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D I S T R I C T

Higley Unified School District

Parent Support Group and Booster Club
Operations Manual

2020-2021

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WELCOME LETTER TO PARENT SUPPORT GROUPS AND BOOSTER CLUBS

Some of the strongest school support comes from parents or organizations having strong interest in specific student groups or school activities. These organizations are encouraged to support their activities whenever possible under the law and guidelines of the District.

Parent support organization groups contribute to the success of Higley Unified School District and can also provide the opportunity for parents and other community members to engage in fundraising activities for their local school.

With clear guidelines in place, a parent support organization can avoid conflicts and violations of law, provide direction to parents and staff, and ensure the District policy is being followed.

Parent support organizations must follow specific Internal Revenue Service (IRS) guidelines.

This manual is designed to answer questions, be a guide and resource for parent support organizations and make available training to staff on the rules and regulations of parent support organizations. This procedures manual contains helpful hints for establishing a parent support organizations. This information does not constitute as the District rendering tax or legal advice. It is recommended that all parent support organizations consider consulting a legal or tax professional with questions that may arise during the course of business.

DEFINITIONS

Parent Support Group Organization

For the purposes of this operating manual, the term parent support group organization is used to define District Foundations, Parent Teacher Organizations (PTO), Parent Teacher Associations (PTA) and Booster Groups.

District Foundation

A group of parents and/or community members who are organized to support a district-wide effort. The foundation does not support an individual school or program, rather supports district-wide efforts.

Parent Teacher Organization

A group of parents and/or community members who are organized to support a school-sponsored sport, activity, class or program. Parent Support Organizations support student groups, school activities, or programs. Support may be as simple as providing refreshments for a particular event, or support may be as complex as raising money for an out-of-state competition.

Club or Sport Boosters

Organizations that support a sport or fine arts to support the student program district wide. This group is typically a more focused group from a Parent Teacher Organization or Foundation.

Fundraising

Items, practices or services sold in order to receive a profit in the form of money or goods and services. These funds are used for the benefit of the foundation, parent support organizations or booster club.

Joint Fundraising

A predetermined fundraising event where the funds are divided between two distinct groups in relation to the participation of the contributors. Arizona Attorney General Opinion I84-032 requires that any fundraising involving a student club must proportionately share the revenues collected.

Raffles

Lottery with objects as prizes; an event in which numbered tickets are sold, some of which are drawn at random to win prizes. The prizes in a raffle are often goods and services rather than money and raffles are usually held in order to raise money for an organization. Arizona Attorney General Opinion I84-018 states school district clubs are prohibited from holding raffles. Even if the activity is called something other than a “raffle” the activity is prohibited if it involves the selling of a ticket for the chance to win a prize through a drawing.

Silent Auction

Silent auctions, where there is no auctioneer selling individual items, may be permissible by a parent support group organization. Bids are written on a sheet of paper and at a predetermined time, the highest listed bidder wins the item and pays the price he or she submitted.

ORGANIZATIONAL GUIDELINES

The principal of the school should be made aware of all activities involving their students, both on and off their campus, as well as any activity sponsored by the parent support or booster organizations. For the purpose of these guidelines, foundations, parent support group organizations and boosters are all identified as parent support organizations.

Developing a Parent Organization

Parent support organizations are organizations formed by parents, teachers, and school staff to support their local schools. Whether it is recruiting volunteers to help at the school or fundraising to support programs and activities, parent support organizations are one way for a community to rally around a school.

To establish a parent teacher organization, the parent volunteers shall seek approval from the District administration. In order to be a District recognized parent support group organization, the organization will need to file an annual application with the District. This application can be found in [Appendix A](#). The parent teacher organization will need to establish bylaws to clearly communicate the purpose of the parent support group organization and establish the operating agreements. A sample set of bylaws can be found in [Appendix B](#). A copy of the organizations' liability insurance shall be submitted annually.

To be recognized as a District recognized parent support group organization, each group must complete the following:

	Contact school administrator prior to formally organizing
	Complete an application to be recognized as a parent support group organization
	Develop and adopt organizational by-laws and establish officers of the organization
	File IRS Form SS4 to obtain a taxpayer ID number
	Develop an annual budget and goals
	Establish a bank account
	Meet with school administrator for approval of fundraising activities
	Contact the Arizona Corporation Commission for application of non-profit corporation
	File application and Articles of Incorporation from the Arizona Corporation Commission
	File IRS Form 1023 "Application for Recognition of Exemption"
	Final annual report to the Arizona Corporation Commission
	File IRS Form 990 to the IRS annually
	Submit annual report to the Business Services Department

Operating a Parent Support Organization

Communication is the key. Clear communication, as well as updating changes in officers and employees at the school site will help the in the execution of the mission of both the parent support organization and the school. Understanding the nature of the school and the dynamics of school district guidelines will help the parent support organizations and the school work smoothly together.

The school district may require verification of certain types of records maintained by the parent support organizations. Therefore, the following is a list of recommended practices the parent support organization should abide by:

- Require two signatures on each check drawn on the bank account
- School officials (any employee) should be in an advisory role only and should not be treasurer or bank signers
- Maintain a file of all meeting minutes, even if there are no agenda items regarding the purchase of items or expenses, services or fundraising requests
- Strictly control credit cards issued on behalf of a parent support organization with procedures in place to protect the group and the school
- Establish strong cash controls with procedures and consequences in place for all transactions
- Create an efficient paper trail of all transactions to assist in the deterrence of any misrepresentations or allegations of wrongdoing

Establishing Bylaws

The Parent Support Organization should develop and adopt bylaws. These bylaws should include provisions for officers and their duties and term of office, including the election or change of officers when necessary, amending the bylaws, and following Robert's Rules of Order, as well as other provisions. A sample set of bylaws can be found in [Appendix B](#).

