



# PARENT ORGANIZATIONS AND BOOSTER CLUB GUIDELINES

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Superintendent**

**2022-2023**



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The Business Operations Division of McAllen Independent School District prepared the Booster Club/Parent Organization Guidelines to assist Booster Clubs/Parent Organizations in meeting District, University Interscholastic League (UIL), state, and federal requirements. The Division is not a licensed authority on UIL, accounting, legal or tax-related issues. Therefore, Booster Clubs and Parent Organizations are encouraged to obtain independent legal counsel on related matters at their own expense.

This guideline includes checklists, laws, regulations, policies, suggestions, and examples for Booster Clubs/Parent Organizations to follow. The Guidelines include some items that must be followed (such as District policies and guidelines, UIL guidelines, and state and federal regulations) by all Booster Clubs/Parent Organizations. Other items include checklists and suggestions intended to assist in improving related day-to-day activities.

# Section 1

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# General Overview



Booster Clubs/Parent Organizations (PTAs or PTOs) are organizations established to promote school programs or complement student groups or activities. Their purpose may be to support a student group or program at a particular campus or various student groups or programs at various campuses. Students enrich their education and expand their horizons when they participate in school activities and programs. Therefore, the District greatly appreciates the time, effort, and financial support that the Booster Clubs/Parent Organizations provide to our students.

Even though a Booster Club/Parent Organization works very closely with the district, it is a separate entity from the district. However, the formation of a Booster Club/Parent Organization must be approved by the campus Principal. A Booster Club/Parent Organization must adhere to various District policies and guidelines, University Interscholastic League (UIL) guidelines, and state and federal regulatory guidelines.

Booster Clubs/Parent Organizations support a particular student group or program through a Sponsor. The Sponsor is a District employee who serves as the liaison between the Booster Club/Parent Organization and the District. The principal must approve various activities of both the student group and the related Booster Club/Parent Organization. The main responsibilities of a Booster Club/Parent Organization, a Sponsor, and a principal are indicated below:

- *Booster Club/Parent Organization* - A Booster Club/Parent Organization is responsible for supporting a student group, activity, or program by working through the Sponsor to help with the planned activities of the student group. The Booster Club/Parent Organization decides the type and amount of assistance they will provide. However, they do not have the authority to decide the activities or trips in which the student group will participate. The parents and the Booster Club/Parent Organization may provide suggestions about activities. However, the Sponsor is responsible for coordinating the principal's final approval.
- *Sponsor* - A designated Sponsor of a student group is a District professional employee who serves as the liaison between the Booster Club/Parent Organization and the District. They are under the supervision of the Campus Principal. The Sponsor is responsible for determining the various activities and trips in which the student group will participate and obtaining final approval from the campus Principal. The Sponsor does not have the authority to control the amount of support a Booster Club/Parent Organization provides.
- *Principal* – The Principal is ultimately responsible for approving the activities of the student group and some activities of the related Booster Club/Parent Organization. The principal approves the constitution and bylaws of the Booster Club/Parent Organization.

Hyperlinks to external websites embedded in the electronic version of this manual are noted with [blue underlined text](#). An electronic copy of this manual is available on the district website under [Business Procedure Manuals](#).



DISCLAIMER:

McAllen ISD's staff should not be considered a licensed authority on specific accounting, legal or tax-related issues concerning individual Booster Clubs, UIL law interpretation, or 501(c)(3) tax code. Therefore, if necessary, Booster Clubs should obtain competent independent counsel on UIL, accounting, legal and tax matters related to their specific circumstances at their own expense.

## ROLES OF THE BOOSTER CLUB/PARENT ORGANIZATION COMMITTEE OFFICERS

- a. PRESIDENT:
  - i. Attends all Booster Club/Parent Organization meetings.
  - ii. Works with the campus Principal, Administration team, and other Booster Club/Parent Organization officers to prepare the agendas for the monthly meetings.
  - iii. Actively encourages campus parents to participate in parent involvement activities.
  - iv. Conducts Booster Club/Parent Organization meetings and follows the prepared agenda.
  - v. Leads orderly discussion, by tactfully and politely enforcing the rules that offer every member a chance to speak for or against a motion.
  - vi. Explains each motion made before it is voted on.
  - vii. May only vote on a motion to break a tie.
  - viii. Must not allow personal feelings or outside pressure to influence his/her actions.
  - ix. May appoint sub-committees to carry out specific assignments.
  - x. Works closely with the campus Principal and Administration to ensure all program policies and procedures are being followed.
  - xi. Co-signature of the Booster Club/Parent Organization checking account.
  - xii. The President cannot be related to the Treasurer.
  
- b. VICE-PRESIDENT:
  - i. Attends all Booster Club/Parent Organization meetings.
  - ii. Works with the campus Principal, Administration team, and other Booster Club/Parent Organization officers to prepare the agendas for the monthly meetings.
  - iii. Actively encourages campus parents to participate in parent involvement activities.
  - iv. Takes the minutes of the meetings and keeps a permanent record of what has taken place in the event that the Secretary is absent.
  - v. Takes on all responsibilities of the President in their absence or dismissal.
  
- c. SECRETARY:
  - i. Attends all Booster Club/Parent Organization meetings.
  - ii. Works with the campus Principal, Administration team, and other Booster Club/Parent Organization officers to prepare the agendas for the monthly meetings.
  - iii. Actively encourages campus parents to participate in parent involvement activities.
  - iv. Takes the minutes of the meetings and keeps a permanent record of what has taken place.
  - v. Assures that the minutes are posted and a copy is provided to the campus Principal on a monthly basis for their files.
  
- d. TREASURER:
  - i. Attends all Booster Club/Parent Organization meetings.
  - ii. Works with the campus Principal, Administration team, and other Booster Club/Parent Organization officers to prepare the agendas for the monthly meetings.
  - iii. Actively encourages campus parents to participate in parent involvement activities.
  - iv. Is responsible for the Booster Club/Parent Organization fund account and keeps accurate and timely records using pre-printed forms to keep track of all monies received and/or spent.
  - v. Prepares the monthly treasurer's report and keeps a permanent record of all financial records.
  - vi. Assures that the Treasurer's Report is posted and a copy provided to the campus Principal in a timely manner.
  - vii. Co-signature of the Booster Club/Parent Organization checking account.
  - viii. The Treasurer cannot be related to the President.

## **ROLES OF THE BOOSTER CLUB/PARENT ORGANIZATION COMMITTEE OFFICERS**

- e. PARLIAMENTARIAN:
  - i. Attends all Booster Club/Parent Organization meetings.
  - ii. Works with the campus Principal, Administration team, and other Booster Club/Parent Organization officers to prepare the agendas for the monthly meetings.
  - iii. Actively encourages campus parents to participate in parent involvement activities.
  - iv. Is the time-keeper of the meetings and ensures that the agenda is being followed.
  - v. Ensures that all parents are allowed to participate in the discussion and serves as an impartial moderator if necessary.
  - vi. Ensures that only eligible Booster Club/Parent Organization members vote on motions, and/or other actions.
  - vii. Ensures all person's present sign the Attendance Report.

## **OFFICER DISMISSAL PROCEDURE**

- 1) A Booster Club/Parent Organization Officer can be dismissed if he/she violates any policy and/or regulation set forth by McAllen ISD. The principal will be responsible for bringing the issue to the Booster Club/Parent Organization for review and discussion. The principal will have the final ruling on the matter.
- 2) Cause for immediate dismissal may include, but is not limited to:
  - a. Entering the building with a concealed weapon,
  - b. Being under the influence of drugs or alcohol,
  - c. Breaching confidentiality,
  - d. Neglecting, endangering, or abusing a child,
  - e. Fighting on school premises or endangering the life of adults,
  - f. Using vulgar or inappropriate language,
  - g. Theft or destroying district property, and/or
  - h. Creating a negative environment.
- 3) The Booster Club/Parent Organization may recommend any PTO Board member for removal if it deems for the removal to be in the best interest of the Booster Club/Parent Organization. Such a recommendation requires a two-thirds vote of the PTO Board members, excluding the PTO Board member recommended for removal, and may occur at any PTO Board meeting for which written notice of intent to remove a PTO member is given at least fourteen days in advance.

## Section 2



**“District-affiliated school support or booster organizations shall organize and function in a way that is consistent with the district’s philosophy...”**

# Board Policy

\*Policies subject to change.

<https://pol.tasb.org/Home/Index/637>

## **GE (LOCAL) – RELATIONS WITH PARENT ORGANIZATIONS**

### **REV. 04/10/2018**

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District-affiliated school-support organizations and booster organizations, and other parent groups, shall organize, fundraise or solicit donations, and function in a way that is consistent with the district's philosophy and objectives, Board policies, District administrative regulations, applicable UIL or other governing association guidelines, and financial and audit regulations. [See also CDC and CFC]

Before engaging in fundraising or soliciting gifts, an organization or group shall notify the principal or other appropriate administrator identified in administrative regulations. [See CDC(LOCAL) for District acceptance of gifts and solicitations.]

#### **Use of District Facilities**

District-affiliated school-support or booster organizations may use District facilities with prior approval of the appropriate administrator. Other parent groups may use District facilities in accordance with policy GKD.

#### **Requirements for Booster Organizations**

Each booster organization shall submit to the Superintendent or designee a list of officers and a statement of the purpose of the organization, as well as the organizational guidelines of the organization. The guidelines may include bylaws, a list of procedures, or a constitution. In addition, the organization shall submit a written statement giving consent for the district to review the organization's financial documents.

Amendments and/or revisions to the organizations bylaws after they have been submitted to the Superintendent will need a majority vote by the members present at any general PTO meeting of the organization. All members should be able to vote in the business meeting and majority vote is used by a show of hands unless decided otherwise.

Each booster organization shall annually submit to the Superintendent or designee a statement of financial goals, including anticipated income and expenses, and the most recent income statement and balance sheet. Upon recommendation from the Superintendent or designee, the Board may at any time order a review of all funds and financial statements of the organization by the District's internal auditor.

In order to be recognized as a District-affiliated school-support or booster organization, an organization shall agree to comply with the following additional rules:

1. The Superintendent and the principal, as applicable, shall have the authority to veto any proposed action of the organization.
2. The organization shall have no authority to direct any District employee in any of his or her duties, nor any authority to guide, direct, or establish rules for any campus activity or student activity.
3. All meetings of the organization shall be open to the public.
4. All members of the organization shall be eligible to participate and vote in any business meetings. Members must be present to cast their vote. Decisions will be approved by majority vote unless otherwise specified in the organizations bylaws.
5. All District residents who meet criteria detailed in the organization's guidelines shall be eligible for membership in the organization.
6. The election of the organization's officers shall be conducted in a manner that allows any eligible person to be nominated for an office. It is recommended to conduct elections before or at the beginning of the school year.
7. The organization may recommend a use for funds it donates to the District; however, the Superintendent or the principal, as applicable, shall have discretion in expenditure of all donated funds. [See CDC]



No donation from a booster organization shall be used to alter or modify any District-owned property or facility without prior approval from the Superintendent or designee. Upon recommendation from the Superintendent, the Board may cease to recognize and may withdraw affiliation with any booster organization that, in the opinion of the Board, does not adhere to applicable policies and administrative regulations. In the event of such Board action, any privileges afforded to the organization as a District-affiliated organization shall cease. [See CY and GKD]

# GKD (LOCAL) – COMMUNITY RELATIONS NONSCHOOL USE OF FACILITIES

## REV. 04/10/2018

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### **Scope of Use**

The District shall permit non-school use of designated District facilities for educational, recreational, civic, or social activities when these activities do not conflict with school use or with this policy. Approval shall not be granted for any purpose that would damage school property or to any group that has damaged District property.

Note: See the following policies for other information regarding facilities use:

- Use by employee professional organizations: DGA
- Use of facilities for school-sponsored and school-related activities: FM
- Use by non-curriculum-related student groups: FNAB
- Use by District-affiliated school-support organizations: GE

### **Nonprofit Fund-Raising**

The District shall permit nonprofit organizations to conduct fund-raising events on District property when these activities do not conflict with school use or with this policy.

### **For-Profit Use**

The District shall not permit individuals or for-profit organizations to use its facilities for financial gain; however, the District shall permit public performances, recitals, or presentations so long as no admission fee is charged and when these activities do not conflict with school use or with this policy.

### **Campaign-Related Use**

Except to the extent a District facility is used as an official polling place, District facilities shall not be available for use by individuals or groups for political advertising, campaign communications, or electioneering, as those terms are used in state law. This prohibition shall not preclude the use of a District facility for a debate among political candidates.

### **Scheduling**

Requests for non-school use of District facilities shall be considered on a first-come, first-served basis. Academic and extracurricular activities sponsored by the District shall always have priority when any use is scheduled. [See FM] The director of plant operations shall have the authority to cancel a scheduled non-school use if an unexpected conflict arises with a District activity.

### **Approval of Use**

The director of plant operations is authorized to approve any non-school use of any District facility.

**Exception** - No approval shall be required for non-school-related recreational use of the District's unlocked, outdoor recreational facilities, such as tracks, playgrounds, tennis courts, and the like, during non-school hours and when the facilities are not in use by the District or for a scheduled non-school purpose.

**Emergency Use** - In case of emergencies or disasters, the Superintendent or designee may authorize the use of school facilities by the civil defense, health, or emergency service authorities.

## **GKD (LOCAL) – COMMUNITY RELATIONS NONSCHOOL USE OF FACILITIES**

### **REV. 04/10/2018**

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#### **Use Agreement**

Any organization or individual approved for a non-school use of District facilities shall be required to complete at least once each year a written agreement indicating receipt and understanding of this policy and District facility use procedures and acknowledging that the District is not liable for any personal injury or damages to personal property related to the non-school use.

#### **Fees for Use**

Non-school users shall be charged a fee for the use of designated facilities.

#### **Fee Schedule**

The director of plant operations shall establish and publish a schedule of fees based on the cost of the physical operation of the facilities, as well as any applicable personnel costs for supervision, custodial services, food services, security, and technology services.

