

## **Policy Code: 7360/8225 Crowdfunding on Behalf of the School System**

For purposes of this policy, crowdfunding is an internet based request to raise funds or in-kind donations for specific purposes for a school or school system. A crowdfunding campaign is considered to be on behalf of the school system if it uses imagery or language that would lead a reasonable person to believe that (1) the school system is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the school system.

The board recognizes that crowdfunding campaigns are increasingly being used by employees to fund specific projects or programs. However, the unregulated use of the practice can subject the school system and the employee engaging in crowdfunding to potentially significant legal liability. The purpose of this policy is to establish a balanced approach that regulates and provides parameters for crowdfunding on behalf of the school system.

Parent support organizations engaging in fundraising are subject to policy 5010, Parent Organizations, and are exempt from this policy. The board reserves the right to designate additional groups or individuals as exempt from this policy.

### **A. Unapproved Crowdfunding Prohibited**

Crowdfunding on behalf of the school system is prohibited unless undertaken by an employee with prior written approval from their principal/supervisor under this policy. No action towards initiating a crowdfunding campaign on behalf of the school system may be taken until the campaign is approved in writing pursuant to this policy.

No employee or student will be allowed to initiate or participate in a crowdfunding campaign on behalf of the school system without pre-approval. Students are permitted to participate in publicizing an employee's approved crowdfunding campaign but are prohibited from otherwise engaging in crowdfunding on behalf of the school system. Employees or students who participate in crowdfunding on behalf of the school system are acting in their capacity as employees or students and are subject to all rules governing employee and student conduct.

Except in furtherance of an approved campaign, employees are prohibited from doing any of the following as part of a crowdfunding campaign: identifying as an employee of or stating an association with the school system; using a school system email address, school name, logo, or mascot; or linking to or referencing any school website, social media site, platform, or account associated with the school system.

Approved crowdfunding campaigns will operate in compliance with all laws and other board policies and regulations, including policies 6401/9100, Ethics and the Purchasing Function; 8210, Grants and Funding for Special Projects; 8220, Gifts

and Bequests; 8224, Fundraising on Behalf of the School System, except as otherwise provided in this policy.

### **B. Approval Request Process**

An employee seeking approval of a crowdfunding campaign shall provide the following information on the NHCS fundraising form for their supervisor to approve:

1. the employee's name, job title, school, and email address;
2. the approved crowdfunding website to be used;
3. the nature and quantity or amount of donations being requested;
4. the classroom, program, or activity to be benefitted and the educational purpose to be served;
5. the exact language that will be used in the crowdfunding campaign, as well as any graphics that will be included;
6. the start and end dates of the crowdfunding campaign; and
7. a statement of recognition by the requester that any proceeds of the campaign are school property.

The NHCS fundraising form will be made available in school offices and on the school system's website.

### **C. Process for Approval of Requests**

Notwithstanding anything to the contrary in policy 8220, Gifts and Bequests and 8224, Fundraising on Behalf of the School System, the terms of this section control the approval of proposed online crowdfunding campaigns.

1. Review by the Principal/Supervisor

To be eligible for approval under this policy, employees must submit in writing a fully completed fundraising approval form to the principal/supervisor. The principal/supervisor has authority to approve proposed campaigns seeking a dollar value under \$5,000. Regardless of the amount sought to be donated, the principal/supervisor has authority to deny a proposed campaign because the campaign is not in compliance with the requirements of this policy or because, in the judgment of the principal/supervisor, the proposed campaign would produce unacceptable discrepancy in the educational environment.

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If a proposed campaign seeks a dollar value between \$5,000 and \$9,999, and the principal/supervisor believes that the proposed campaign is in compliance with the requirements of this policy and should be accepted, the principal/supervisor shall refer the proposed campaign to the appropriate Assistant Superintendent for review and approval.

## 2. Review by the Superintendent

The superintendent or designee shall review referred approval fundraising forms and seek additional information about proposed campaigns as appropriate. The superintendent or designee has authority to approve proposed campaigns seeking a dollar value of \$10,000 or higher.

Regardless of the amount sought to be donated, the superintendent or designee may deny a referred campaign because the campaign is not in compliance with the requirements of this policy. ↓

## 3. Review by School Board

The Board reserves the right to make any final decisions regarding crowdfunding campaigns and retains the right to review any appeal of denials.