Tax Exempt Status

Parent support organizations may consider not for profit incorporation to provide a legal shield against certain liabilities that may pass through to the officers or members of the organization. Not for profit incorporation also serves as the foundation for the organization to apply for tax-exempt status. If a parent organization chooses to pursue this option, the organization will need to contact the Arizona Corporation Commission (ACC) as well as draft Articles of Incorporation, Bylaws and possibly annual filing with the Arizona Secretary of State.

Most parent support organizations are publicly supported IRS 501(c)3 organizations.

Exempt organizations are not required to incorporate. However, the following are compelling reasons to incorporate:

- Officers of non-incorporated organizations can be personally sued
- Members of "information" organizations can be held financially liable for income tax all the way back to the first members of the organization
- Organizations not recognized by the IRS as exempt cannot accept tax deductible donations and donors cannot deduct contributions on their personal tax returns

Liability Insurance

HUSD's liability insurance policy includes liability insurance for parent support organizations as long as their meetings and activities are approved and co-sponsored by a school administrator. The parent support organization needs to keep a file of this for their records. The organization should also be acknowledged by the District Governing Board. District policy KJA defines the District policy regarding relationships with parent support group organizations. In order to be a District recognized parent support group organization, the organization will need to file an annual application with the District. This application can be found in [Appendix A](#).

Students are not permitted to babysit for children of parents participating in parent support organization meetings or any other meetings. Their services are not covered by the District's insurance policy. Further, students have not been screened/fingerprinted as regular employees have been.

Activities requiring the use of items such as food trucks and inflatable rides will require additional documentation for approval. The parent support organization should contact the District Business Services Department for more information. Additional documentation for certain fundraisers such as food trucks and inflatable rides may need to be submitted prior to the event.

Establishing Officers

Officers of the organization should be established as defined in the bylaws (usually: President, Vice President, Secretary, Treasurer).

MEMBERSHIP GUIDELINES

The parent support organization **promotes** and **contributes** assistance in the areas of educational support, fund-raising, District representation, social events and **encouraging parent involvement** in the school community.

Coaches, principals and other employees of the District should play an advisory role only to the parent groups. They cannot be treasurer or check signers on any parent support organization bank account.

Parent support organization board - All board member positions should be filled and their role and duties understood. Committee chairpersons should be in place and have their committee contacts and objectives.

Teachers - Teachers are an important part of the parent support organization. As teachers, it is beneficial to work with the parents for planning purposes to ensure the parent support organization compliments the mission of the school and classroom.

Campus Administrators – School administrators should not serve as officers or check signers. They should work in a collaborative manner with the parent support organization.

Parents and families – Parents are a critical component of the success of the parent support organization.

FINANCIAL GUIDELINES

All Foundations, Parent Support Organizations, PTSOs, PTAs and Booster Clubs are legally separate entities from the School District. The organizations must have their own bank accounts and taxpayer identification numbers. Parent support organizations cannot use the district's taxpayer identification number, accept donations on behalf of the district or issue a donation acknowledgement letter on behalf of the district. Parent support organizations are prohibited from collecting student participation fees or tax credit payments for a school sponsored event or programs. These types of payments need to be made at the school through school district approved procedures.

Internal Controls

Strong internal controls are the basis of strong financial policies. The parent support organization shall ensure that no one individual is responsible for an entire transaction. When monies come in –

no one person should be responsible for receiving, depositing, recording and reconciling the receipt of funds. When monies go out, no one person should be responsible for authorizing payments, disbursing funds, and reconciling bank statements.

Annual Budget

The organization should develop an annual budget plan and goals for the organization, and plan activities for the year based on the budget and shared site/parent organization goals.

Banking

Checking accounts should require two signatures on all checks. Monthly bank statements should be mailed to a post office box or school address and not an individual's home. Debit cards and online expense payment services may be used, but it is highly recommended that strong policies be implemented which limit the number of cardholders/users and establish spending limits and expenditure purposes (such as budgeted or pre-approved purchases only).

Fundraising Procedures

Fundraisers coordinated by the parent support organization may involve:

- Parent support organizations/boosters only – requires fundraising authorization and approval form signed by the board officer and the site principal.
- Parent support organizations /boosters and student body - requires that the Student Council submit a Fundraising Approval Request ([Appendix H](#)) form signed by the board officer, the site principal and the Superintendent.
- Parent support organizations/boosters and specific student activities club - requires fundraising authorization and approval form signed by the board officer and the site principal. All funds must be split proportionately between the parent support organization and the student club.

Funds collected by parent support organizations must be kept by the organization off campus. No funds collected on behalf of the parent support organization will be kept on the school's campus. All fundraising is presumed to have the intent that the funds will be raised for students within our District. Therefore, any fundraising events must be appropriate based on the age of students.

Fundraising on or off campus by parent support organizations must be pre-approved, in writing, by the school's principal. The safety of our students is of paramount concern in any activity or event where they are present. If the fundraiser alters or changes the physical site; modifies the structure or technology, it will require District approval.

If the fundraising event is located on a school campus and is during school hours or as part of a school program, a school principal or principal designee must be present to supervise and control the event regarding use of the school's facilities and the activities the students are engaged in.

Attorney General opinion I84-032 requires if the fundraiser is a joint event with a student club, a preapproved distribution of funds must be determined.

Raffles are never allowed when students are involved. Students cannot participate, handle, solicit or otherwise be involved in any form of games of chance or gambling.

The parent support organization cannot require members or students to fundraise or to raise a certain amount. For example, a student's ability to attend a trip cannot be based on raising a certain amount of money. The parent support organization may track funds for each student for accounting purposes only. Students shall not be denied the opportunity to participate in a school-sponsored activity because of an inability to fundraise. Fundraising is an opportunity to generate revenue for the Parent Support Organization as a group and is not intended for individuals. Therefore, revenues should be recorded in a group account from which all members or students have the opportunity to benefit equally. One member or student should not receive a larger benefit from fundraising than another. In addition, if a member or student chooses not to participate in the fundraiser, that person still receives an equal benefit from the revenues generated.