#### **Exceptions** - Fees shall not be charged:

- Non-school uses scheduled during the 2.25 hours following the end of the instructional day;
- When school buildings are used for public meetings sponsored by state or local governmental agencies; or
- For use by District employee professional organizations. [See DGA]

#### **Required Conduct**

Persons or groups using school facilities shall:

1. Conduct business in an orderly manner.
2. Abide by all laws and policies, including but not limited to those prohibiting the use, sale, or possession of alcoholic beverages, illegal drugs, and firearms, and the use of tobacco products on school property. [See GKA]
3. Make no alteration, temporary or permanent, to school property without prior written consent from the Superintendent.

All groups using school facilities shall be responsible for the cost of repairing any damages incurred during use and shall be required to indemnify the District for the cost of any such repairs.

## **CY (LOCAL) – INTELLECTUAL PROPERTY**

### **REV. 05/15/2011**

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All copyrights, trademarks, and other intellectual property rights shall remain with the District at all times.

#### **Students**

A student shall retain all rights to work created as part of instruction or using District technology resources.

#### **Employees District Ownership**

As an agent of the District, an employee, including a student employee, shall not have rights to work he or she creates on District time or using District technology resources. The District shall own any work or work product created by a District employee in the course and scope of his or her employment, including the right to obtain copyrights.

## **CY (LOCAL) – INTELLECTUAL PROPERTY**

### **REV. 05/15/2011**

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#### **Employee Ownership**

If the employee obtains a patent for such work, the employee shall grant a non-exclusive, non-transferable, perpetual, royalty-free, Districtwide license to the District for use of the patented work. A District employee shall own any work or work product produced on his or her own time, away from his or her job and with personal equipment and materials, including the right to obtain patents or copyrights.

#### **Permission**

A District employee may apply to the Superintendent or designee to use District materials and equipment in his or her creative projects, provided the employee agrees either to grant to the District a non-exclusive, non-transferable, perpetual, royalty-free, District-wide license to use the work or permits the District to be listed as co-author or co-inventor if the District contribution to the work is substantial. District materials do not include student work, all rights to which are retained by the student.

#### **Works Made for Hire**

The District may hire an independent contractor for specially commissioned work(s) under a written work-made-for-hire agreement that provides that the District shall own the work product created under the agreement, as permitted by copyright law. Independent contractors shall comply with copyright law in all works commissioned.

#### **Return of Intellectual Property**

Upon the termination of any person's association with the District, all permission to possess, receive, or modify the District's intellectual property shall also immediately terminate. All such persons shall return to the District all intellectual property, including but not limited to any copies, no matter how kept or stored, and whether directly or indirectly possessed by such person.

#### **Copyright**

Unless the proposed use of a copyrighted work is an exception under the "fair use" guidelines maintained by the Superintendent or designee, the District shall require an employee or student to obtain a license or permission from the copyright holder before copying, modifying, displaying, performing, distributing, or otherwise employing the copyright holder's work for instructional, curricular, or extracurricular purposes. This policy does not apply to any work sufficiently documented to be in the public domain.

## **CY (LOCAL) – INTELLECTUAL PROPERTY**

### **REV. 05/15/2011**

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#### **Technology Use**

All persons are prohibited from using District technology in violation of any law including copyright law. Only appropriately licensed programs or software may be used with District technology resources. No person shall use the District's technology resources to post, publicize, or duplicate information in violation of copyright law. The Board shall direct the Superintendent or designee to employ all reasonable measures to prevent the use of District technology resources in violation of the law. All persons using District technology resources in violation of law shall lose user privileges in addition to other sanctions. [See BBI and CQ]

#### **Electronic Media**

Unless a license or permission is obtained, electronic media in the classroom, including motion pictures and other audiovisual works, must be used in the course of face-to-face teaching activities as defined by law.

## **CY (LOCAL) – INTELLECTUAL PROPERTY**

### **REV. 05/15/2011**

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#### **Designated Agent**

The District shall designate an agent to receive notification of alleged online copyright infringement and shall notify the U.S. Copyright Office of the designated agent's identity. The District shall include on its Web site information on how to contact the District's designated agent and a copy of the District's copyright policy. Upon notification, the District's designated agent shall take all actions necessary to remedy any violation. The District shall provide the designated agent appropriate training and resources necessary to protect the District.

If a content owner reasonably believes that the District's technology resources have been used to infringe upon a copyright, the owner may notify the designated agent.

#### **Trademark**

The District protects all District and campus trademarks, including names, logos, mascots, and symbols, from unauthorized use.

#### **School-Related Use**

The District grants permission to students, student organizations, parent organizations and other District affiliated school-support or booster organizations to use, without charge, District and campus trademarks to promote a group of students, activity or event, a campus, or the District, if the use is in furtherance of school-related business or activity. The Superintendent or designee shall determine what constitutes use in furtherance of school-related business or activity and is authorized to revoke permission if the use is improper or does not conform to administrative regulations.

#### **Public Use**

Members of the general public, outside organizations, vendors, commercial manufacturers, wholesalers, and retailers shall not use District trademarks without the written permission of the Superintendent or designee. Any production of merchandise with District trademarks for sale or distribution must be pursuant to a trademark licensing agreement and may be subject to the payment of royalties.

Any individual, organization, or business that uses District trademarks without appropriate authorization shall be subject to legal action.

## **CO (LOCAL) – FOOD AND NUTRITION MANAGEMENT**

### **REV. 06/19/2019**

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#### **Food Donation**

The Superintendent shall be authorized to develop regulations for the District to donate or otherwise dispose of leftover food in accordance with the law.

#### **Limitations on Food and Beverage Fundraising**

All food and beverages that are made available for sale through any fundraising activity, whether on or off-campus, shall meet federal and state guidelines [see also FFA], with the exception of:

1. Items sold at six events annually designated to occur after the end of a school day or on a weekend; and
2. Concessions at extracurricular activities.

## **CO (LOCAL) – FOOD AND NUTRITION MANAGEMENT**

### **REV. 06/19/2019**

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#### **Classroom Celebrations**

The District shall only allow a campus to offer and sell store-bought food and beverages to students at classroom celebrations on the last Friday before the winter break and on a second celebration day to be determined by the campus principal and reported to the assistant superintendent for instructional leadership or designee. No party shall be allowed to replace established meal services and meal times.

During the approved classroom celebrations, all campuses shall:

1. Comply with requirements established by the health department of City of McAllen;
2. Be aware of medical conditions and food allergens; and
3. Take any necessary precautions, including staff training.

## **FJ (LOCAL) – STUDENT FUNDRAISING**

### **REV. 02/17/2017**

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Administrative regulations shall address student fundraising plans, approval of fundraising activities, and any required reporting on fundraisers by campus administrators.

With at least one employee managing each project, students representing their school or the District may participate in approved fundraising to benefit the District or a non-school, charitable organization. Participation shall be voluntary and shall be approved only when the fundraising activity relates to the District's educational mission.

Fundraising shall not be permitted during class time. [See EC]

Fundraising through sales of foods and beverages that could be consumed during the school day shall meet the requirements for competitive foods unless the District allows an exception from the competitive food requirement, as permitted by state and federal law. [See CO and FFA]

No student shall be permitted to sell food or other items at school or at school-related activities for personal profit or for the benefit of any organization not affiliated with the District.

## **FFA (LOCAL) – STUDENT WELFARE WELLNESS AND HEALTH SERVICES**

### **REV. 02/17/2017**

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The District shall support the general wellness of all students by implementing measurable goals to promote sound nutrition, physical activity, and student health and to reduce childhood obesity. [See EHAA for information regarding the District's coordinated school health program.]

#### **Development, Implementation, and Review of Guidelines and Goals**

The local school health advisory council (SHAC), on behalf of the District, shall review and consider evidence-based strategies and techniques and shall develop nutrition guidelines and wellness goals as required by law.

# FFA (LOCAL) – STUDENT WELFARE WELLNESS AND HEALTH SERVICES

## REV. 02/17/2017

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In the development, implementation, and review of these guidelines and goals, the SHAC shall permit participation by parents, students, representatives of the District’s food service provider, physical education teachers, school health professionals, members of the Board, school administrators, and members of the public. [See BDF for required membership of the SHAC.]

Wellness Plan- The SHAC shall develop a wellness plan to implement the District’s nutrition guidelines and wellness goals. The wellness plan shall, at a minimum, address:

1. Strategies for soliciting involvement by and input from persons interested in the wellness plan and policy;
2. Objectives, benchmarks, and activities for implementing the wellness goals;
3. Methods for measuring implementation of the wellness goals;
4. The District’s standards for foods and beverages provided, but not sold, to students during the school day on a school campus; and
5. The manner of communicating to the public applicable information about the District’s wellness policy and plan.

If the Principal does not submit second day for classroom celebration by the end of first semester, it will default to last Friday of the school year.

The SHAC shall review and revise the plan on a regular basis and recommend revisions to the wellness policy when necessary.

### **Nutrition Guidelines**

#### **Foods and Beverages Sold**

The District’s nutrition guidelines for reimbursable school meals and all other foods and beverages sold or marketed to students during the school day shall be designed to promote student health and reduce childhood obesity and shall be at least as restrictive as federal regulations and guidance. [See CO]

#### **Foods and Beverages Provided**

The District shall establish standards for all foods and beverages provided, but not sold, to students during the school day. These standards shall be addressed in the District’s wellness plan.

### **Wellness Goals**

#### **Nutrition Promotion and Education**

The District shall implement, in accordance with law, a coordinated school health program with a nutrition education component. [See EHAA] The District’s nutrition promotion activities shall encourage participation in the National School Lunch Program, the School Breakfast Program, and any other supplemental food and nutrition programs offered by the District.

The District establishes the following goals for nutrition promotion:

1. The District’s food service staff, teachers, and other District personnel shall consistently promote healthy nutrition messages in cafeterias, classrooms, and other appropriate settings.
2. The District shall share educational nutrition information with families and the general public to promote healthy nutrition choices and positively influence the health of students.

# FFA (LOCAL) – STUDENT WELFARE WELLNESS AND HEALTH SERVICES

## REV. 02/17/2017

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The District establishes the following goals for nutrition education:

1. The District shall deliver nutrition education that fosters the adoption and maintenance of healthy eating behaviors.
2. The District shall make nutrition education a District-wide priority and shall integrate nutrition education into other areas of the curriculum, as appropriate.

### **Physical Activity**

The District shall implement, in accordance with law, a coordinated health program with physical education and physical activity components and shall offer at least the required amount of physical activity for all grades. [See BDF, EHAA, EHAB, and EHAC]

The District establishes the following goals for physical activity:

1. The District shall provide an environment that fosters safe, enjoyable, and developmentally appropriate fitness activities for all students, including those who are not participating in physical education classes or competitive sports.
2. The District shall provide appropriate staff development and encourage teachers to integrate physical activity into the academic curriculum where appropriate.
3. The District shall make appropriate before-school and after-school physical activity programs available and shall encourage students to participate.
4. The District shall encourage students, parents, staff, and community members to use the District's recreational facilities, such as tracks, playgrounds, and the like, that are available outside of the school day. [See GKD]

### **Other School-Based Activities**

The District establishes the following goals to create an environment conducive to healthful eating and physical activity and to promote and express a consistent wellness message through other school-based activities:

1. The District shall allow sufficient time for students to eat meals in cafeteria facilities that are clean, safe, and comfortable.
2. The District shall promote wellness for students and their families at suitable District and campus activities.

The District shall promote employee wellness activities and involvement at suitable District and campus activities.

### **Implementation**

The health and wellness coordinator shall oversee the implementation of this policy and the development and implementation of the wellness plan and appropriate administrative procedures.

### **Evaluation**

The District shall comply with federal requirements for evaluating this policy and the wellness plan.

### **Public Notification**

The District shall annually inform and update the public about the content and implementation of the wellness policy, including posting on its website copies of the wellness policy, the wellness plan, and the required implementation assessment.



**FFA (LOCAL) – STUDENT WELFARE WELLNESS AND HEALTH  
SERVICES  
REV. 02/17/2017**

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**Records Retention**

The District shall retain all the required records associated with the wellness policy, in accordance with law and the District's records management program. [See CPC and FFA(LEGAL)]

## Section 3



# Internal Revenue Service

**“The purpose of a tax-exempt organization is to benefit an entity as a whole instead of benefiting individuals.”**



In addition to District policy, regulatory agencies such as the IRS, Texas Comptroller's Office, and UIL (University Interscholastic League) also govern Booster Clubs. Booster Clubs must abide by the regulations and guidelines set forth by these agencies. Booster Clubs should be aware that laws change frequently so participation in annual Booster Club training is an essential component of keeping your Booster Club in compliance with all requirements.

All Parent Organizations or Booster Clubs at McAllen ISD are highly recommended to operate under Section 501(c)(3) of the Internal Revenue Code (IRC). The benefits of having 501(c)(3) status include exemption from federal income tax and eligibility to receive tax-deductible charitable contributions. To qualify for these benefits, most organizations must file an application with, and be recognized by, the IRS. Individuals and corporate donors are more likely to support organizations with 501 (c)(3) status because their donations can be tax-deductible.

In addition, 501(c)(3) organizations are eligible for state tax benefits and reduced postal rates. IRS Publication 4220 presents general guidelines for organizations that seek tax-exempt status under IRC Section 501 (c)(3).

Tax filing requirements for 501(c)(3)'s vary due to the gross receipts of your club so what may apply to one club may not apply to you. Larger Booster Club's with gross receipts (revenues before expenditures) of greater than \$50,000 are required to obtain competent independent accounting or tax assistance (does not have to be a CPA) in filing their annual federal return (Form 990-EZ or Form 990). Clubs of this size are required to file paper forms versus the online, e-postcard (i.e., 990-N). Clubs with gross receipts of less than \$50,000 are not required to obtain independent tax help. The cost of all outside tax services is the responsibility of the Booster Club. [IRS 501\(c\)\(3\) website.](#)

### **EIN (EMPLOYER IDENTIFICATION NUMBER)**

All Booster Clubs in McAllen ISD must have their own EIN. An EIN is a 9-digit number issued to businesses, which is similar to an individual's social security number.

