and related disclosure forms, updated 2024; MSD Policy 2070, Commercialism, Fundraising, and Donations, approved 2024.	Reviewed for unique Millard value. Local provisions were inserted only where they added implementation value and did not duplicate the USBA model.

Disposition Note

USBA GFA was retained as the controlling private and non-school-sponsored activity policy. The Millard School Transparency Packet guidelines and disclosure forms were reviewed. GFA-1, GFA-2, and Appendices A-C preserve the strongest local implementation controls for insurance, facility rental, indemnification, advertising, employee compensation disclosure, parent release, employee disclosure, and outside-sponsor documentation.