**Deleted:** or because, in the judgment of the superintendent or designee, the proposed campaign would produce

**Deleted:** unacceptable inequity in the educational environment.

## D. Requirements for Approved Requests

Crowdfunding requests will not be approved unless the proposed campaign:

1. meets all requirements of board policy and any crowdfunding procedures and applicable administrative regulations, and is consistent with the requirements of Title IX, FERPA, the IDEA, and any other applicable laws;
2. is consistent with the school system's approved curriculum;
3. does not solicit funds for items or projects that are religious or political in nature or that have a religious or political purpose;
4. seeks donations that are compatible with the school system's technology, as confirmed by the Assistant Superintendent for Technology and Digital Learning;
5. has a specific, pre-determined beginning and ending date;
6. does not disparage the school or school system or any of its buildings, programs, representatives, employees, or students;

7. does not include pictures or the identifying or confidential information of any school system student, unless specifically approved by the student's parent or guardian in writing and attached to the fundraising approval form;
8. furthers the educational mission of the school or school system and is not used for the unrelated personal gain of any individual;
9. does not result in donations being delivered directly to the requester;
10. is not contingent on the school system matching funds or making any expenditure;
11. does not request food or beverage items inconsistent with Smart Snack Standards, Section C of policy 6140, Student Wellness, or nutrition standards set by the school system or school;
12. does not suggest or state that the donation sought is required for or integral to a student's special education program, a student's ability to achieve his or her IEP goals, or the participation of students with disabilities in any school program;
13. is in compliance with any facility modifications approved by the Director of Maintenance.

Any crowdfunding campaign that does not fully comply with the requirements of this policy is prohibited. It is the responsibility of the employee and their supervisor implementing an approved crowdfunding campaign to ensure that all applicable policies, regulations, and laws, including the requirements of the crowdfunding site, are followed.

The Superintendent or designee reserves the right to terminate any approved crowdfunding campaign or refuse any donation for any reason and at any time, including if it believes the donation was acquired in violation of board policy, regulation, or other law.

#### **E. Processing and Allocating Donations**

All monetary donations will be made payable to and deposited in an individual school account or central office account where the employee is associated. All in-kind donations must be inventoried in accordance with policy 8350, Fixed Assets Inventory and NHCS Inventory Procedures, by the individual school/department where the employee is associated. The school finance officer shall ensure that all donations are processed in a manner consistent with the School Budget and Fiscal Control Act and any other applicable law.

All donations, regardless of their form, obtained through crowdfunding on behalf of the school system are school system property. Employees shall only use donations from a crowdfunding campaign for the approved purpose stated in the campaign. The school system reserves the right to transfer donations to a different purpose if the donated purpose was achieved.

#### **F. Recordkeeping**

After donations obtained through an approved crowdfunding campaign have been utilized, the employee must file a written report with the principal detailing how the donations were used and how students benefited. School records must contain the fundraising request form, the posting of the project on the crowdfunding website, all approval forms and the list of items obtained through the campaign.

Legal References: [7 C.F.R. 210.11](#); [G.S. 115C-36, -47](#); The School Budget and Fiscal Control Act, [G.S. 115C, art. 31](#)

Cross References: Technology in the Educational Program (policy 3220), Parent Organizations (policy 5010), Collections and Solicitations (policy 5220), Student Wellness (policy 6140), Ethics and the Purchasing Function (policy 6401/9100), Grants and Funding for Special Projects (policy 8210), Gifts and Bequests (policy 8220), Fixed Assets Inventory (policy 8350), Individual School Accounts (policy 8410), Fundraising on Behalf of the School System (policy 8224)

Other Resources: *Crowdfunding in K-12: Developing a Vision that Informs Policy*, EdSurge Research (2019), available at <https://www.edsurge.com/research/reports/crowdfunding-in-k-12-developing-a-vision-that-informs-policy>; Dave Yost, *Special Report on Crowdfunding Classrooms*, Office of the Ohio Auditor of State (July 11, 2018), available at [https://www.ncsba.org/wp-content/uploads/2022/05/crowdfunding-report.indd\\_.pdf](https://www.ncsba.org/wp-content/uploads/2022/05/crowdfunding-report.indd_.pdf); *Crowdfunding in K-12 Education*, National School Boards Association (April 2018), available at <https://www.ncsba.org/wp-content/uploads/2020/02/Crowdfunding-Best-Practices-for-School-Board-Members-NSBA.pdf>

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**New Hanover County Public Schools**