McAllen ISD prohibits clubs from using the District's EIN. Therefore, do not utilize the District's EIN in any business transaction or on any document. DO NOT file taxes using the District's EIN. **ALWAYS USE YOUR CLUB'S EIN.**

Obtaining an EIN does not mean your group is tax-exempt. The process for applying for an EIN and applying for tax-exempt status are separate processes. If you obtain an EIN, the IRS considers you a taxable, corporate entity until you request tax-exempt status.

You may apply for an EIN online, at no cost via [www.irs.gov](http://www.irs.gov). The IRS requires the name and social security number of a Responsible Party in your organization. There are no personal liabilities to you by adding your SSN nor is your SSN public information. It is simply a way for the IRS to contact you if they have questions. Do not use McAllen ISD's name or EIN in this field.

## 501(C)(3) RESTRICTIONS & REQUIREMENTS

The following are restrictions placed on tax-exempt organizations:

- Tax-exempt organizations must benefit a group as a whole instead of benefiting individual members. All members of the student group are to be treated equally and receive the same benefits. One student cannot receive a greater benefit than another unless the criteria for financial need is met. In some instances, individuals may not be able to afford to pay the amount owed to participate in a particular event. The IRS indicates that a group or club may establish criteria that could be used to determine if a person is in financial need. If the criteria are met, the group or club may provide the necessary funds to allow the individual to participate. The criteria should be established in writing (preferably in your by-laws). In addition, the criteria should be used consistently for all people, and the criteria should not change every year.
- The purpose of a tax-exempt organization is to benefit an entity as a whole instead of benefiting individuals. Therefore, the use of individual accounts could result in the loss of existing tax-exempt status. In addition, individual benefits may result in taxable personal income for the student.
- Tax-exempt organizations cannot require a person to participate in fund-raising activities. The IRS prohibits tax-exempt organizations from requiring people to participate in fundraisers. Booster Clubs or sponsors/coaches cannot exclude parents or students from activities because they did not participate in a fundraiser. Likewise, Booster Clubs cannot require an amount to be “donated” in lieu of participating in a fundraiser. People may choose whether to participate in fundraising.
- Tax-exempt organizations cannot require fundraising metrics. Booster Clubs or sponsors/coaches cannot require Booster Club members or students to sell a defined or minimum amount of goods or services as part of a fundraiser. Furthermore, if a person decides not to participate in a fundraiser, that person cannot be excluded from having the opportunity to benefit from the fundraiser and cannot be penalized in any way for choosing not to participate in the fundraiser.

Bottom line: Regardless if a person participates in a fundraiser and regardless of the amount of revenue raised, that person cannot be denied the opportunity to receive an equal benefit from the club.

### EXAMPLE:

High School Spirit Booster Club is having a car wash fundraiser to help reduce the cost of a trip to Florida for a competition. The cost of the trip is \$20,000 for 20 people. Therefore, each person’s cost for the trip before the fundraiser is \$1,000. Of the 20 people going on the trip, only 10 people participate in the car wash and raise \$600. The \$600 must be split equally among the 20 people going on the trip, even though only 10 participated in the fundraiser. Therefore, each person receives a benefit of \$30 ( $\$600/20$ ). Now, each person’s cost for the trip is \$970 ( $\$1,000 - \$30$ ).

## FEDERAL TAX FILING REQUIREMENTS

Once the IRS has granted your organization tax-exempt status, it’s important that you meet the mandatory annual filing requirements. Booster Club Officers are solely responsible for ensuring federal tax returns are submitted annually and on time. Failure to file taxes for three consecutive years will result in the automatic revocation of your Booster Club’s tax-exempt status. The process to reinstate after being revoked can be expensive and time-consuming.

## FEDERAL TAX FILING REQUIREMENTS (Continued)

Federal taxes are due 15 days after the 5th month of the Booster Club's year-end. The table below outlines common Booster Club fiscal year-end and due dates for your convenience.

Booster Club Fiscal Year-End	Federal Tax Filing Deadline (990, 990-EZ or e-Postcard)
May 31	October 15
June 30	November 15
July 31	December 15
December 31	May 15



## DETERMINING WHICH FEDERAL TAX FORM TO FILE

In order to determine which federal tax form to complete, please refer to the table below. Forms selection is based on your Booster Club's gross receipts. Form 990-N is an online form available only to those Booster Clubs in good standing and has gross receipts of less than \$50,000. Clubs with receipts of greater than \$50,000 are required to file a paper return (Form 990 or 990-EZ).

Please consult with your tax accountant for specific details on these forms. [IRS Forms and Instructions](#)

Gross Receipt Threshold	Form to Use
Less than \$50,000	990-N (e-Postcard)
\$50,000 - \$200,000	990-EZ
Greater than \$200,000	990

## UNRELATED BUSINESS INCOME TAX

Even though an organization is recognized as tax-exempt, it still may be liable for tax on its unrelated business income. For most organizations, unrelated business income is income from a trade or business, regularly carried on, that is not substantially related to the charitable, educational, or other purposes that is the basis of the organization's exemption. An exempt organization that has \$1,000 or more of gross income from an unrelated business must file Form 990-T.

For more information, visit [IRS Unrelated business income tax](#).

## RECORD RETENTION

The secretary and treasurer of the organization shall turn records over to the incoming officers within 30 days of elections. Records should be kept for seven (7) years for audit purposes. Booster Clubs should establish a system that passes along the prior year's files and records to the new officers each year.

### How far back can the IRS go to audit my return?

The IRS can include returns filed within the last three years in an audit. Additional years can be added if a substantial error is identified. If a substantial error is identified, the IRS will not go back more than the last six years. The IRS tries to audit tax returns as soon as possible after they are filed. Accordingly, most audits will be of returns filed within the last two years.

## RECORD RETENTION *(Continued)*

### Records to keep:

#### Day-to-day records

- Financial Reports and Committee Reports
- All financial backup including checkbook, receipt book, cancelled checks, invoices and banks records
- Information related to donations received from individuals or businesses
- Scholarship information and recipients

#### State of Texas Comptroller Office Records

- Sales Tax Forms Filed (Quarterly or Annually)
- Copy of correspondence with the Texas State Comptroller's Office

#### Federal Records

- Copy of IRS Forms 990, 990-EZ or 990-N (e- Postcard) filed each year
- Copy of correspondence with the IRS

### **Public Disclosure and Availability of information:**

Per the IRS, some members of the public rely on Form 990, or 990-EZ, as the primary or sole source of information about a particular organization. How the public perceives an organization in those cases may be determined by the information presented on its returns. Section 501(c)(3) organizations must make their exemption application and the three most recent annual information returns (Form 990s) available to the public, upon request and without charge (except for a reasonable charge for copying). Copies must be provided within 30 days in the case of written requests.

A tax-exempt organization must honor a written request for a copy of documents (or the requested part) required under section 6104(d) if the request:

1. Is addressed to (and delivered by mail, electronic mail, facsimile, or private delivery service, as defined in section 7502(f)) a principal, regional, or district office of the organization; and
2. Sets forth the address to which a copy of the documents should be sent.

For more Form 990 resources, visit the [Public Disclosure and Availability Requirements](#) page on IRS.gov.

### **CONTACT THE IRS**

If you have additional questions, you may call the IRS Exempt and Government Entities Customer Account Services at 1-877-829-5500 (toll-free). The IRS call centers are very busy, especially during tax season. It is common for hold times to be greater than 30 minutes. If you have time, please search online at the [IRS resource center](#).

## Section 4



**“Booster Clubs should obtain a Texas Sales Tax Permit if you intend to sell goods or taxable services in Texas. The sale of goods includes fundraisers, such as catalog sales, candy sales, and sales of other items.”**

# Texas Comptroller's Office



## STARTING OUT WITH THE STATE

After establishing your Booster Club as tax-exempt with the IRS, a Booster Club needs to request tax-exempt status from the State of Texas Comptroller's Office. To apply for franchise and sales tax exemptions, complete and submit Form AP-204 (Application for Exemption - Federal and All Others) to the Comptroller's Office. Include a copy of the IRS-issued exemption determination letter with any addenda. The organization name on the IRS letter must match the organization's legal name as listed in the Articles of Incorporation, Certificate of Formation, or governing document. If the IRS letter was issued more than four years ago, you will need to obtain a current verification letter. Send us a copy along with a copy of the original determination letter that granted the exempt status. Forms, publications, and guidelines can be found on the [Texas Comptroller's - 501\(c\) exemptions](#).

There is no fee required to apply for this exemption. The exemption allows approved organizations to purchase items tax-free to further the organization's exempt purpose. Employees and volunteers cannot buy personal items tax-free, even if traveling on official business or if reimbursed by the nonprofit organization. The exemption process is separate and in addition to applying for federal tax-exemption from the IRS. Only those Booster Clubs that have obtained tax-exempt status from the IRS may apply for the state exemption. If the IRS considers your Booster Club a taxable organization because of revocation, you cannot receive an exemption unless you reinstate your status with the IRS first. If your club is already tax-exempt from the Comptroller's Office, you need not reapply each year.

## REINSTATING A FORFEITED TAXPAYER ID

If a Booster Club loses its tax-exempt status with the State of Texas, you may request to reinstate the old number. To satisfy all requirements to reinstate your entity, first, submit these items to the Comptroller's office:

1. File any Annual Franchise Tax and (Public or Ownership) Information Report forms.
2. Pay any tax, penalty, and interest payments due.
3. Complete and submit Form 05-391, Tax Clearance Letter Request for Reinstatement, via mail, or using Web file, which is a formal request to reinstate your sales tax number.

Then, submit these items to the Secretary of State (SOS)

4. Submit Form 05-377, Tax Clearance Letter, once you receive it from the Comptroller's office.
5. Submit SOS reinstatement forms.
6. Pay SOS filing fees.

Finally, you must complete Form AP-204 to request an exemption from sales and franchise tax (please remember to use your old number). All forms can be sent to the Comptroller's Office address listed on the forms.



## TEXAS SALES TAX PERMIT

Booster Clubs should obtain a Texas Sales Tax Permit if you intend to sell goods or taxable services in Texas. The sale of goods includes fundraisers, such as catalog sales, candy sales, and sales of other items (see table on page 24). In addition, some PTO/Booster Clubs sell services that may be taxable. PTO/ Booster Clubs may obtain a Texas Sales Tax Permit by submitting an online application via the [Texas State Comptroller's Office website](#). There is no fee for the permit. Before a Sales Tax Permit will be issued, you must have an EIN from the IRS.

### **Texas Comptroller's Office Requirement:**

1. If your club will host more than two fundraisers per year, you need to apply for a sales tax permit online (if you do not already have one). If you already have a sales tax permit, you do not need to reapply for a new sales tax permit just because your federal tax EIN was revoked.
2. File form AP-204 to request tax-exempt status from the state of Texas. The IRS will not notify the state that you are tax-exempt. You must apply on your own. [Form AP-204](#)
3. Please keep a copy for your records.
4. The state processes said requests within 3-4 weeks. You will receive a letter from the state advising you of your new status.
5. As a tax-exempt entity with the State of Texas, you should not be liable for Franchise Tax going forward.

## TEXAS SALES PAYER ID

Once you receive your Sales Tax Permit or letter from the State (if you sent in Form AP-204), you will be issued a Texas Taxpayer ID. The Texas Taxpayer ID is 11 digits and begins with a 1, 2, or 3. Please note this number is different from an EIN, which has nine digits. Please use the Texas Taxpayer ID when filing sales or franchise tax forms and when filling out the Texas Resale Certificate (in order to waive sales tax on purchases).

## TEXAS RESALE CERTIFICATE

The exemption from the Texas limited sales tax allows the approved PTO/Booster Clubs to make tax-free purchases of items intended for resale. The organization must present the vendor with a Texas Sales and Use Tax Resale Certificate in order to purchase the items tax-free. In addition, the certificate must state the PTO/Booster Club's Sales Tax Permit Number to be valid. Booster Clubs may access the Texas Resale Certificate (Form 01- 339) from the Texas State Comptroller's Office website.

## TAX-FREE DAYS

Booster Clubs are entitled to two "tax-free" days per calendar year. This means the State of Texas will not tax you on the two highest-grossing fundraisers where taxable items are sold. This is an extra incentive to keep good records throughout the year! A fundraiser qualifies for the "one-day, tax-free" sale if all items are to be delivered on one day. Each "one-day" sale may not exceed 24 consecutive hours. Exemption status is required for entitlement to the two "tax-free" days per year. This exemption does not apply to items sold for more than \$5,000, unless the exempt organization manufactured the item, or the item is donated to the organization and not sold back to the person who donated the item.

You do not need to designate your tax-free days ahead of time, but you should have an idea of your two highest- earning events. Clubs that host two or fewer fundraisers, will use both days as tax-free (if the items would otherwise be taxable). More information can be found on the [Comptroller's Website](#).

## TAXABLE VERSUS NON-TAXABLE SALES

Care must be taken to determine if the revenue is a sale or not. After the determination, a sale will be determined as taxable or not, and then any taxable sales are determined to be eligible for a tax-free day or pay the sales tax.

The following lists of items or activities have been identified as being taxable or non-taxable by the Comptrollers' Office when sold by a club. The lists are not all-inclusive but may help you make determinations on other similar sales.

### NON-TAXABLE

Advertising Sales- in yearbooks, athletic programs, newspapers, posters	Discount/ Entertainment Cards and books
Admission - athletics, dances, dance performances, drama and musical performances	Facility rentals for school groups
Admission - summer camps, clinics, workshops	Food items sold during fundraisers, including at a PTA carnival
Admission - banquet fees, prom, homecoming	Labor-automotive, upholstery classes (parts are taxable)
Admission - tournament and academic competition fees	Magazine subscriptions greater than six months
Car Washes	Parking Permits
Cosmetology Services (products are taxable)	Student Club Memberships

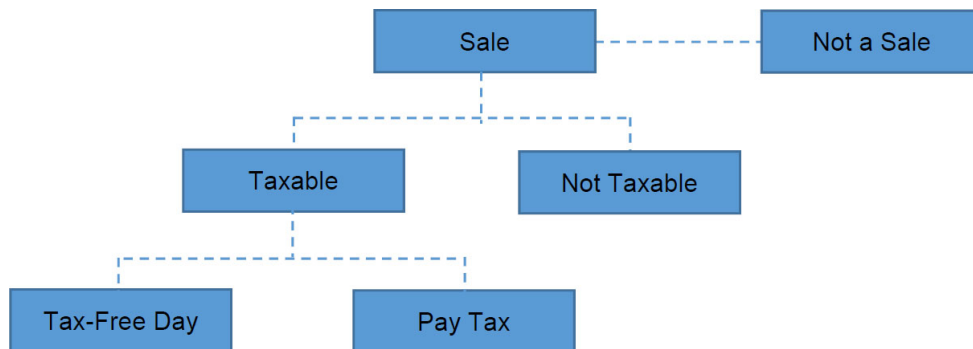
### TAXABLE

A detailed list of taxable goods and services are listed in Publication 96-259 on the Texas Comptroller's website.