Raffles

Per Arizona Attorney General Opinion I84-018 school district clubs are prohibited from holding raffles. Even if the activity is called something other than a "raffle" the activity is prohibited if it involves the selling of a ticket for the chance to win a prize through a drawing.

Generally, entities that are not school controlled (such as off-campus clubs, clubs sponsored by civic groups, or parent-teacher organizations) and entities that also fit within the tax exempt categories defined by A.R.S. §43-1201 may hold raffles if they also meet the requirements of A.R.S. §13-3302.B.

Just to reiterate, raffles are never allowed when students are involved. Students cannot participate, handle, solicit or otherwise be involved in any form of games of chance or gambling.

Silent Auction

Silent auctions, where there is no auctioneer selling individual items, may be permissible by a parent support group organization. Bids are written on a sheet of paper and at a predetermined time, the highest listed bidder wins the item and pays the price he or she submitted. Silent auctions are not considered to be a form of gaming and therefore, parent support organizations are permitted to hold a silent auction.

Bingo Games

Attorney General opinion I85-032, indicates parent support organizations may operate bingo games on school district property upon approval by the Governing Board of the District in conformance with Arizona Revised Statute (ARS) §15-1105; provided the organization obtains a bingo license pursuant to ARS §5-401.

Cash Handling Procedures

Cash handling procedures should be segregated amongst multiple volunteers. When collecting monies, the parent support organization should issue receipts, use a prenumbered ticket process or maintain an inventory of items sold. All cash collected should be reconciled and documented on a Cash Collection Worksheet ([Appendix C](#)). The monies collected should be safeguarded until they can be deposited and all deposits should be documented utilizing a Deposit Form ([Appendix D](#)). Donations accepted should be properly documented on a Donation Form ([Appendix E](#)).

Before the event:

- Cash box/change fund request must be given to the treasurer at least one week before the event.
- Be sure to have calculators at the event for calculating totals and change, as needed.

At the event:

- The treasurer will provide the cash collectors the cash box requested.
- Never leave the money alone. Always have two adults with the money at all times.

At the end of the event:

- All monies received must be counted by two people.
- Please separate currency by denomination and fill in amounts on the Cash Collection Worksheet.
- The monies collected and the completed Cash Collection Worksheet must be given to the Treasurer within 24 hours of the event. Contact the Treasurer to make arrangements to transfer the funds. When the Treasurer receives the bank receipt for the deposit and verifies that the deposit is in the bank account, the monies will be recorded in the ledger.

Change Fund/Cash Box Procedures

Occasionally, at a fundraiser event, there may be a need for a change fund/cash box. Change funds may be established from the parent support organization bank account. Change funds should be established by a check made payable to the change fund custodian and returned at the end of the event. Change funds/cash boxes should be documented on a Change Fund/Cash Box Request ([Appendix F](#)).

Donations

Certain events may have a need to solicit donations in the community in the form of cash or in-kind contributions. Donation requests should be submitted to potential donors on letterhead. Prior to requesting a donation, verify with the officers to ensure multiple requests are not made to the same company. Any donor who requests documentation of the parent support organization's tax exempt status should be provided with the IRS tax exempt determination letter. Reports of all donations must be made to the treasurer immediately. Donations accepted should be properly documented on a Donation Form ([Appendix E](#)).

Expenditures Procedures

All expenses should be approved by the parent support organization board. It is a best practice to not make cash payments. If a parent support organization volunteer needs to be reimbursed for an expense, the individual should complete a Reimbursement Request ([Appendix G](#)).

Certain vendors may be required to receive a 1099-Misc at the end of each calendar year. This determination is made based on the vendors' tax status identified on the W-9 form.

Bank Reconciliation Procedures

Bank accounts must be reconciled monthly by the treasurer and reconciliations reviewed by a non-check signer. The bank reconciliation summarizes the account activity and reports the ending cash balance for the bank account. The bank reconciliation identifies all outstanding checks, deposits that were made after the bank statement date and any bank charges and interest. The reconciliation is performed to verify the accuracy of the bank and parent support organization balances.

Monthly Board Report

The Treasurer should produce a monthly financial report after the receipt of each bank statement.

- The report should identify all revenue sources during the month that reconcile with the deposits on the bank statement. (Appendix J)
- The report should itemize all expenditures paid during the month (including online payment and debit transactions and bank fees/miscellaneous charges), listing by date, check number (if applicable), who it is written to, description of expense, and dollar amount.
- Cash balances on the report should be reconciled to cash balances on the bank statement monthly. This reconciliation should be reviewed by a non-signer prior to presentation and approval by the Board.
- Copies of the report and bank statement (with account number not showing) should be made available to all board members monthly and any other members that request the report or express interest.
- Board members should vote to approve the financial report(s) after it is presented at all regular Board meetings. Approval should be noted in the minutes. Similarly, the financial reports should be presented and approved at all regular meetings of the general membership, with approval noted in the minutes. The financial reports should be maintained with the minutes for a minimum of three years.

Parent Support Organization Annual Financial Report

At the close of each fiscal year, the parent support organization is expected to submit a financial summary report to the District Business Services Department that includes the following information.

- Beginning balance
- Total revenue
- Total expenditures
- Ending balance

RECORD KEEPING

Each parent support organization should have and maintain a binder of important information to provide to the school in the event that new volunteers take over. Each group should provide their school and District with a list of authorized officers or other individuals to act on behalf of the group, or otherwise be a contact for the group. Each binder should include the following at a minimum.

- Form SS-4, application for Employee Identification Number
- Filed Form 1023
- IRS correspondence and determination letter
- Filed Form 990 – Return of Organization Exempt from Income Tax
- Bank account information
- Board of Directors
- Articles of Incorporation and by-laws
- Reports

GUIDELINES FOR THE ROLE OF THE PARENT SUPPORT GROUP

Expectations of PTSO/Booster Clubs and Club Members include:

- Communicate directly and frequently with site administrators, especially athletic directors and principals. We want to avoid any surprises.
- Volunteering time to support the program.
- Participating in appropriate fundraising opportunities.
- Contributing funds to better enhance the team or organization's performance.
- Printing promotional items like teach schedules, programs, and other materials (subject to approval by the staff, Athletic Director or appropriate administrator.)
- Financially supporting the program by providing additional funding for the program.
- Organizing teach events, such as team meals.
- Listening and working closely with the sponsor.
- Discussing as official business any item that meets the definition or function of a Booster Club.
- Making donations to the school district/program in compliance with policies and procedures.
- Communicating via Web sites, e-mail and social media in support of the program. Information should be timely and accurate, with key content approved by the staff or school sponsor.

