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## CROWDFUNDING

### **A. Purpose and General Policy Statement.**

The purpose of this policy is to establish and regulate parameters for use of crowdfunding or other forms of online fundraising and solicitations for classroom, school or district programs.

The School Board recognizes that crowdfunding campaigns and other forms of online fundraising have become an increasingly popular method by which educators and school sponsored activity groups or organizations can procure funding for specific projects and/or programs. The revenue-raising potential that crowdfunding campaigns may provide may be a benefit for District programs and classrooms. The Board further recognizes, however, that unregulated employee use of crowdfunding campaigns on behalf of the District can subject both the District and its employees to significant potential legal liability.

For purposes of this policy, “crowdfunding”, is the practice of using online sites (e.g., donorschoose.org, classful.com, etc.) to solicit donations, whether monetary or in-kind, on behalf of the School District, including any class, extra/co-curricular program. A crowdfunding campaign is considered “to be on behalf of the School District” if it uses imagery, logos or language that would lead a reasonable person to believe that (1) the School District or any school within the District, or program/activity of a school within the District, is associated with the campaign or (2) the campaign has the purpose or effect of providing resources or a benefit to the District.

### **B. Unapproved Crowdfunding Prohibited.**

Crowdfunding on behalf of the District is prohibited unless undertaken by an District employee or school sponsored organization with prior written approval under this policy. No public action towards initiating a crowdfunding campaign on behalf of the District may be taken until the campaign is approved in writing pursuant to this policy.

No employee or student will be compelled to initiate or participate in a crowdfunding campaign on behalf of the District. 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 District. Employees or students who participate in crowdfunding on behalf of the District 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 District; using a District email address, school name, logo, or mascot; or linking to or referencing any school website, social media site, platform, or account associated with the District.

Approved crowdfunding campaigns will operate in compliance with all laws and other Board policies and regulations.

**C. Crowdfunding Request and Approval Procedures.**

1. Crowdfunding Requests. Any request for approval of a crowdfunding campaign shall be in writing and shall include the following information:
  - a. the employee's name, job title, school, and email address;
  - b. the approved crowdfunding website to be used;
  - c. the nature and quantity or amount of donations being requested;
  - d. the classroom, program, or activity to be benefitted and the educational purpose to be served;
  - e. the exact language that will be used in the crowdfunding campaign, as well as any graphics that will be included;
  - f. the start and end dates of the crowdfunding campaign; and
  - g. a statement of recognition by the requester that any proceeds of the campaign are school property.

The Superintendent may create and make available a form, which may be online, to be used for such requests.

2. Approved Crowdfunding Sites

The Superintendent or designee shall create a list of approved crowdfunding sites. All approved crowdfunding sites must (1) be operated by an entity with no known significant history of fraud, unlawful activity, financial mismanagement, or other misconduct and (2) have a policy requiring all donations on behalf of the District to go directly to the District. The Superintendent/designee shall encourage the use of sites focused on K-12 education.

If no site meets these requirements or the Superintendent or designee does not approve any sites, no crowdfunding requests will be approved.

3. Approval Process. Notwithstanding anything to the contrary in Board policy KCD, Gifts and Bequests, the terms of this section control the approval of proposed online crowdfunding campaigns.
  - a. Review by the Building Principal. To be eligible for approval under this policy, employees must submit in writing a fully completed approval request form to the building Principal. Notwithstanding any contrary provision in Board policy KCD, the Building Principal has authority to approve proposed campaigns seeking a dollar value up the amount of \$1000. Regardless of the amount sought to be donated, the Building Principal 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 Building Principal, the proposed campaign would produce unacceptable inequity in the educational environment.

If a proposed campaign seeks a dollar value in excess of \$1000, and the building Principal believes that the proposed campaign is in compliance with the requirements of this policy and should be accepted, the building Principal shall refer the proposed campaign to the Superintendent or designee.

- b. Review by the Superintendent. The Superintendent or designee shall review referred approval request forms and seek additional information about proposed campaigns as appropriate. The Superintendent or designee has authority to approve proposed campaigns seeking a dollar value up to \$2,500. 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 or because, in the judgment of the Superintendent or designee, the proposed campaign would produce unacceptable inequity in the educational environment.

Consistent with Board policy KCD, if a proposed campaign seeks a dollar value in excess of \$2,500, and the Superintendent or designee believes that the proposed campaign is in compliance with the requirements of this policy and should be accepted, the Superintendent or designee shall refer the proposed campaign to the Board.

- c. Review by the Board. Subject to the requirements of Board policy KCD, the Board may approve a campaign that seeks a dollar value in excess of \$2,500, although pursuant to RSA 198:20-b, unanticipated funds of \$20,000 or more also require a public hearing before acceptance. After considering the Superintendent's or designee's recommendation, the Board will decide whether to approve or deny the proposed campaign.
4. Criteria of Approval of Crowdfunding Requests. Crowdfunding requests will not be approved unless the proposed campaign:
    - a. meets all requirements of applicable Board policies and administrative regulations, and is consistent with the requirements of Title IX, FERPA, the IDEA, and any other applicable state or federal laws or regulations;
    - b. uses a crowdfunding site that has been approved by the Superintendent pursuant to Section C.2, above;
    - c. is consistent with the District's approved curriculum;
    - d. does not create significant disparities or inequities among similarly situated students;

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- e. does not solicit funds for items or projects that are religious or political in nature or that have a religious or political purpose;
  - f. seeks donations that are compatible with the District's Data and Privacy Governance Plan, as confirmed by the District's Director of Technology or designee.
  - g. has a specific, pre-determined beginning and ending date;
  - h. does not disparage the District or any of its buildings, programs, representatives, employees, or students;
  - i. does not include pictures or the identifying or confidential information of any District student, unless specifically approved by the student's parent or guardian in writing and attached to the approval request form;
  - j. furthers the educational mission of the school and is not used for the unrelated personal gain of any individual;
  - k. does not result in donations being delivered directly to the requester;
  - l. is not contingent on the District matching funds or making any expenditure;
  - m. does not request food or beverage items inconsistent with the District Wellness Policy JLCF;
  - n. 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.

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

The Board reserves the right to terminate any approved crowdfunding campaign or refuse any donation for any reason and at any time.

#### **5. Receipt and Allocation of Donations**

All monetary donations will be made payable to and deposited into an account designated by the SAU business office. All in-kind donations must be inventoried in accordance with Board policy and District procedures.

All donations, regardless of their form, obtained through crowdfunding on behalf of the District are school property. As a general matter, the employee who completed an

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approved crowdfunding campaign should be given preference in the use of the donations obtained. Employees shall only use donations from a crowdfunding campaign for the approved purpose stated in the campaign. The Board reserves the right to transfer donations to a different use at the Board's sole discretion.

6. **Record Keeping**

After donations obtained through an approved crowdfunding campaign have been utilized, the employee must file a written report with the Superintendent or Building Principal detailing how the donations were used and how students benefited. Such records will be forwarded to the District's business office.

**Legal Reference:**

*Legal References Disclaimer: These references are not intended to be considered part of this policy, nor should they be taken as a comprehensive statement of the legal basis for the Board to enact this policy, nor as a complete recitation of related legal authority. Instead, they are provided as additional resources for those interested in the subject matter of the policy.*

Board Approved: 08/26/2024