Agenda books	Family and Consumer Science - supplies and sewing kits	Repairs to tangible personal property (i.e. computers repair and house remodeling)
Art - supplies and works of art	Fees - copies, printing, and laminating	Rings and other school jewelry
Artistic works of music and video (CD/DVD)	Flowers - roses, carnations, and arrangements	Rummage and garage sales
Athletics - equipment and uniforms	Greeting cards	Safety supplies
Auction items sold	Hand-crafted items	School publications - athletic programs and posters
Automotive parts and supplies	Horticulture items (plants and holiday greenery)	School publications - brochures
Band - equipment, supplies, patches, badges, and uniforms	Hygiene supplies	School publications - newsletters and Newspapers

**TAXABLE (Continued)**

Book covers	Identification cards - when sold to the entire student body	School publications - reading books
Books - when McAllen ISD is the seller	Lumber	School publications - sheet music and Hymnals
Calculators	Magazines - subscriptions less than six months	School publications – yearbooks
Calendars	Musical supplies - recorders and reeds	School store - all items (except food)
Candles	Parts - career & technology classes	Science - science kits, boards, and supplies
Car - painting and pinstriping	Parts- upholstery	Spirit items
Clothing - school, club, and class	PE - uniforms and supplies	Stadium seats
Computer - supplies and mouse pads	Pennants	Stationery, note pads, etc. produced in the classroom
Cosmetology products sold to customers	Pictures- school, group (if the school is the seller)	Supplies- any sold to students
Cups - glass, plastic, and paper	Printing fee - computer	Uniforms - any type to include PE, dance team, drill team, cheerleaders, athletic, club shirts
Decals	Rentals - equipment of any kind	Vending - non-edible supplies when the school services the machine
Directories - student and faculty	Rentals - towels	Woodworking crafts - the entire sale is to include parts and labor
Drafting - supplies	Rentals - uniforms of any kind	Yard signs



## **BANQUETS**

All PTO/Booster Clubs can hold a tax-free annual banquet or other food sales. Tickets for students are not taxable. If the club pays for the event, they must present their tax-free form to the venue and pay the venue directly. The annual banquet exemption does not apply to the sale of alcoholic beverages or non-food items. All PTO/Booster Clubs are responsible for any required city food permits and health code requirements.

## **CARNIVALS**

The sale of an admission ticket to a school carnival, dance, athletic event, or musical concert is exempt from sales tax.

## **FOOD AND BEVERAGE**

Booster Clubs do not collect tax on sales of meals and food products (including candy and soft drinks) if the sales are made during the regular school day and in agreement to CO Local and FJ Local Board Policies. McAllen ISD Administrative Regulation and Board Policy states food items may be sold during the day on the last Friday in December and on another day during the spring semester, as determined by the Principal and submitted to the Associate Superintendent or designee [See CO (LOCAL)]. Concession sales during the school day must meet USDA Smart Snack Requirements adopted by USDA (7/14).

## **FOOD AND BEVERAGE *(Continued)***

With the exception of 6 pre-approved fundraising events after school and on weekends designated on a school calendar (GE Local and FJ Local Board Policy), all other fundraisers including food and beverages must meet USDA Smart Snack Guidelines. All PTO/Booster Clubs are responsible for any required city food permits and health code requirements. McAllen ISD FFA Wellness Regulation and FFA Board Policy are stricter than TDA Guidelines.

## **GIFT CARDS/GIFT CERTIFICATES**

Sales of intangibles such as gift cards and coupon passbooks are not subject to sales tax. Instead, retailers should collect tax when the certificate or coupon is redeemed for the purchase of taxable merchandise or services.

## **INTERNET SALES OF SPIRIT ITEMS**

Sales of taxable items over the Internet are treated the same as sales of taxable items made at any other sales location. Booster Club websites must collect sales tax on taxable items they sell online and remit to the State. A link to the online Booster store can be placed on the MISD campus website. However, a disclaimer should be added to state that the PTO/Booster is a separate and apart entity from the District.

## **READING MATERIAL AND VIDEOS**

Books, yearbooks, calendars, newsletters, DVD's and CD's are exempt from sales tax only if the PTO/ Booster Club prints and publishes the items. The organization must present a resale certificate to the printer in lieu of paying tax on charges for printing and binding. Items that contain printed materials such as school logo t-shirts and bookmarks are subject to sales tax unless sold during qualifying and designated tax-free sale.

## READING MATERIAL AND VIDEOS

For a more comprehensive list of all tax items, please call the Texas Comptroller of Public Accounts at 1-800-252-5555 or visit the [Comptroller's website](#).

## STATE TAX REPORTING REQUIREMENTS

The Texas State Comptroller's Office requires that Booster Clubs file sales tax each quarter or each year, depending on how you are established. The frequency of filing the sales tax report is determined by the Texas State Comptroller's Office and is initially set at quarterly filings. After your first year as a club, you may write the Texas Comptroller's Office and request to change from quarterly filing to annual filing. Please continue to file quarterly taxes until you are notified by the state that your frequency has been changed. Failure to file quarterly taxes is subject to a \$50.00 late fee.

## FRANCHISE TAX

The franchise tax is levied on corporations and limited liability companies that are chartered in Texas. Tax-exempt entities (i.e., PTO, and Booster Clubs) are excluded from the tax. However, if your club loses its tax-exempt status, or you do not request tax-exempt status, you will be responsible for franchise tax until you regain tax-exempt status.

Although a nonprofit corporation that is exempt from federal income tax under Internal Revenue Code 501(c)(3), the exemption from franchise tax is not automatically granted.

Until you request an exemption from franchise tax, you are subject to file, even if no franchise tax is due. This is called a "No Tax Due Report" or Form 05-141. You may file your "No Tax Due Report" online via Web File or you may submit a paper copy.

Booster Clubs must write to the Texas State Comptroller's Office requesting franchise tax-exemption by submitting the following:

1. Cover letter with the organization's name, mailing address, and Sales Tax Permit Number. Specifically request an exemption from "franchise tax." Include the name and daytime phone number of the organization's contact person.
2. A written statement detailing the nature of the activities conducted or to be conducted.
3. Copy of the bylaws.
4. Copy of the Determination Letter from the IRS granting the Booster Club tax-exempt status.

The information should be mailed, faxed, or emailed to:

Mailing Address: Texas Comptroller of Public Accounts  
Exempt Organizations Section  
P.O. Box 13528 Austin, TX 78711

Fax Number: (512) 475-5862  
Email: [exempt.orgs@cpa.texas.gov](mailto:exempt.orgs@cpa.texas.gov)

### **FRANCHISE TAX *(Continued)***

Do not add “Texas State Comptroller’s Office” in this address line. Please use the address exactly as listed above. If you have questions, please call the Comptroller’s Office at 1-800-252-5555.

### **REPORTING CLUB’S CHANGE OF ADDRESS TO THE COMPTROLLER’S OFFICE**

If the mailing address for the Booster Club changes, immediately notify the Texas State Comptroller’s Office. Failure to do so may result in an important correspondence being lost. You may change your address with the Texas State Comptroller’s online.

## Section 5



**“Clubs should allow enough carryover funds to permit the new officers sufficient funds to begin the year and fund programs until a fundraiser is held.”**

# University Interscholastic League



## UNIVERSITY INTERSCHOLASTIC LEAGUE

The University Interscholastic League was created by The University of Texas at Austin to provide leadership and guidance to public school debate and athletic teachers. Since 1910, the UIL has grown into the largest inter-school organization of its kind in the world. The UIL exists to provide educational extracurricular academic, athletic, and music contests. The UIL aims to provide healthy, character building, educational activities carried out under rules providing for good sportsmanship and fair play for all participants ([www.uiltexas.org](http://www.uiltexas.org)).

### What Does the UIL Do?

- Provides students with educational experiences through competition.
- Promotes good sportsmanship and cooperation among member schools.
- Works to prevent the exploitation of students by special interest groups.
- Works closely with associations to provide better officiating and adjudication for UIL contests.
- Sponsors regional conferences and clinics for athletic, music, drama, and academic contests.
- Provides materials to schools for use in UIL contests.
- Seeks to safeguard the health and welfare of students by requiring physical examinations for participation in athletics.
- Seeks to keep awards for achievement on a sensible basis by restricting the cost and type.
- Sponsors district, regional, and state tournaments or meets in athletic, music, drama, and academic contests.
- Administers the Texas Interscholastic League Foundation, which provides scholarships for drama and academic state competitors.

## UIL BOOSTER CLUB GUIDELINES

UIL offers guidance to Booster Clubs in the form of an annual publication available on the UIL website. A copy of the UIL Booster Club Guidelines is included in this manual for your information. This document provides guidelines, which govern all Booster Club activities related to UIL-sponsored competition. Since the UIL regulates and governs what participants, sponsors, and coaches may and may not accept, it is very important that Booster Club members and parents are aware of these guidelines. Please refer to [www.uiltexas.org](http://www.uiltexas.org) for activity-specific rules.

- R** These Booster Club Guidelines are published by the University Interscholastic League (UIL) in order to assist schools and parents with determining the proper role for local booster clubs to play as they support the students who participate in UIL sponsored contests and activities. These guidelines are general in nature and are not intended to provide legal advice or act as a substitute for the UIL Constitution and Contest Rules. In case of any disagreement between these guidelines and the law or UIL rules, the law and/or UIL rules, as applicable, will control. These Guidelines are not a substitute for an opinion from the State Executive Committee and may not be relied upon as such. These Guidelines are subject to change by UIL staff at any time and without notice.



## **R   ROLE OF BOOSTER CLUBS**

Neighborhood patrons form booster clubs to help enrich the school's participation in extracurricular activities. The fundraising role of booster clubs is particularly crucial in today's economic climate. Positive and direct communication can prevent most problems. Keep the superintendent (or designee) informed of all activities.

- Have a chain of command for communication with the administration.
- Clear all activities through your administration.
- The superintendent or a designee who does not coach or direct a UIL contest but has approval authority over booster clubs should be invited to all meetings. All meetings should be open to the public.
- Booster clubs should apprise school administrators of all club activities. Make sure your local administration has a copy of all booster club publications. Invite administrators to all booster club meetings. Have an officer meet with the school administration regularly.
- School administration should apprise booster clubs of all school activities.
- Booster clubs do not have authority to direct the duties of a school district employee. The scheduling of contests, rules for participation, methods of earning letters and all other criteria dealing with inter-school programs are under the jurisdiction of the local school administration.
- Minutes should be taken at each meeting and kept on file at the school.
- Periodic financial statements itemizing all receipts and expenditures should be made to the general club membership and kept on file at the school.

## **R   ROLE OF THE SUPERINTENDENT (OR DESIGNEE)**

Member schools make UIL rules and determine policies regarding penalties to schools, school district personnel and student participants. The superintendent is solely responsible for the entire UIL program. All school activities, organizations (including the booster club), events and personnel are under the jurisdiction of the superintendent. Booster clubs must recognize this authority and work within a framework prescribed by the school administration.

## **R   ROLE OF THE PARENTS**

- Remember: The classroom comes first!
- Help conduct fair and equitable competition: adhere to rules, uphold the law and respect authority.
- Remember that officials are human. Respect their decisions.
- Delegate authority to the school, and then support its decisions.
- Set standards by which you expect children to conduct themselves, and live by those standards yourself.

## **ROLE OF THE PARENTS *(Continued)***

- Be aware of capabilities and limitations of young people. Don't have unrealistic expectations.
- Allow your children to live their own lives.
- Be involved in areas in which your own child is not involved, thus contributing to school unity and spirit.
- Show respect to the opponents of your children.
- Praise. Don't criticize. Urge others to do the same.
- Help your children and their friends develop integrity through the intensity of competitive activity.

## **R ROLE OF THE COACHES AND DIRECTORS**

- Be sure your booster club wish list has been approved by your supervisor before it goes to the booster club.
- Work with your administration to determine what your club can provide.
- Make your request to the club benefit as many students as possible.
- Attend the booster club meetings and/or know what the club is doing.
- Understand that your advisory role to the boosters is without vote.
- Support other programs within your district.
- Meet with parents regularly and make them aware of relevant rules.
- Involve your staff with your booster club. Let the booster club know who your staff is and what duties they perform.

## **R WRITTEN POLICIES**

Booster clubs should develop and annually review policies to cover:

- How to obtain administrative approval before beginning projects;
- How to plan and publicize meetings;
- Bookkeeping and fund administration including process to obtain superintendent's (or designee) approval prior to raising or spending funds;
- Election of officers (suggestion: one president; one secretary; one treasurer; and three vice-presidents: one vice-president to oversee fall, winter and spring sports);

## WRITTEN POLICIES *(Continued)*

- Taking, distributing and filing minutes;
- Public communication;
- Proper interaction with music and theatre directors and academic and athletic coaches through the lines of authority as established by the school board;
- A sportsmanship code governing behavior of booster club members and fans at contests, treatment of officials, guests, judges, etc.; and
- Plans to support the school regardless of success in competition, keeping the educational goals of competition at the forefront of all policies.

## R CLUB FINANCES

Fund-raising projects maybe subject to state law. Be sure that your club is in compliance with applicable law. For example, Texas has a law governing raffles. Also, consider seeking nonprofit or tax-exempt status. Consult the Texas Secretary of State's website as well as the IRS to determine if seeking designation as a non-profit that is tax exempt is appropriate for your booster club.