ACTIONS PARENT SUPPORT GROUPS AND MEMBERS ARE DISCOURAGED FROM:

- Openly discussing or performing a performance review of the sponsor, coach or other staff member. **Staff evaluations are solely the responsibility of the school district.**
- Openly discussing playing time or participation issues of students.
- Leveraging funding of the program in order to control the hiring or firing of the sponsor or other staff members.
- Offering up a petition by Booster Club members to hire/fire a sponsor/staff member.
- Planning, organizing or attempting to implement an off-season training program without direction or consent from the sponsor/staff member or appropriate school administrator.
- Discussing, as official business, any item that does not meet the definition and function of a PTSO/Booster Club as outlined in this document.
- Discussing any issues involving students that violate a student's right to privacy as delineated in Governing Board Policy.
- Participating in activities that violate policies and procedures of the Arizona Interscholastic Association (AIA).
- Recruiting players/students to attend/participate in the program in violation of District Policy and AIA rules.

Important Note: HUSD values the participation and contribution of our clubs. Please know that violation of District, State and Federal procedures, policies and laws may include, but not be limited to, revocation of use of District facilities.

CONFLICT, CONCERNS, AND COMPLAINTS

Internal complaints or conflicts within the booster club or its members

Due to the nature of booster clubs as independent organizations, HUSD does not field or control complaints regarding the operations of booster clubs or their members. Exceptions involve and direct violations of District Governing Board Policy when HUSD may be involved to the extent applicable by Governing Board Policy.

Complaints or concerns with district employees

Any concerns or complaints involving district employees should follow Governing Board Policy KEB, Public Concerns/Complaints about Personnel. Complaints should not request that any staff or employee be dismissed. Where applicable, HUSD employees are guaranteed due process. The District takes complaints very seriously and protects the integrity of the process.

Complaints or concerns regarding the policies and procedures of the program

Any concerns or complaints regarding playing time, team rules, team selection processes, etc. must be addressed directly with the sponsor and the school administration. Please direct any concerns, complaints or grievances first to the staff or sponsor. It is best to schedule an appointment so that the sponsor can devote his or her full attention to your concerns. If for any reason you are not comfortable discussing your concerns with the sponsor, please contact the school's Athletic Director for assistance. If the issue cannot be resolved by the Athletic Director, please contact the Assistant principal for Athletics, who may consult with the principal. If the issue cannot be resolved at the site level, the school administration shall forward the complaint to the District's Athletic Director.

SOCIAL MEDIA GUIDELINES

Global Statement regarding Social Media: While HUSD does not want to infringe on the rights of our Parent Support Groups, it is vital to acknowledge that you are representing the District through your organization. Let's keep HUSD in the best light and not use social media as a forum that is critical of our staff, employees, the governing board or community members.

Purpose of Social Media page (or group): The purpose of our Facebook page (or group) is to provide an online community for parents and families at _____ (name of school).

Goal: Our goal is to share information and tips, update the community on events and programs, and showcase the achievements of students, teachers, parents, and other community members.

Community Rules

- We encourage you to ask questions and share information. We request that you keep discussions focused directly concerning our school community.
- We encourage posts that highlight our community's accomplishments and constructively raise issues for discussion.
- When posting, please use appropriate language. Children can see our page (or group).
- If you choose, you can post photos of your children at school events. Do not post photos of other children. If you have any questions about posting a particular photo, please check with the Facebook page (group) administrator.
- **Do not post about concerns, problems, or conflicts with individual teachers, administrators, students, the governing board or parents. We will immediately delete posts that in any way put down or discriminate against individuals.**
- Online threats will be taken seriously, and proper authorities will be immediately notified.
- Do not post information commonly understood as confidential, such as student grades.
- Any inflammatory statements that make allegations against individuals or organizations will be deleted.
- Keep in mind what you post is public information (or, if this pertains to a Facebook group, state that it is public to all members of the group).
- Advertising for businesses is restricted to those directly supporting our school.
- Do not publish content as your own that has been created by others.
- Add any additional elements that pertain to your specific school community.
- **The Parent Support Group board and Social Media administrators reserve the right to delete comments and block users who are not following the rules stated above.**

HIGLEY UNIFIED SCHOOL DISTRICT PARENT SUPPORT ORGANIZATION/BOOSTER CHECKLIST

For Initial Chartering Only:

- Contact school administrator prior to formally organizing. Site Administrator signature required for approval.
- Site administration submits application to the District Office/Governing Board (may take up to 3 weeks for approval).
- Site administration contacts school sponsor/PTSO/Booster Club with approval.
- Parents meet with school sponsor.
- Get the Non-Profit Corporation application from the Arizona Corporation Commission (ACC) website.
- File the Non-Profit corporation application and the Articles of Incorporation with the ACC. Once you receive notice from ACC that application has been registered, publish Articles of Incorporation in a local newspaper for three (3) consecutive days. Have newspaper provide a certificate of publication.
- Submit the certificate of publication to ACC as evidence that process completed. File IRS Form 1023, Application for Recognition of Exemption
- File IRS Form SS-4 to obtain an Employer Identification Number (EIN)
- When you have the number, establish the bank account.
- Parents hold PTSO/Booster Club elections/complete HUSD application (required annually).
- PTSO/Booster Club may conduct business adhering to HUSD policy .

Annually:

- Submit the Application for Governing Board Approval of Parent Support Organization to the site administrator.
- Develop and adopt bylaws.
- Elect officers.
- Develop an annual budget and goals.
- If a corporation, file an Annual Report and financial statements with the ACC.
- Every July 1 submit the most recent Annual Financial Report and/or IRS Form 990 to the HUSD designee.
- Attend HUSD training class (see school administrator for schedule).
- Attend training meeting for support organizations (See school administrator for schedule.)
- Any parent support organization that creates social media presence (Facebook, Twitter, Instagram, etc.) is asked to have at least two users with passwords privileges. The log-on information should be provided to the club sponsor or coach who will in turn provide a copy to the district administrator.

As Needed:

- Meet with school administrator for approval of every fundraising activity.

State Regulatory Information

The Arizona Corporation Commission governs the conduct and compliance of all for-profit and non-profit organizations in the state of Arizona. Filings with the Corporation commission generally requires fees. Please reference the State's website:

<https://www.azcc.gov/corporations/forms>

Instructions and links are provided through the link titles "Where do I start?"

<https://www.azcc.gov/corporations/ten-steps-to-starting-a-business-in-az>

1. PTSO/Booster clubs must file initially to become a legal organization if they intend to provide significant financial support for a school program.
https://www.azcc.gov/docs/default-source/corps-files/forms/c011-articles-of-incorporation-nonprofit.pdf?sfvrsn=3c8a5b5e_4
2. An annual report must be filed with specific information each year as required by the Corporation Commission.
3. If an organization makes changes, it may be required to submit articles of amendment.
https://www.azcc.gov/docs/default-source/corps-files/forms/c015-articles-of-amendment-nonprofit.pdf?sfvrsn=14a85fb4_4
4. Of an organization is going to be dissolved, a dissolution form must be submitted and the District must be notified.
https://www.azcc.gov/docs/default-source/corps-files/forms/c022-articles-of-dissolution.pdf?sfvrsn=cda55606_12
5. A cover sheet must accompany all documents.
https://www.azcc.gov/docs/default-source/corps-files/forms/coversheet.pdf?sfvrsn=5107f062_12
6. An annual renewal filed with the Arizona Secretary of State is no longer required.

HOW TO BECOME A NON-PROFIT [501 (c) (3)] CORPORATION

Considerations:

- The principal advantage is that corporation officers and board members do not have personal liability, as long as they act as reasonable, prudent persons.
- A 501(C)(3) designation can be obtained from IRS whether or not incorporated, so that donations to organization are tax deductible for the donor. See IRS information about 501 (C)(3) status.
-

There are clear instructions for filing Articles of Incorporation.

1. Choose name; check for availability; there are rules for changes that will distinguish from existing corporate name information that will be needed to complete form for Articles of Incorporation:
 - a. Name of Corporation Recommend using address of school for address of corporation.
 - b. Initial directors (can be just the officers, or may have more).
 - c. Statutory Agent – this is the name of the person to whom official documents/court notices will be sent.
 - d. Incorporator(s) – Doesn't have to be more than one, but may be.
2. When you receive the Articles of Incorporation from the state, stamped that filed, complete incorporation by publishing for three consecutive days in a local newspaper.
3. File for Tax Number (Employer Identification Number EIN) in name of new corporation. Do

- not have to have employees.
4. Who will be the officers?
 5. Become familiar with rules for forming a 501(C)(3)
 6. Draft Bylaws (Sample provided) The IRS has specific provisions that are required to be in the bylaws of a 501(C)(3)
 7. Must have an initial meeting at which several tasks must be performed (will be found in bylaws)
 8. Establish a checking account, requiring two signatures on checks or other transactions –FEIN will be required
 9. File IRS Form 1023, Application for Recognition of Exemption
 10. Annual reports – AZ Corporation Commission (current officers and financial statement)

How to Become A Tax-Exempt Nonprofit Association

Considerations:

- Inexpensive and simple to form
- Officers and board members may face personal liability if negligence is established.
- Board members may be held personally responsible for contractual obligations.

Process for Forming

1. Select a name for the organization, checking that no corporation (list is on Commerce Commission site) or association (registered trade names on AZ Secretary of State site) uses the same name. The use of a unique name will help avoid liability for the acts of others. (recommended but not required)
2. File IRS Form SS4 to obtain a Federal tax number (Federal employer Identification Number-FEIN) in the name of the association. Visit www.irs.gov or call 1-800-829-4933.
3. Register the name as a trade name with AZ Secretary of State. This is not required but can help limit liability for acts of others. Develop and adopt a set of organization bylaws and establish officers of the organization. The sample Bylaws may be used, replaced “corporation” with “association” and any provisions that seem to make process cumbersome.
4. 501(C)(3) status may be established in the same manner as a corporation. (see steps 6 and 7.) Become familiar with IRS requirements, making sure that bylaws contain the required provisions.
5. Annually will need to file IRS Form 990. (No filing with AZ Corporation Commission)

APPENDICES

Appendix B – Sample Bylaws

<Parent Support Organization>Bylaws

Article I – Name

The name of the organization shall be the ABC Elementary PTO, Inc.

Article II – Purpose

The corporation is organized for the purpose of supporting the education of children at ABC Elementary by fostering relationships among the school, parents, and teachers.

Article III – Membership and Dues

Section 1. Any parent, guardian, or other adult standing in loco parentis for a student at the school may be a member and shall have voting rights. The principal and any teacher employed at the school may be a member and have voting rights. Members have one vote per household.

Section 2. Dues, if any, will be established by the executive board. If dues are charged, a member must have paid his or her dues at least 14 calendar days before the meeting to be considered a member in good standing with voting rights.