[http://www.sos.state.tx.us/corp/nonprofit\\_org.shtml](http://www.sos.state.tx.us/corp/nonprofit_org.shtml)

Booster clubs may make recommendations, but cash or other valuable consideration must be given to the school to use at its discretion. Generally speaking, earnings by a properly organized booster club may not benefit any private shareholder or individual.

- Community-wide sales campaigns should be coordinated through the school administration to minimize simultaneous sales campaigns.
- Sales campaigns should be planned carefully to ensure that the projects provide dollar value for items sold, and that most of the money raised stays at home. Otherwise, donations are often more rewarding than letting the major part of the money go to outside promoters.
- Fund-raising activities should support the educational goals of the school and should not exploit students. Activities and projects should be investigated carefully before committing the school's support.
- Individuals who actively coach or direct a UIL activity should serve in an advisory capacity only to the booster club and should not have control or signature authority over booster club funds, including petty cash or miscellaneous discretionary funds.
- Coach's wish lists should have received prior approval from school administration before submission to boosters.
- Coaches and directors of UIL academics, athletics and fine arts may not accept more than \$500 in money, product or service from any source in recognition of or appreciation for coaching, directing or sponsoring UIL activities. The \$500 limit is cumulative for a calendar year and is not specific to any one particular gift. See Section 481, UIL Constitution and Contest Rules.

## **CLUB FINANCES (Continued)**

- Schools shall not pay to coaches, and coaches shall not accept, funds gathered by a high school booster club or other sources within the school district. See Section 1202(b), UIL Constitution and Contest Rules.
- Funds are to be used to support school activities. To provide such funding for non-school activities could violate UIL rules and the public trust through which funds are earned.

## **R ATHLETIC BOOSTERS**

Individuals should be informed of the seriousness of violating the athletic amateur rule found in Section 441 and the awards rule found in Section 480 of the UIL Constitution and Contest Rules. Check with school administrators before giving anything to a student, school sponsor or coach. The penalty to a student-athlete is forfeiture of varsity athletic eligibility in the sport for which the violation occurred for one calendar year from the date of the violation. If a team violates the amateur rule, the penalty shall be assessed against the team and not against each individual. See Section 441(d), UIL Constitution and Contest Rules. All fans, not just members of the booster club, should be aware of these rules. It affects the entire community.

- Athletic booster club funds shall not be used to support athletic camps, clinics, private instruction or any activity outside of the school.
- The local school district determines when, how and from whom student athletes can receive meals and snacks. See Section 441(b)(9), UIL Constitution and Contest Rules.
- Schools must give prior approval for any banquet or get-together given for students.
- Students may not accept money or other valuable consideration from school booster club funds for any non-school purpose. See Section 441(A)(3), UIL Constitution and Contest Rules.
- Student athletes are prohibited from accepting valuable consideration for participation in school athletics (anything that is not given or offered to the entire student body on the same basis that it is given or offered to an athlete). See Section 441(a), UIL Constitution and Contest Rules. Valuable consideration is defined as tangible or intangible property or service including anything that is usable, wearable, salable or consumable.
- Booster groups or individuals may donate money or merchandise to the school with prior approval of the administration. These kinds of donations are often made to cover the cost of commercial transportation and to cover costs for meals. It would be a violation for booster groups or individuals to pay for such costs directly, without prior approval from the local school administration. See Section 441(b)(9) and Section 840 (a)(2)(A)(iv), UIL Constitution and Contest Rules.
- Student athletes may accept small “goodie bags” consisting of cookies, candy and symbolic gifts from their classmates, if allowed by local school policy. See Section 441(B)(7), UIL Constitution and Contest Rules.

## **R ACADEMIC BOOSTERS**

We encourage academic booster clubs, whether they cover UIL academic competition in general or specific programs such as theatre, speech/debate, journalism or math/ science. A great need exists for parental involvement and support.

## **ACADEMIC BOOSTERS** *(Continued)*

The rules for athletics are different than the rules for academics and music. Athletes are restricted by the Athletic Amateur Rule, which states that athletes cannot accept money or valuable consideration for participating in a UIL sport or for allowing their names to be used in promoting a product, plan or service related to a UIL contest. Academics has no amateur rule. Journalism participants may work for a newspaper and be paid. Actors may work summer stock and be paid. Students may win calculators and software for participating in invitational math contests.

UIL academic students are restricted by the Awards Rule. See Section 480, UIL Constitution and Contest Rules. So, as a general practice, booster clubs should not give gifts or awards to students for their participation in UIL contests that count toward district, region or state standing without prior school district approval. School booster clubs may raise money to purchase letter jackets, provided the funds are given to the school without designation to buy jackets for particular students and the school determines criteria for awarding the jackets. Parents may purchase jackets for their own children provided the school designates the student as being qualified to receive the jacket.

Booster Clubs may raise money to provide an annual banquet for academic participants and coaches.

### **R EXAMPLES OF ACADEMIC BOOSTER CLUB CONTRIBUTIONS THAT ARE NOT PROHIBITED BY UIL RULE, WITH LOCAL ADMINISTRATIVE APPROVAL, ARE:**

- Purchase equipment for programs such as computers or software for yearbook or computer science;
- Organize and chaperone trips and assist with expenses for travel to academic competitions or educational trips such as journalism conventions or speech tournaments. Booster club funds may be used to provide food and refreshments for students on these trips. A purely recreational trip would not meet the definition of an educational field trip and could be considered a violation of the Awards Rule. See Section 480(2)(d), UIL Constitution and Contest Rules.
- Run tournaments, organize fund-raising efforts, recruit corporate donors, raise money for scholarships and arrange for tutors and professional trainers to work with students;
- Fund academic workshop scholarships provided selection of the recipients is not based solely on their success in interscholastic competition. Selection could be based on grade point average or the student's selection of high school courses. All students meeting the conditions for scholarship assistance should be notified and eligible for financial assistance. Funds should be monitored to ensure that they are expended for camp or workshop purposes.

### **R MUSIC BOOSTERS**

In addition to the general procedures outlined, the following guidelines apply to Music Booster Club activities.

- Be mindful of the fact that there is no Music Amateur Rule. Therefore, limitations established in athletics intended to ensure compliance with the Athletic Amateur Rule do not apply to music programs and related activities.
- Some music booster clubs assist with expenses for travel to various music-related activities such as UIL contests and performances at away athletic events. Such financial support violates no UIL rules provided that it is approved and coordinated by the local school district.

## **MUSIC BOOSTERS** *(Continued)*

- Many music groups schedule educational field trips with the approval of the local school administration and under local school district policies. For such trips, specific educational components must be included such as performing for a music festival, an adjudicated contest or a concert tour. Marching performances such as the Macy's Thanksgiving Day Parade, the Rose Bowl Parade or other similar ceremonial appearances also qualify. However, educational components need not be limited to performances. Concert attendance, visiting university/conservatory music facilities and other music related, non-performing opportunities would also be appropriate if approved by the local school district.
- A recreational trip, on the other hand, would not meet the definition of an educational field trip as provided in Section 480(f) of the UIL Constitution and Contest Rules. Students receiving the benefits of a purely recreational trip would likely be in violation of the Awards Rule.
- Booster Clubs may also fund scholarships for private lessons and summer music camps provided the selection of the recipients is not based on success in interscholastic competition. Funds for such activities should be carefully monitored to ensure that they are expended for educational rather than recreational activities.
- The awarding of patches, T-shirts or other items for achievement in interscholastic competition would be subject to the UIL Awards Rule. See Section 480(2)(A), UIL Constitution and Contest Rules. In order to protect all music students' eligibility, such awards should be approved and administered by the local school district in accordance with school district policies.

## Section 6

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# Fundraising and Accounting



## DAILY OPERATION GUIDELINES

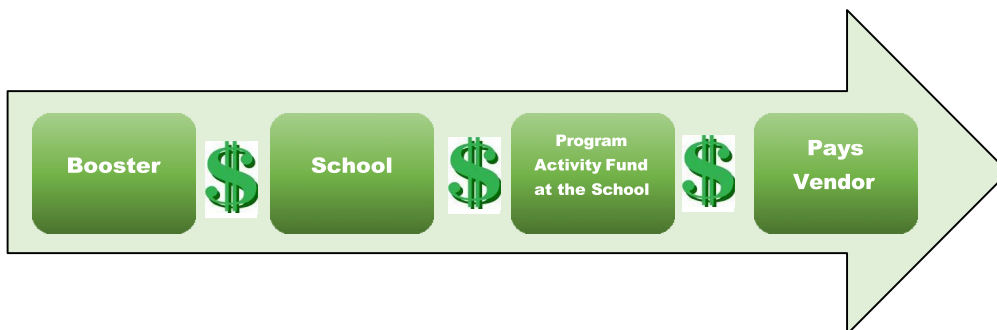
In addition to federal, state and UIL guidelines, McAllen ISD also provides a framework for day-to-day processes and procedures.

## ACCOUNTING PROCEDURES

- Booster Clubs should establish easy-to-use methods for managing the club's money. You may utilize Quicken, Excel or any other spreadsheet program to track expenditures and revenue.
- All transactions should be recorded in the Booster Club's financial records (checks matched to a request for expenditure and deposit receipts matched to a bank statement).
- The Booster Club's books and bank accounts should be reconciled monthly.
- Meeting minutes must be kept as permanent records for every meeting.
- Every organization should conduct a monthly review of the books to catch mistakes and inconsistencies (reconciliation).
- Records must be kept for 7 years, bank statements, receipt books, bank deposit slips, checks/expenditures, fundraiser requests, etc.
- All funds must be deposited in either FDIC or FSLIC institutions.
- A district audit of financial records may be conducted, and a copy of the report is provided to the campus principal, district school system's financial officer, and PTO/PTA/Booster.

Booster Clubs may provide financial support to their student group in two ways:

1. Activity funding: The Club writes a check or "donates" money to the school and the school transfers money to the Activity Fund of the student program. The funds then belong to the members of the student group, to be spent by the Sponsor or Coach. All accounting and safeguarding of funds are the responsibility of the school, once the school has received the funds. The flow of funds looks like this:

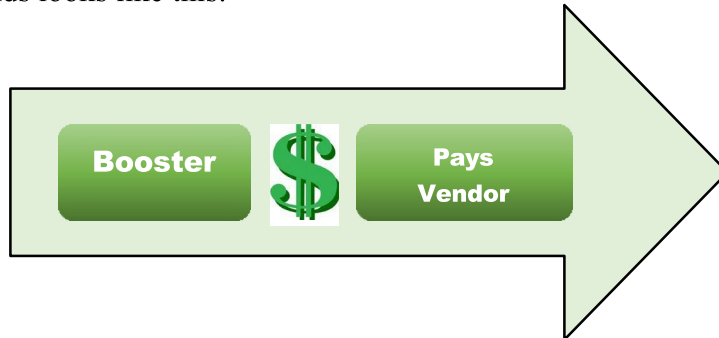


- The IRS prefers that 501(c)(3) organizations use this method since it provides the most transparent use of Booster Club funds.
- The District may reimburse Booster Clubs for expenditures only if prior approval has been granted by the MISD Accounting Office. Allowable expenses may be reimbursed on a case-by-case basis.



## ACCOUNTING PROCEDURES (Continued)

2. Direct funding: The Club writes checks to the individual vendor for the expense related to the student group through their bank account. All accounting and safeguarding of funds are the responsibility of the Booster Club. The flow of funds looks like this:



- **DO NOT** send bills to the school for the bookkeeper to process! Ask the vendor to bill your club directly. Schools will not be responsible for forwarding mail or processing payments on your behalf.

## DETERMINING WHICH PAYMENT METHOD TO USE

UIL Expenditure Rules are clear regarding what expenses Booster Clubs may cover. The list below provides guidance to Boosters on how best to fund expenditures. The list is not all-inclusive. If you have questions, please contact the Campus Principal, appropriate department or Accounting Department.

### Activity Funds or Booster Club Funds can pay for...

- Non-essential items such as water jugs, hanging bags, tote bags, or yard signs (if yard signs are commercially made, they must either be returned to the booster club or purchased by parents).
- Cheer, Color Guard and Dance performance wear (must be documented and submitted to the Campus Bookkeeper as a donation, i.e., "\$3,500.00 of costumes were donated").
- If the Booster Club donates money to the school, the uniform remains the property of the District.
- Any donations above \$5,000.00 have the option to be recognized by the board (see Donation Form Flow chart).
- Instrument purchases
- Instrument rental (for non-district owned instruments)
- Services: Examples include Prop Builder or Drill Designer (anyone providing a non-teaching service - If over \$600, the individual must be given a Form 1099 as this is taxable income to the provider)
- Meals. If using travel forms, follow district food allotment guidelines.
- Contest entry fees
- Equipment
- Concert recording (follow copyright laws)
- Purchasing performance tickets for students

### Activity funds may pay for...

- Essential items such as uniform cleaning, performance wear, and equipment.
- Uniforms which become the property of the District.
- Judges, Performance Consultants, Clinicians, Master Class Consultants, Color Guard Instructor, Choreographers, and any other personnel that **provide a teaching service or** work directly with students.
- Instrument rental (for district-owned instruments)

## **DETERMINING WHICH PAYMENT METHOD TO USE *(Continued)***

- Transportation of students – buses, vans, charters
- Travel - Hotel rooms, meals

Please refer to the McAllen ISD Donation form and flow chart (found at the end of this document) for guidance on all donations made to the District, whether monetary or non-monetary. All items donated by the PTO/Booster club become the sole property of the District.

## **AUDIT OF THE BOOSTER CLUB AT YEAR-END**

Each PTO/Booster Club may be subject to a McAllen ISD audit of the financial records. An outside accounting firm or CPA is not required to review the financial information versus an internal audit review. If an outside party performs the review, results should be presented in their reporting format; making a note to sign and date the report.

It is the responsibility of the club Treasurer to provide relevant information to the auditor. In the least, the Treasurer should prepare and have ready, the written report of revenue and expenditures for the entire year. Many PTO/ Booster Clubs have a year-end of June 30.