Article IV – Officers and Elections

Section 1. Officers. The officers shall be a president, vice president, secretary, and treasurer. In addition to the duties listed below, each officer will also perform other such duties as applicable to the office as prescribed by the parliamentary authority of this organization.

a. President. The president shall preside over meetings of the organization and executive board, serve as the primary contact for the principal, represent the organization at meetings outside the organization, serve as an ex officio member of all committees except the nominating committee, and coordinate the

work of all the officers and committees so that the purpose of the organization is served.

b. Vice President. The vice president shall assist the president and carry out the president's duties in his or her absence or inability to serve. The vice president shall also oversee the committees of this organization.

c. Secretary. The secretary shall keep all records of the organization, take and record minutes, prepare the agenda, handle correspondence, and send notices of meetings to the membership. The secretary also keeps a copy of the minutes book, bylaws, rules, membership list, and any other necessary supplies, and brings them to meetings.

d. Treasurer. The treasurer shall receive all funds of the organization, keep an accurate record of receipts and expenditures, and pay out funds in accordance with the approval of the executive board. He or she will present a financial statement at every meeting and at other times of the year when requested by the executive board, and make a full report at the end of the year.

Section 2. Eligibility. Members are eligible for office if they are members in good standing at least 14 calendar days before the nominating committee presents its slate.

Section 3. Nominations and Elections. Elections will be held at the second to last meeting of the school year. The nominating committee shall select a candidate for each office and present the slate at a meeting held one month prior to the election. At that meeting, nominations may also be made from the floor. Voting shall be by voice vote if a slate is presented. If more than one person is running for an office, a ballot vote shall be taken.

Section 4. Terms of Office. Officers are elected for one year and may serve no more than two (2) consecutive terms in the same office.

Section 5. Removal From Office. Officers can be removed from office with or without cause by a two-thirds vote of those present (assuming a quorum) at a regular meeting where previous notice has been given.

Section 6. Vacancies. If there is a vacancy in the office of president, the vice president will become the president. At the next regularly scheduled meeting, a new vice president will be elected. If there is a vacancy in any other office, members will fill the vacancy through an election at the next regular meeting.

Article V – Meetings

Section 1. Regular Meetings. The regular meeting of the organization shall be on the same day and at the same time each month, to be determined by the executive board.

Section 2. Special Meetings. Special meetings may be called by the president, any two members of the executive board, or five general members submitting a written request to the secretary. Previous notice of the special meeting shall be sent to the members at least 10 days prior to the meeting, by flyer and phone calls.

Section 3. Annual Meeting. The annual meeting will be held at the April regular meeting. The annual meeting is for receiving reports, electing officers, and conducting other business that should arise.

Section 4. Quorum. The quorum shall be 10 members of the organization.

Section 5. Notification of Meetings. The secretary will notify the members of the meetings via email at least one week prior to the meeting.

Article VI – Executive Board

Section 1. Membership. The Executive Board shall consist of the officers, principal, and standing committee chairs.

Section 2. Duties. The duties of the Executive Board shall be to transact business between meetings in preparation for the general meeting, create standing rules and policies, create standing and temporary committees, prepare and submit a budget to the membership, approve routine bills, and prepare reports and recommendations to the membership.

Section 3. Meetings. Regular meetings shall be held monthly,

on the same day and at the same time each month, to be determined by the board. Special meetings may be called by any two board members, with 24 hours notice.

Section 4. Quorum. Half the number of board members plus one constitutes a quorum.

Article VII – Committees

Section 1. Membership. Committees may consist of general members and board members, with the president acting as an ex officio member of all committees.

Section 2. Standing Committees. The following committees shall be held by the organization: Fundraising, Hospitality, Membership, Communications, Arts and Enrichment, Family Events, Nominating, and Audit.

Section 3. Additional Committees. The board may appoint additional committees as needed.

Article VIII – Finances

Section 1. A tentative budget shall be drafted in spring for the following school year and approved at a fall meeting by a majority vote of the members present.

Section 2. The treasurer shall keep accurate records of any disbursements, income, and bank account information.

Section 3. The board shall approve all expenses of the organization.

Section 4. Two authorized signatures shall be required on each check over the amount of \$200. Authorized signers shall be the president, treasurer, and principal.

Section 5. The treasurer shall prepare a financial statement at the end of the year, to be reviewed by the Audit Committee.

Section 6. The fiscal year shall coordinate with the school year.

Section 7. Upon the dissolution of the organization, any remaining funds should be used to pay any outstanding bills and, with the membership's approval, spent for the benefit of the school.

Article IX – Parliamentary Authority

Robert’s Rules of Order shall govern meetings when they are not in conflict with the organization’s bylaws or any other special/standing rules.

Article X – Standing Rules

Standing rules may be approved by the Executive Board, and the secretary shall keep a record of the standing rules for future reference.

Article XI – Dissolution

The organization may be dissolved with previous notice (14 calendar days) and a two-thirds vote of those present at the meeting.

Article XII – Amendments

These bylaws may be amended at any regular or special meeting, providing that previous notice was given in writing at the prior meeting and then sent to all members of the organization by the secretary. Notice may be given by postal mail, email, hard copy, or fax. Amendments will be approved by a two-thirds vote of those present, assuming a quorum.

Article XIII – Conflict of Interest Policy

Section 1. Purpose. The purpose of the conflict of interest policy is to protect this tax-exempt organization’s interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the organization or might result in a possible excess benefit transaction. This policy is intended to supplement but not replace any applicable state and federal laws governing conflict of interest applicable to nonprofit and charitable organizations.

Section 2. Definitions.

a. Interested Person. Any director, principal officer, or member of a committee with governing board-delegated powers who has a direct or indirect financial interest, as defined below, is an interested person.

b. Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

i. An ownership or investment interest in any entity with which the organization has a transaction or arrangement;

ii. A compensation arrangement with the organization or with any entity or individual with which the organization has a transaction or arrangement; or

iii. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the organization is negotiating a transaction or arrangement. “Compensation” includes direct and indirect remuneration as well as gifts or favors that are not insubstantial.

A financial interest is not necessarily a conflict of interest. Under Section 3b, a person who has a financial interest may have a conflict of interest only if the appropriate governing board or committee decides that a conflict of interest exists.

Section 3. Procedures.

a. Duty To Disclose. In connection with any actual or possible conflict of interest, an interested person must disclose the existence of the financial interest and be given the opportunity to disclose all material facts to the directors and members of committees with governing board-delegated powers who are considering the proposed transaction or arrangement.

b. Determining Whether a Conflict of Interest Exists. After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he/she shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall decide whether a conflict of interest exists.

c. Procedures for Addressing the Conflict of Interest.

i. An interested person may make a presentation at the governing board or committee meeting, but after the presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement involving the possible conflict of interest.

ii. The chairperson of the governing board or committee shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

iii. After exercising due diligence, the governing board or committee shall determine whether the organization can obtain, with reasonable efforts, a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

iv. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the organization’s best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination, it shall make its decision as to whether to enter into the transaction or arrangement.

d. Violations of the Conflict of Interest Policy.

i. If the governing board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

ii. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines that the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Section 4. Records of Proceedings. The minutes of the governing board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest; the nature of the financial interest; any action taken to determine whether a conflict of interest was present; and the governing board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement; the content of the discussion; including any alternatives to the proposed transaction or arrangement; and a record of any votes taken in connection with the proceedings.

Section 5. Compensation.

a. A voting member of the governing board who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization for services is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the organization, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Section 6. Annual Statements. Each director, principal officer, and member of a committee with governing board-delegated powers shall annually sign a statement which affirms that such person:

- Has received a copy of the conflict of interest policy;
- Has read and understood the policy;
- Has agreed to comply with the policy; and
- Understands that the organization is charitable and that in order to maintain its federal tax exempt status it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Section 7. Periodic Reviews. To ensure that the organization operates in a manner consistent with charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

a. Whether compensation arrangements and benefits are reasonable, are based on competent survey information, and are the result of arm's length bargaining.

b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the organization's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and do not result in inurement, impermissible private benefit, or an excess benefit transaction.

Section 8. Use of Outside Experts. When conducting the periodic reviews as provided for in Section 7, the organization may, but need not, use outside advisers. If outside experts are used, their use shall not relieve the governing board of its responsibility for ensuring that periodic reviews are conducted.

Appendix C – Cash Collection Worksheet

CASH COLLECTION FORM

Parent Support Organization: _____ Date: _____

Fundraising Event: _____

Units Sold (#)		Amount per Unit (\$)	=	Cash Amount Collected	Date Collected	Student Name or Item Sold/Description
	X		=			
	X		=			
	X		=			
	X		=			
	X		=			
	X		=			
	X		=			
	X		=			

Total Deposit: \$ _____

Prepared By: _____

Signature: _____

Date: _____

Approved By: _____

Signature: _____

Date: _____

DEPOSIT BREAKDOWN

Currency: \$ _____

Coins: \$ _____

Checks: \$ _____

Total: \$ _____

Verified/Received By: _____

Signature: _____

Date: _____

Appendix D – Deposit Form

Deposit Notice

YOUR NAME:	PHONE: () -
PROJECT/CATEGORY:	
DATE SUBMITTED: / /	TOTAL AMOUNT: \$
SPECIFIC DESCRIPTION OF SOURCE: (e.g. payments for ice cream)	

Complete the following information for your deposit:

CASH	QUANTITY	TOTAL	CHECK NUMBER	CHECK AMOUNT
\$20.00		\$		
\$10.00		\$		
\$5.00		\$		
\$1.00		\$		
\$0.25		\$		
\$0.10		\$		
\$0.05		\$		
\$0.01		\$		
TOTAL CASH: \$			TOTAL CHECKS: \$	

ACCEPTED BY (PTO TREASURER):	DATE: / /
------------------------------	--------------------

For Treasurer's Use Only: Category _____ Transaction ID _____ Deposit Date _____ Logged _____

Appendix E – Donation Form

Donation Receipt

Fill in Parent Group Name

Fill in Event Name

Fill in Event Date

Donor Information:

COMPANY NAME:		PHONE:
		() -
ADDRESS:		
CITY:	STATE:	ZIP CODE:

Information Pertaining to Donations:

NAME OF ITEM(S):	DONOR'S ESTIMATED VALUE:
	\$
DESCRIBE ADDITIONAL DETAILS OF DONATION, IF NECESSARY (RESTRICTIONS, SIZES, COLORS, ETC.):	

SIGNATURE OF DONOR:	DATE:
	/ /

Questions? Fill in contact name, phone/email

This form, when signed below by an officer of the <XX> Parent Group, will serve as your receipt. The <XX> Parent Group is a federally recognized section 501(c)(3) tax-exempt organization. Values of donated items have been set by the donor and not verified by the <XX> Parent Group. We have not provided you with any goods or services in exchange for your donation.

PTO OFFICER SIGNATURE:	DATE:
	/ /

Appendix F – Cash Box/Change Fund Request

CASH BOX/CHANGE FUND REPORT

CASH COLLECTION REPORT

Organization Name: _____

Account Name: _____

Event/Project Name: _____

Date: _____

(Collector Name)

(Collector Signature) (Date)

(Treasurer Signature) (Date)

Cash Box #: _____

Collections for Deposit: \$ _____

Collections	
Checks	
\$ 50	
\$ 20	
\$ 10	
\$ 5	
\$ 1	
\$ 0.50	
\$ 0.25	
\$ 0.10	
\$ 0.01	
Total	

CASH ADVANCE REPORT

I, _____, acknowledge the receipt of \$ _____ from account
(Borrower Name)

number _____ to be used for the following purpose(s):

(Borrower Signature)

(Date)

RECONCILIATION OF CASH ADVANCE

Amount Returned: \$ _____ Receipt Amount(s): \$ _____

Date Returned: _____

**Attach all receipts and applicable supporting documentation to this report when submitted.*

(Collector Signature)

(Date)

Appendix G – Reimbursement Request Form

Reimbursement Request

Name: _____ Phone: _____

Date: _____ Amount \$: _____ Pay To: _____

Purpose of Funds Being Reimbursed (Be Specific): _____

Method of Delivery: _____ Date: _____

Address if being mailed: _____

Signature: _____

Note: Attach all receipts and other applicable supporting documentation (i.e., purchase orders, contracts, etc. to this form)