It is recommended that at the end of the fiscal year, an audit of the Booster Club's financial records be conducted. The audit should be performed by individuals who are independent of day-to-day financial activities. Ideally, this audit should be performed by a group of three individuals; however, if the membership size does not allow, the audit may be performed by two individuals or by the MISD Internal Audit Department upon request. Upon completion of the audit, the audit committee shall make a report to the general membership. Any discrepancies noted shall be brought to the attention of the president of the organization and a resolution reached prior to presentation. All officers of the organization shall make records available as requested by the committee.

## **BANK ACCOUNTS**

- Booster Clubs should set up a bank account with the Booster Club's EIN only. Do not use an officer's social security number or the District's EIN.
  - All money must be deposited on a timely basis into an FDIC or FSLIC designated bank account.
  - Two PTO/Booster members must be responsible for counting/verifying funds.
- No district employee can be an authorized signer for the bank account(s) of Booster Clubs.
  - Only PTO/Booster President, and Treasurer should have access to the Clubs bank account.
  - PTO/Booster Club President and Treasurer should not be related.
  - PTO/Boosters must have limited access to funds, only designated persons should have access to reduce liability.
- All deposits must have a corresponding receipt to detail all transactions.
  - Receipts should indicate whether cash, check, money order, or cashier's check was received, date of receipt, and signature of the person receiving money.
- The District recommends at least two authorized signatures are required for each check written to establish good internal controls over check disbursements.
- Any funds awaiting deposit must be maintained in a locked, secured safe. Funds may not be kept in a filing cabinet, or desk.

## **BANK ACCOUNTS (Continued)**

- Bank account(s) should be reconciled monthly and within 30 days of receipt. There must be accountability of the funds by a designated PTO/Booster participant and/ or committee member.
  - Must be PTO/ Booster designated persons, not ISD employees. Funds must be kept separate. Never commingle club money with personal accounts.
  - Post-dated checks should not be accepted from any source.

## **BANK ACCOUNT, BUDGETING & CARRY OVER BALANCES**

While it is generally thought that boosters should spend all money raised in a given year, you need to remember that the incoming officers for the following year need start-up money.

Clubs should allow enough “carry-over funds” to permit the new officers sufficient funds to begin the year and fund programs until a fundraiser is held. This amount will vary from club to club.

The Booster Club should spend the funds raised during the year on the students that participated in raising the funds. The Booster Club may save the money raised over a couple of years for a large item or trip. Be sure to inform members if an unusually high amount of excess funds exists when the year is complete. Explain in detail via the treasurer’s report how the funds will be used going forward and provide a long-term budget if possible. If your club requires a vote to carry over funds, please include in your bylaws.

## **FACILITY RENTALS**

Booster Clubs should contact the McAllen ISD Facilities Department to arrange to use any school facility. PTO/Booster Clubs must provide proof of their tax-exempt status, proof of payment of District provided insurance, and a roster of contacts prior to signing a rental agreement.

## **DONATIONS - MONETARY OR NON-MONETARY**

Donations from Donors to the PTO/Booster Club PTO/Booster Clubs may receive monetary or nonmonetary contributions from individuals or businesses. Donors giving monetary or non-monetary gifts to boosters who are tax-exempt receive a tax-deductible receipt to be used on their federal income tax.

If your club lost its tax-exempt status by revocation for failure to file taxes or if your club never applied for tax-exempt status, then contributions to your organization are not tax-deductible to the donor. You must inform the individual or business that their contributions or donations are not tax-deductible. Donations to your club may be acknowledged with a simple thank you in addition to a tax-deductible receipt.

If the gift is monetary, you may indicate the dollar amount. If the gift is not monetary, the estimated value should not be included in the receipt as the donor determines the estimated value.

### **Donations – from the PTO/Booster Club to McAllen ISD Activity Fund**

**Monetary** – PTO/Boosters may elect to donate money to their student program’s Activity Fund. Please refer to the McAllen ISD Donation form and flow chart (found at the end of this document) for guidance on all donations made to the District, whether monetary or non-monetary. All checks must be made payable to the school or to McAllen ISD for the benefit of your specific program. The District will issue a Gifts, Bequests or Donations Form (receipt) to you for your contribution. Gifts, Bequests or Donations Form (receipt) should be kept with the Booster Club’s financial records.

## **DONATIONS - MONETARY OR NON-MONETARY (Continued)**

**Non-monetary** - PTO/Booster Clubs may elect to donate a vehicle, trailer, or other fixed assets. Prior to donating an item, the organization should work with the program sponsor or coach, to ensure the item being donated is needed and will be accepted by the District. Please refer to the McAllen ISD Donation form and flow chart (found at the end of this document) for guidance on all donations made to the District, whether monetary or non-monetary. There are times when the District cannot accept non-monetary gifts due to insurance restrictions placed by the state. Once accepted, the District will process the Donation and work to transfer title or any other paperwork necessary to transfer ownership to the District.

If the District elects to dispose of the asset after its useful life, under Texas Education Code Section 11.156, ownership of any property donated to the District vests with the Board of Trustees upon acceptance. Accordingly, only the District can sell or otherwise dispose of the property consistent with applicable laws, policies, and procedures.

The Education Code further provides that the District may use the property “or the income from the property” for “any purpose designated by the donor that is keeping with the lawful purposes of the schools for the benefit of which the donation was made or for any legal purpose if a specific purpose is not designated by the donor.” In sum, the District owns the property and therefore the District must dispose of the property in accordance with established policies and procedures. If the property is sold, the proceeds from the sale may be used either for the purchase of a replacement item(s) or to support the program in general. Donations over \$5,000.00 have the option to be recognized by the Board, please coordinate with the Assistant/Associate Superintendent.

### **Donations – from the Booster Club to another organization**

Booster Clubs are discouraged from donating to another cause because they are awarded tax-exempt status based on the premise that the club solely supports a school-sponsored program.

## **FLYERS**

McAllen ISD provides organizations the ability to share event information that benefits students and families in one centralized place. Events or camps organized by booster clubs must exist for the sole purpose of advancing extra-curricular programs in the district and only be available to McAllen ISD students. All fliers must be approved by the campus principal before any disbursement.

## **FUNDRAISING**

**BEFORE** any fundraising activity occurs, Booster Clubs should coordinate with their sponsor and campus principal. The following guidelines should be established.

### **Guidelines and Policies**

- The group must complete and submit [Form D - Fundraiser Application Form](#) on or before October 1st and receive approval from the Campus Principal when planning functions in which students will participate, and must abide by Texas regulations (e.g., no gambling, use of appropriate themes, etc.).
- Students may work two fund-raising events. Parents may work as much as they prefer.

## FUNDRAISING *(Continued)*

- Booster Club should submit the following information to the Campus Principal:
  - Purpose of the fundraiser,
  - Type of fundraising activity (i.e., candy sale, carnival),
  - Date(s), time(s) and place(s) of the activity,
  - Name of the sponsoring organization,
  - Name and phone number of the organization’s representative (person in charge),
  - Name and phone number of the person(s) who will be handling the money for the fundraiser. (limit the number of people handling money)

### **IRS Regulations on Fundraising**

- The IRS prohibits tax-exempt organizations from requiring people to participate in fundraisers. Likewise, Booster Clubs may not require an amount to be “donated” in lieu of participating in the fundraiser.
- People may choose whether to participate in a fundraiser and may choose whether to donate to the Booster Club. Furthermore, if a person decides not to participate, that person cannot be excluded from having the opportunity to benefit from the fundraiser and cannot be penalized for choosing not to participate in the fundraiser.
- Benefits given by a tax-exempt organization cannot be based on participation in a fundraiser or based on the amount of individual fundraising efforts. Therefore, regardless if a person participates in a fundraiser and regardless of the amount of revenue raised, that person cannot be denied the opportunity to receive an equal benefit.
- The IRS prohibits the use of individual accounts by Booster Clubs. Booster Clubs must benefit the group as a whole, not its individual members.

### **Accounting for a Fundraiser**

- Within a week of the end date of the fundraiser, the PTO/Booster organization must complete an accounting of the fundraiser and supply said report to the Treasurer for final reconciliation.

### **Analysis of a Fundraiser**

- PTO/Booster Clubs should analyze and document whether the fundraiser was a success or failure by completing and submitting [Form E - Fundraiser Revenue and Expense Form](#). This type of analysis will help a Booster Club decide whether to repeat a particular fundraiser the following year and what lessons were learned from the experience.

## FUNDRAISING FOR INDIVIDUALS OR FAMILIES

Heartbreaking events may happen in the lives of our students, District staff, and their families. These events may range from death or injuries in tragic accidents, to major illnesses or fires. Most of us want to help these individuals or families. Raising funds for these situations must be done by the family setting up a special account at a bank or credit union. Donations can be made by individuals or businesses by sending checks to the bank, credit union or GoFundMe page for the particular individual or family. These contributions are **not** tax-deductible for income tax purposes. Even though we want to assist individuals and families in times of need, schools and the District cannot hold fundraisers for these individuals and families.

## MEMBERSHIP DUES

PTO/Booster Clubs may charge dues to their members and should be defined in your bylaws. Parents do not have to be members of the Booster Club for their child(ren) to participate in the student group that receives benefits from a Booster Club. Membership dues are associated with the parents being part of Booster Club and are in no way associated with the expenses related to that parent's child (i.e., trip expense, costume expense). Therefore, membership dues may not offset expenses related to that parent's child.

## MONEY HANDLING GUIDELINES

“Money” refers to cash, checks, money orders, or cashier's checks. Please use a spreadsheet or accounting software to track income and expenses. The following suggestions encourage proper accountability.

### Receiving Money

- The person receiving the money while in the presence of the person turning in the money should count all money received and both should sign and document the amount.
- The person receiving the money should give a receipt to the person delivering the money (both parties should retain their copy of the receipt).
  - Receipts should indicate whether cash, check, money order, or cashier's check was received; date of the receipt; and signature of the person receiving the money.
- Any checks received should be endorsed and deposited immediately.
- Post-dated checks should not be accepted from any source.
- If a money order or cashier's check is received, please document the number and issuing bank's name.

### Recording and Depositing Money

- All money should be delivered to the Booster Club Treasurer to deposit immediately.
- Receipts should be reconciled with all money turned in and deposited.
- Money received should only be deposited in the Booster Club's account.
- Deposit slips should be retained and reconciled monthly to the bank account statement.

### Disbursing Money

- Clubs may elect to have two signatures on each check. This is not required but a good practice.
  - Checks over an indicated amount in the club by-laws must have 2 signatures.
- Blank checks should never be issued and checks should never be pre-signed without an amount or payee listed.
- Boosters may not reimburse members for sales tax. If a parent does not use the Texas Resale Certificate when purchasing items, it is against IRS 501(c)(3) code for non-profits to reimburse tax.

### Safeguarding Money

- Do not keep money or unused checks in an unlocked drawer, unlocked filing cabinet, vehicle, or other unsecure place. The District will not reimburse stolen funds.
- Do not store financial records in the same place as the money. If a theft occurred, determination and recovery of records would be difficult.
- Money received and not yet deposited should not be used for personal purchases, check cashing, loans, advances, reimbursements, or for any other purpose.
- The sequence of check numbers should be accounted for when reconciling the bank statement to the Booster Club's books.

## **MONEY HANDLING GUIDELINES (Continued)**

- Issuing checks payable to "Cash" or to the "Sponsor" should be avoided. The IRS may examine these transactions in more detail than other transactions. If a check must be payable to "Cash" or to the "Sponsor," keep detailed documentation of the expense or use of the funds.
- Do not purchase items with booster club funds without producing a receipt.

### **Carry-over Money**

- A nominal amount of funds may be carried over to begin the next year.
- The carry-over amount should be enough to “begin business” until the first fundraiser occurs.
- The Principal shall verify the end of year balances to ensure carry-over amounts are in compliance with this Policy.

### **Debit Cards**

- Booster Clubs are permitted to use a debit card for purchases only, not for cash. When using a debit card, please maintain a detailed receipt for the purchase and return to the Treasurer immediately to be kept with the club’s financial records.
- Booster Clubs are prohibited from using Credit Cards or assuming debt.

## **PURCHASE OF GIFT CARDS**

Any gift cards purchased should not exceed \$25 in value and must be retail-specific (i.e., branded cards of restaurants, stores, etc.). Generic cards (MasterCard, Visa, etc.) are not permitted.

Gift cards are cash equivalents, so the organization should exercise the same care when storing and distributing gift cards.

If a gift card is donated to the organization for the purpose of subsidizing association expenses, complete a disbursement voucher with receipts attached for the Financial Reconciliation Committee to verify that funds were spent appropriately.

## **RAFFLES**

Raffles in Texas are governed by the Texas Attorney General. A raffle is defined as the award of one or more prizes by chance at a single occasion between a single pool of persons who have paid or promised a thing of value for a ticket that represents a chance to win a prize. You do not need to register with the AG’s office in order to host a raffle or silent auction. More information can be found at [Chapter 2002, Occupations Code/Charitable Raffles](#) or you may contact the Texas Attorney General’s Office at 1-800-621-0508.

### **What prizes may be offered?**

An organization may offer any prize except money. “Money” includes coins, paper currency, or a negotiable instrument (e.g., Certificate of Deposit) that represents and is readily convertible to currency. A savings bond or store-value gift card are allowed as prizes. There is no monetary limit on prizes donated to the organization.

### **What are the restrictions on how the raffle may be conducted?**

- The Charitable Raffle Enabling Act (CREA) permits a qualified 501(c) tax-exempt, nonprofit organization that has been in existence for at least 3 years may hold only two raffles per calendar year and only one raffle at a time.

## **RAFFLES (Continued)**

- Paid advertising through mass communication is prohibited. Donated advertising is permissible.
- A prize may not be money.
- Only members of the organization, or student organizations recognized by institutions of higher education selling on behalf of the institution, may sell tickets.
- No one may be compensated directly or indirectly for organizing or conducting a raffle, or for selling raffle tickets. The organization may not permit a non-member or other unauthorized person to sell or offer to sell raffle tickets.
- Raffles cannot be held on McAllen ISD's grounds and/or facilities.

### **What information must be printed on the tickets?**

Each raffle ticket must state:

1. The name of the organization conducting the raffle
2. The address of the organization holding the raffle,
3. The price of the ticket,
4. The date on which the raffle prize is to be awarded and,
5. A general description of each prize to be awarded that has a value of over \$10

### **Are there any penalties for conducting or participating in an unauthorized raffle?**

Yes. An unauthorized raffle is considered gambling under the Texas Penal Code. Conducting such a raffle is a Class A misdemeanor. Participating in an unauthorized raffle is a Class C misdemeanor.

### **Can we hold a Bingo as a form of a Raffle?**

No. Per District guidelines, McAllen ISD Booster Clubs are not allowed to raise funds through Bingo.

## **SCHOLARSHIPS**

Scholarships must be awarded based on a student's need or merit (e.g., essay contest, GPA limit, etc.). Clubs should outline the standard process for scholarship application and distribution in their bylaws. Boosters must ensure all UIL eligibility requirements have concluded. Boosters should define in their bylaws what happens if a student declines to attend a University and receives a scholarship. Please outline whether the money is forfeited or held for a period of time until the student decides on a post-secondary school.

In addition to meeting UIL guidelines, if your booster organization awards scholarships, the following IRS rules must be strictly followed:

Eligibility: Those eligible to apply for the scholarship must be from a specific group, such as students who attended an elementary or middle school or youth who participated in sports for a specified period of time (i.e., 1 year or more.)

Selection criteria: Objective criteria must be used to select scholarship recipients, including but not limited to:

1. membership,
2. past academic performance,
3. performance on tests designed to measure ability or aptitude,
4. recommendations from instructors, and
5. financial need.



## **SCHOLARSHIPS (Continued)**

Selection committee: The selection committee may not consist of anyone related to (i.e., spouse, parent, grandparent, or great grandparent of) any of the applicants. The selection committee may not be in a position to receive any personal benefit, directly or indirectly, from selecting any applicant over another applicant.

Use of scholarships: Scholarships must be made in such a way to ensure that the grants are used for the intended purpose. For example, it is recommended that funds be distributed directly to the college/university in the scholarship recipient's name. It also is recommended that your organization confirm that the scholarship recipient is enrolled, and in good standing, prior to distributing the scholarship funds.

Records: The following records must be kept on file: (i) the scholarship application and all materials obtained to evaluate applicants; (ii) the criteria used to evaluate applicants; (iii) names and contact information regarding the persons to whom the scholarships are made; (iv) the amount and purpose of each scholarship, and the steps taken to ensure that the scholarship funds were used for the intended purpose.

## **STUDENT FEES AND FINES LIST**

Booster Clubs may find themselves in a situation where students or parents do not submit money for fundraisers or expenses, resulting in amounts owed to the Booster Club. Since these amounts relate to Booster Club activities, the amount owed cannot be levied on the student's fees and fines account with the school. If a Booster Club wishes to pursue recovery of these amounts, they must do so independently from the District and the school.

## **STUDENT PRIVACY - ALL MEDIA TYPES**

Before posting anything in printed material, or in any media context, ensure that the parent or legal guardian of the student completes a photo or video release form. While such material may be used to promote your booster club or solicit donations, you must respect the privacy of all students, parents or guardians and obtain their approval before distributing their photo or name. You may create your own form. As with the District's social media guidelines, social media etiquette is required of all Booster Clubs at all times.

## **GUIDELINES FOR WORKING WITH STUDENTS**

### **Meeting with Students**

- All meetings and/or activities with students must take place on the school campus, or as part of a school-sponsored field trip.
- All activities with a student(s) must take place in a room with an open door or on the school grounds in sight of school staff representatives.
- Off-campus contact is prohibited unless under the direct supervision of school officials.
- Any volunteers including but not limited to parents, booster club members, etc. are subject to MISD background checks (thru RAPTOR).
- Consultants (contractual) with direct contact with McAllen ISD students need to have a valid Criminal Background check on file. Please see attached link: <https://4.files.edl.io/3746/07/16/20/232943-0a8c2286-78de-4b55-a093-55ec0fa95bd5.pdf>
- Never give a student your home phone number, address, or email address.

## **GUIDELINES FOR WORKING WITH STUDENTS *(Continued)***

### **Transportation**

- Transporting a student in your personal car is prohibited.
- Students must be transported in a school district vehicle or in their parent or legal guardian's vehicle.

### **Physical Contact**

- Physical contact should be limited to holding a hand, giving a soft pat on the back, or sharing a hug in full view of other school officials. Remember that what you see as simple, friendly praise or encouragement maybe viewed as something entirely different and reported as such.

### **Confidentiality**

All Student information is confidential and sharing that information with others is a violation of the law. While a student may freely share confidential information with you, if you are privy to alarming or harmful content, you are obligated to tell the campus principal or a district administrator as soon as possible.

- If a student confides that he or she is the victim of sexual, emotional, or physical abuse, is considering homicide or suicide, or is involved in any illegal activity.
- Do not share confidential information with anyone except the appropriate authorities.
- If you have questions, please contact your campus administrator.

## **R FINANCIAL AND LEGAL RESPONSIBILITY:**

The school and/or District are not liable or responsible for any contracts or expenditures made by a Booster Club/Parent Organization. Agreements for the purchase of goods or services are the responsibility of the Booster Club entering the agreement. We strongly encourage any Booster Club/Parent Organization to obtain legal assistance before authorizing or signing any agreement or contract in the Booster Club/Parent Organization's name.

The District will not expend school district funds, including student activity accounts, to pay any amounts due under such agreements or to represent a Booster Club/Parent Organization in any legal action that may arise from the Club's activities.

501(c)(3) organizations are legal entities independent of the McAllen ISD and as a result they are not afforded the protection of any insurance by the McAllen ISD and are not afforded immunity under the law like school districts. The officers or directors of those entities will want to consult their own attorneys or insurance agents to discuss what insurance is best suited for their organization. Insurance considerations may include director's and officer's liability coverage, theft or loss of funds coverage, medical coverage, and special events coverage. For example, consideration should be given to situations where someone may be hurt or injured during a fund-raising event. Again, the McAllen ISD cannot give insurance advise and cannot assist with the processing of insurance claims on behalf of the support organization.

## **R SUSPENDING A BOOSTER/PARENT ORGANIZATION**

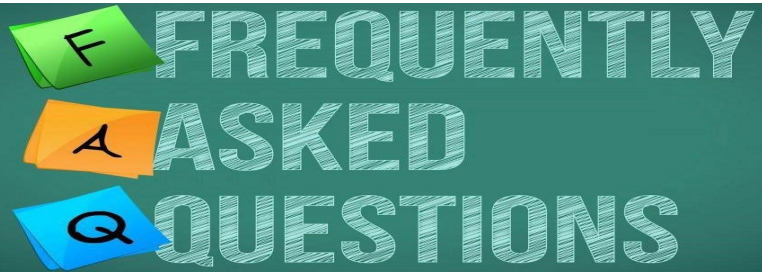
Some parent organizations may have insufficient support to maintain an organization or another significant event may occur such as the organization's 501(c)(3) tax exempt status is revoked by the IRS. In these instances, suspending the operation of the parent organization may be needed. The suspension may be voted on by the organization or the decision may be made by the Principal. The suspension must be noted in the records of the organization. In suspending a parent organization, the organization may resume activity once parent support is sufficient or once significant events have been rectified.

## **SUSPENDING A BOOSTER/PARENT ORGANIZATION *(Continued)***

Before suspending the operations of a parent organization, discuss the situation with the Principal/Sponsor. Then contact the MISD Internal Audit Department for further guidance since certain steps must be taken related to the District, the State and the IRS to properly suspend the organization.

In addition, upon recommendation from the Superintendent, the Board may cease to recognize and may withdraw affiliation with any booster organization that, in the opinion of the Board, does not adhere to applicable policies and administrative regulations. In the event of such Board action, any privileges afforded to the organization as a District-affiliated organization shall cease. [See CY and GKD]

## Section 7



# Frequently Asked Questions

## UPDATES

### 1. What changes have been made due to COVID 19?

As always, all fundraisers must be approved by the Principals. We encourage activity that limits physical contact. If on campus activity has been approved, all safety protocols must be followed; masks, social distancing must be maintained at all times.

## ADVERTISING/SPONSORSHIP

### 1. Whom do we contact for questions relating to sponsorships/advertising?

The district maintains advertising/sponsorship agreements with several businesses around the community and as such, is contractually obligated to respect those agreements. Prior to your Booster Club entering into an agreement with an outside party, which would conflict with existing district advertising agreements, please check with our Office of Community Information (618-6023) to see if you would be able to engage in a sponsorship/advertising agreement for your Booster Club.

### 2. Do advertising restrictions only apply to district facilities?

The District's Office of Community Information must approve all advertising at District facilities. Please contact the Office of Community Information for more information.

## BANQUETS

### 1. Can non-Athletic Booster Clubs give gift cards to graduating seniors at the end of season banquet?

Gift cards issued to students should not exceed \$25 in value and must be retail-specific. See question 2 for athletic booster clubs.

### 2. Can the Athletic Booster Club give gift cards to graduating seniors?

Gift cards are prohibited for student-athletes. UIL Guidelines are very specific about awards for athletes and the consequences of failing to follow UIL guidelines can affect the amateur status of an athlete. In the UIL Constitution under Subchapter O, Section 480, it lists awards that may and may not be received by student-athletes. Review all information before items are awarded and please seek the advice of the Athletic Department as needed. Visit [www.uil texas.org](http://www.uil texas.org) for more information.

### 3. Can the Booster Club give gifts to the coaches?

Yes, but the gifts have to be tangible (not money) and are limited to \$500 per year. UIL gift rules are completely different for coaches than for students.

### 4. Should coaches/sponsors handle money for the sale of banquet tickets?

No. The banquet committee or treasurer should coordinate and handle all banquet funds.

### 5. Do we need to collect taxes on the sale of banquet tickets?

No.

## BINGO

McAllen ISD does not allow bingos and will not allow PTO/ Booster to utilize District facilities to hold bingos. Bingos may be held by PTO/boosters outside of school hours and outside district facilities but must abide by Texas Charitable Bingo Operations Division, and Texas Lottery Commission (TLC). TLC is responsible for licensing and administrative enforcement of the Bingo Enabling Act (BEA). Numerous restrictions exist on who can operate bingo, including the requirement that individuals who work on bingo operations by members of the organizations that hold the license. In short, school districts and campuses do not qualify to hold bingo fundraisers, and it is also unlikely that a booster club would be considered a qualified entity under the state law.

## **BINGO (Continued)**

### **1. If we charge an entrance fee to a field day event being held on District facilities and want to have a Bingo as one of the activities (no additional fees to play), will this be allowed?**

No. Bingos are not allowed in District facilities regardless of the method of Purchase.

## **BYLAWS**

### **1. If we amend our bylaws mid-year, should we submit a copy to the District or wait for the year-end?**

Anytime bylaws are changed, your campus principal and campus must have a copy of the revised bylaws. The bylaws must be updated every 3 years, or as changes are made, whichever occurs first. If bylaws are amended, A PTO member may submit a revised set of bylaws as a substitute for the existing bylaws by a majority vote by the member present at a PTO meeting if this organization.

### **2. Why do we need bylaws?**

Bylaws are the written document that defines the purpose of your group, rules that govern your club, and general operating guidelines. The IRS requires any 501(c)(3) organization to maintain a set of bylaws. Bylaws should be customized for your group, reviewed, and updated annually.

## **CASH HANDLING**

### **1. Are boosters allowed to have a Venmo or Cash App account?**

Venmo, Cash App or similar can be used only if the account is linked to the PTO/Booster bank account. They cannot be linked to a personal account.

## **CHILD NUTRITION**

### **1. In reference to Child Nutrition policies, what changes have been made due to COVID 19 and food sale fundraising?**

Food sales are allowed but must follow Federal, state, and local requirements. Disposable gloves and aprons must be used as well as face coverings. Face shields are strongly encouraged, and social distancing must be maintained at all times.

### **2. Does every person working at the fundraiser event need to have a food handler's permit even if it is all prepackaged foods?**

Yes. All food sales require all individuals to have a food handler's permit.

### **3. Where can I find available food handling permit courses?**

You can find a list with the links of the sites for obtaining food handling permit on the Booster/PTO Training power point. Web based training links are included as well as names and phone numbers of individuals that conduct face to face sessions provided by the City of McAllen. Availability of face-to-face classes is unknown and individuals interested are encouraged to reach out to training programs directly.

### **4. Do we need a food handling permit when selling popcorn/pickles?**

No. These foods are not considered potentially hazardous.

## **DONATIONS**

### **1. Can a Booster Club provide a donation letter to parents who volunteer their equipment for the Booster Club's use?**

Yes. For example, a parent offered the use of his/her trailer for a softball fundraiser.

### **2. If I lost my tax-exempt status, can I provide a tax-deductible receipt to donors?**

No. If the IRS notified you that you lost your tax-exempt status due to failure to file federal taxes for three consecutive years, you are considered a for-profit, taxable entity and cannot offer this benefit to your donors.

## **DONATIONS (Continued)**

### **3. Can a Booster/PTO donate funding for instructional technology hardware and/or a software?**

Booster/PTOs are able to provide monies for instructional technology hardware and/or a software but only if the hardware and/or software is pre-approved by the District's IT Department and only if the assets/licenses will be 2020-2021 Parent Organizations and Booster Club Guidelines 42 owned by the District.

### **4. Can a Booster club issue a charitable donation letter for any monetary/non-monetary donations made to the organization? How about if my organization is not an IRS 501(c)(3)?**

Individuals and corporate donors are more likely to support organizations with an IRS 501(c)(3) status because their donations can be tax-deductible. If your organization is considered an IRS 501(c)(3), send a letter at the end of the year to the donor so that they can claim the donation on their tax return. Donations to organizations that are not an IRS 501 (c)(3) are not tax deductible to the donor.

## **FEES TO VENDORS**

### **1. How are clinicians, band technicians, choreographers, etc. paid by the Booster Club?**

When the Booster club will be funding the services of a clinician, technician, etc., the best practice is for the Booster club to remit the fees associated for the service to the District to assure that all required procedures have been followed.