For Treasurer's Use Only

Date Paid: _____ Check #: _____ Category: _____

Approved by PTO Officer: _____

Reimbursement Request

Name: _____ Phone: _____

Date: _____ Amount \$: _____ Pay To: _____

Purpose of Funds Being Reimbursed (Be Specific): _____

Method of Delivery: _____ Date: _____

Address if being mailed: _____

Signature: _____

Note: Attach all receipts and other applicable supporting documentation (i.e., purchase orders, contracts, etc. to this form)

For Treasurer's Use Only

Date Paid: _____ Check #: _____ Category: _____

Approved by PTO Officer: _____

Appendix H – Fundraising Approval Request

Higley Unified School District Fund Raising Authorization and Approval Form

(Copies of this form, with any contracts, written agreements and club meeting minutes attached, should be filed with the School Administrator and the Organization.)

Name of Club/Organization: _____ School: _____

Contact Person: _____ Phone #: _____

Position in organization: _____

Date of Request: _____ Organization's Meeting Date (of approval): _____

Purpose of fund raiser:

Fund raiser method & description (what will be sold, how will it be sold, at what function will it be sold, etc.):

If fund raiser is co-sponsored between parent organization and student clubs, description of how the fund raising activities and funds will be divided: _____

Location of fund raiser: _____

Start date: _____ **End date:** _____

All fund raisers must have the approval of the school administrator. Higley Unified School District activities that are done for the purpose of fund raising must be initiated, sponsored, and recorded by one of the following groups. Fund raisers that are co-sponsored must be initiated by both groups. Initial all appropriate:

_____ **A. HUSD Authorized Student Club** (*Advisor's & Club Officer's initials required*). We acknowledge that student clubs who sponsor a fund raiser must always deposit funds and record expenditures in the HUSD student account and follow the HUSD Student Activities Handbook guidelines.

_____ **B. HUSD Recognized Parent Organization** (*Officer's initials required*). We acknowledge that parent organizations who sponsor a fund raiser must record receipts and expenditures in the parent organization's checking account. (*Joint fund raisers must have the appropriate initials in A and B.*)

All Contracts have been thoroughly reviewed for clear understanding, including minimum charges and consequences of possible unsuccessful fund raiser, and have been reviewed with the school Principal.

Club Advisor Signature

Date

Parent Org. Officer Signature

Date

AUTHORIZATION

Student Council Officer Signature
(*only required for High School*)

Date

School Administrator Signature

Date

Appendix I – Special Event Agreement

Special Event Agreement

School Name: _____

School Contact name: _____

Email: _____ Phone: _____

Event Description and Terms:

1. **TERMS OF AGREEMENT.** Higley Unified School District, hires _____ as a Vendor. The period shall begin on _____ at _____ and shall end on _____ at _____.
2. **DELIVERY.** School district grants Vendor the right to enter the property at the said street address for the delivery and subsequent pick up of the equipment. Vendor shall pick up the equipment within two hours of the end time. School District is responsible for all equipment until Vendor picks it up, unless a representative or employee of Vendor is at the delivery and pick up location.
3. **INDEMNIFICATION.**
 - a. Vendor shall indemnify, defend and hold harmless School District and any of its officers, employees, agents and representatives from any and all claims, demands, suits, actions, proceedings, losses, costs, and or damages of every kind and description, including any attorney’s fees and/or litigation expenses, which may be brought or made against or loss or damage to property and for injuries to or death of any person arising in whole or in part out of any act or omission by Lessor and/or its employees, agents, representatives, or subcontractors or in whole or in part out of the failure of or defects in the equipment.
 - b. School district shall indemnify , defend, and hold harmless Vendor and any of its officers, employees, agents, and representatives from any and all claims, demands, suits, actions, proceedings, losses, costs, and damages of every kind and description, including any attorney’s fees and /or litigation expenses, which may be brought or made against or incurred by Lessor, its officers, agents, employees, or representatives on account of any loss or damage to property and for injuries to or death of any person arising in whole or in part out of any acts or omission by Lessee and/or employees, agents, representatives, or subcontractors.
4. **INSURANCE.** Vendor, at its sole expense, shall procure and maintain a liability insurance policy with the minimum limits of one million dollars (\$1,000,000) for bodily injury and one million dollars (\$1,000,000) for property damage. It is agreed that such coverage shall be and constitute primary coverage pursuant to Arizona law. The foregoing coverage shall be

effective at all times during the rental agreement period. The policy of insurance shall (1) BE WRITTEN AS PRIMARY INSURANCE AND BE NON-CONTRIBUTING TO ANY COVERAGE OF School District, including any coverage provided by the Arizona School Retention Trust, Inc.; (2) waive the Vendor insurer's right of subrogation, or similar rights, against School District and its officers, employees, agents, and representatives as additional insurers.

5. ENTIRE AGREEMENT. The special Event Agreement constitutes the full agreement between Vendor and School District.
6. WEATHER POLICY. During periods of severe weather conditions (i.e., rain, high winds, etc.) either party may cancel the reservation. In the event that the reservation is canceled due to severe weather, prior to the setup of the equipment, School District is entitled to a full refund of its deposit and/or rental fee paid in advance.

VENDOR:

By my signature, I accept the terms of this Agreement.

By: _____ Date: _____

Authorized Representative for (Vendor Name) _____

SCHOOL DISTRICT:

By my signature, I accept the terms of this Agreement:

School District: _____ Date: _____

Authorized Representative for _____ (School District)

By: _____

Appendix J – Meeting Agenda Template

LOGO HERE	PTO Meeting	DATE:	
		TIME:	
		LOCATION:	
Attendees:			
--- AGENDA TOPICS			

Topic			
Information			
Action			

Topic			
Information			
Action			

Topic			
Information			
Action			

Topic			
Information			
Action			

Topic			
Information			
Action			

--- ROUND TABLE DISCUSSION ---