Any clinician, technician, choreographer or other person that works with students MUST have undergone a criminal background check before they may work with students. The coach/sponsor/director that oversees the student group must assure that this has been done and is on file.

For more information, contact MISD Purchasing Services or visit: [Purchasing Services | McAllen Independent School District \(mcallenisd.org\)](#)

## **FLYERS**

### **1. How do I submit a flyer for approval and distribution to feeder pattern schools?**

Please contact Campus Principal and Community Information for approval.

### **2. What is the turnaround time for approval once a flyer is submitted?**

Flyers are approved within one business week. If a revision is required, you will be contacted.

## **FUND-RAISING**

### **1. Can Booster Clubs have “letter campaigns” asking for donations rather than selling items?**

Yes, however, this method is considered a fundraiser. Please remember to provide your donors a tax-deductible receipt if you are a Booster Club in good standing with the IRS.

### **2. Are students limited to the number of fundraising events?**

Yes. Students may participate in two fundraisers per year. Parents can conduct as many fundraisers as they would like without the involvement of the students.

### **3. Can students fundraise to offset costs to attend a trip even if not all students will attend?**

No. All fundraising organized by the boosters must benefit all students in the program equally. Additionally, you cannot require students to participate nor meet sales quotas.

### **4. What steps do I take to obtain approval for a fundraiser?**

Please complete and submit to Campus Principal [Form D - Fundraiser Application](#) form on or before October 1st.

## **FUND-RAISING (Continued)**

### **5. Are cake walks allowed as a fundraiser?**

Yes, a cake walk is a product given that is of minimal value. Sponsor organizations hold responsibility for any City health permit requirements. There are different guidelines if cakes are purchased or homemade.

## **GIFTS**

### **1. Can the Booster Club give gifts to an MISD employee such as the campus principal, sponsor, or athletic coach?**

Employees may accept appreciation gifts, meals, or *de minimis* gifts such as student art, shirts, or plaques as long as the gift is not a bribe. However, UIL coaches and sponsors for high school activities can be suspended if they accept more than \$500 in the total value of gifts per year from any source in recognition of coaching (i.e., if they coach more than one sport, the total amount cannot be greater than \$500.00 for all sports combined). It's important to note that the purpose of a Booster Club is to support the student program and it is recommended to limit the gifts issued to District employees. A coach may not be rewarded financially for their win record.

### **2. Can the Booster Club give gifts to students?**

It depends. UIL is very restrictive on the amount spent on students, therefore the District cautions giving gifts to non-senior students in order to protect their UIL eligibility. Senior gifts are permitted by the UIL and limited to \$75.00, which must be used on a senior memento such as a plaque or award.

### **3. Can donated gift cards be used to give away as door prizes, raffles, silent auctions?**

Yes, however, only non-cash gift cards can be donated (e.g., gift cards to Whataburger, Academy, I-Tunes).

### **4. Can the Booster club present the Superintendent with an appreciation gift?**

The Texas Penal Code prevents a public servant from accepting cash in any amount or gifts valued over \$50 from people under the jurisdiction of the public servant.

## **IRS/FEDERAL REQUIREMENTS**

### **1. What does being a 501(c)(3), tax-exempt organization mean?**

Tax-exempt status is defined in section 501(c)(3) of the IRS Tax Code. The term "tax-exempt," when used in reference to nonprofit organizations, generally refers to the net profits (proceeds less expenses) of an organization being exempt from federal and/or state income tax. While establishing an EIN is the first step in creating your 501(c)(3), the entity is not automatically tax-exempt upon creation. Tax-exemption can be achieved only through applying for and receiving IRS approval.

### **2. How do we become a 501(c)(3) organization?**

Form 1023, Application for Recognition of Exemption Under Section 501(c)(3), must be filed with the IRS. Make sure you have an employer identification number prior to filling out form 1023. If you do not have an employer identification number, you can obtain one by filling out Form SS-4 from the IRS website.

### **3. Does a 501(c)(3) ever expire or need to be renewed?**

No, it does not expire and does not require renewal. However, it can be revoked if you fail to file federal taxes yearly.

### **4. Is there more than one category of the tax-exempt organization?**

Yes. The most familiar is 501(c)(3) public charity or private foundation. All McAllen ISD Booster Clubs are public charities since the majority of their funding comes from various public sources.



## **IRS/FEDERAL REQUIREMENTS (Continued)**

### **5. What benefit does being 501(c)(3) offer my club and its donors?**

One of the primary benefits is the ability to accept donations that are tax-deductible to the donor. Additional benefits include, but are not limited to, 1) exemption from federal corporate income taxes and 2) exemption from certain state taxes (franchise). You are also able to apply for grants and other public or private allocations available only to IRS- recognized, 501(c)(3) organizations. You may purchase goods tax-free and receive discounts on US Postal bulk mail rates and other services.

### **6. When do we file Form 990, 990-N (e-postcard) or 990- EZ?**

Typically, Booster Clubs have a fiscal year that runs from July 1 – June 30. Therefore, taxes are due 15 days after the 5th month of your Booster Club’s year-end (which, for most is November 15). You may file as early as July 1. Failure to file taxes for three years will result in the automatic revocation of your exemption.

### **7. Our officers and mailing address changed this year, how do I update our information with the IRS?**

Booster Clubs must complete Form 8822-b (Change of Address or Responsible Party) each year when changes occur and submit to the IRS.

### **8. Will the District file a group federal tax return on behalf of all Booster Clubs?**

No! The District will not file a group tax return for all Booster Clubs rolled up under the Support Group. Booster Clubs are responsible for filing their own federal taxes each year using their own name and EIN.

### **9. Where can we get more information on maintaining our 501(c)(3) status?**

[https://www.stayexempt.irs.gov/home/existing-organization\\_s/maintaining-501c3-tax-exempt-status](https://www.stayexempt.irs.gov/home/existing-organization_s/maintaining-501c3-tax-exempt-status)

### **10. When setting up the organization’s EIN number, IRS 501 (c)(3) or sales tax exemption, does it fall under an officer’s name?**

In reference to the EIN application. The IRS requires the name and social security number of a Responsible Party in your organization i.e., President, VP, Treasure, etc. There are no personal liabilities to you by adding your SSN nor is your SSN public information. It is simply a way for the IRS to contact you if they have questions. The sales tax exemption is granted to the organization and not an individual.

### **11. How do we find out if our organization (booster club/parent organization) is an IRS 501 (c)(3) or not?**

One resource available is thru the IRS website, see link <https://apps.irs.gov/app/eos/>. For IRS Tax exempt organization search instructions, see link: [https://www.irs.gov/charities-non-profits/tips\\_for-tax-exempt-organization-search](https://www.irs.gov/charities-non-profits/tips_for-tax-exempt-organization-search).

### **12. As a PTO that isn't an IRS 501(c)(3), what kinds of fundraisers are we allowed to do?**

An organization can still hold fundraisers. The benefits of having 501(c)(3) status include exemption from federal income tax and eligibility to receive tax-deductible charitable contributions. In addition, the Charitable Raffle Enabling Act (CREA) permits a qualified 501(c) tax-exempt, nonprofit organization that has been in existence for at least 3 years to hold only two raffles per calendar year and only one raffle at a time.

## **MCALLEN ISD EMPLOYEES AS OFFICERS OR BANK SIGNORS**

### **1. Can a McAllen ISD employee hold an office in our Booster Club?**

Yes. McAllen ISD employees (to include substitutes) may hold office in a booster club, but may not have signing rights on a booster club bank account. An employee considering service as a booster club officer should be aware of a potential conflict of interest. A minimum of one officer must be a non-employee. Board Policy DBD (LOCAL) states “An employee shall disclose to his or her immediate supervisor a personal financial interest, a business interest, or any other obligation or relationship that in any way creates a potential conflict of interest with the proper discharge of assigned duties and responsibilities or with the best interest of the District.”

## **MCALLEN ISD EMPLOYEES AS OFFICERS OR BANK SIGNORS (Continued)**

### **2. Can a McAllen ISD employee maintain signing rights on a Booster Club Bank Account?**

No. McAllen ISD employees may not be the signer of any booster club checks and/or have access to club funds. Employees can hold an office in a booster club but must relinquish his/her rights to sign checks and must assign that duty to a non-district employee officer.

## **MCALLEN ISD NAME AND EIN USAGE**

### **1. Can I use McAllen ISD Support Group in the name of my Booster Club or use the McAllen ISD Support Group EIN?**

No. McAllen ISD maintains a separate tax-exempt organization (“Support Group”) with its own EIN. Please do not use McAllen ISD’s name or EIN in any document or for any purpose. Do not file taxes using the District EIN. Booster Clubs must use their own EIN and name.

## **OTHER**

### **1. Can PTO/PTA or Booster Clubs use the campus address to receive mail?**

No, they should have their own P.O. Box.

## **PURCHASING**

### **1. Are there purchasing guidelines Booster Clubs need to follow?**

Yes. The District recommends but does not require the following purchasing practices for Booster Clubs: 1) for large purchases, obtain two or three quotes for members to consider and vote upon; 2) match every check or debit purchase with a receipt or a request for expenditure; 3) be mindful of conflicts of interest – if an officer in your Booster Club owns a business and would like to sell items to the Booster Club, the Officer may submit a bid but may not vote in the vendor selection process.

### **2. Could Sponsor request reimbursements from the Booster Club for items purchased for the program using the sponsor’s personal funds?**

Yes, but preferably, the Sponsor would communicate with the Booster Club of the intended expense, and allow the Booster Club to purchase the item. This rule does not apply to District travel. Travel reimbursements should be processed through McAllen ISD.

### **3. Are Booster Clubs required to use District purchasing contracts?**

No. Booster Clubs are treated as private entities under Texas law and are not constrained by Texas Public Education purchasing requirements. Booster Clubs may independently use similar vendors as McAllen ISD, but cannot utilize the District’s purchasing contract for that particular vendor.

### **4. Can, or should, the coaches handle funds for purchasing items such as team t-shirts?**

No. It is customary for the Booster Clubs to handle the collection of funds for the Booster Club business. The coaches or sponsors should never handle or have access to PTO/Booster Club money, and the Booster Club should not handle the district/campus money.

### **5. If a Booster Club donates money to McAllen ISD for the purchase of items requested by the Sponsor, is there an approval process?**

Yes. For example, if a coach would like a certain piece of equipment, the Booster Club should donate money to the school and the school would utilize a McAllen ISD approved vendor to purchase an item. Your Booster Club will receive a donation receipt from the Campus Bookkeeper.

## **PURCHASING (Continued)**

### **6. If the Booster Club donates money to the campus Activity Fund and then changes its mind, can the Booster Club request reimbursement from the campus Activity Fund?**

No. The District prohibits reimbursement from Student Activity Funds to outside sources such as Booster Clubs.

### **7. Can I ask a vendor to send the Booster Club bill to the school or campus bookkeeper?**

No. The bookkeepers should not facilitate paying or forwarding Booster Club Invoices! If you do not pay an invoice, vendors contact the school. Please pay your invoices immediately.

### **8. Who conducts background checks and where?**

Background checks are conducted by Purchasing Services. Instructions are on the form. See link:

<https://4.files.edl.io/3746/07/16/20/232943-0a8c2286-78de-4b55-a093-55ec0fa95bd5.pdf>

## **RAFFLES**

### **1. Are raffles allowed?**

Yes, if you are a qualified 501(c)(3) tax-exempt organization and have been in existence for at least 3 years. For more information on raffles go to the [Texas Attorney General's website](#).

### **2. Can raffles be held on District grounds?**

No. Raffles are not allowed to be held on District facilities nor can the prizes of the raffle be displayed on District facilities. Not even if the raffle tickets state it is a PTO/PTA/ Booster Club raffle.

### **3. Can a raffle prize be presented to the winner on District grounds?**

No. The presentation of raffle prizes cannot be held on District grounds.

### **4. Can gift cards be purchased to give away as door prizes, raffles, silent auctions?**

Yes, however, only non-cash gift cards can be purchased (e.g., gift cards to Whataburger, Academy, I-Tunes).

### **5. Can donated gift cards be used to give away as door prizes, raffles, silent auctions?**

Yes, however, only non-cash gift cards can be donated (e.g., gift cards to Whataburger, Academy, I-Tunes).

## **STATE OF TEXAS: SALES TAX AND EXEMPTIONS**

### **1. If I am recognized as tax-exempt from the IRS, do I need to advise the State of Texas?**

Yes. If you have not already done so, please complete Form AP-204 from the State of Texas Comptroller's website if you are a new Booster Club or are reinstating your Booster Club after being revoked. If you do not apply for tax-exempt status with the State of Texas, you will be liable for filing Franchise Tax (even if nothing is due) and will be penalized \$50.00 for each quarter it is late.

### **2. I presently pay Texas sales tax quarterly; can I change this to an annual filing?**

Yes. The state allows you to request, in writing, the conversion of your quarterly sales tax filing requirement to an annual schedule during the months of November and December only. Please continue to file quarterly taxes until you receive notice from the state acknowledging the change.

### **3. Does sales tax apply to food sales?**

No. Sales tax does not apply to food sales.

## **STATE OF TEXAS: SALES TAX AND EXEMPTIONS (Continued)**

### **4. Do we apply for a Sales Tax Permit each year?**

No. Once you apply for a Sales Tax Permit, you have it for the life of your program until it is revoked or abandoned. However, the state requires monthly or quarterly reporting of sales tax to stay current. Understand that failure to report sales and sales tax (monthly or quarterly) can result in fines and interest penalties from the Texas Comptroller.

### **5. What type of permit is required for the organization to sell apparel?**

The organization must obtain a sales tax permit and collect and remit sales tax on taxable items it sells. To obtain a Texas Sales Tax Permit, the organization must apply with the Texas Comptroller's office, see link: <https://comptroller.texas.gov/taxes/permit>

### **6. If the Booster Club purchases uniforms for a team, are they liable for sales tax?**

The Booster Club should not buy uniforms directly. The booster should donate the money to the District. The District will utilize District purchasing contracts to purchase uniforms.

## **UIL/SCHOLARSHIPS**

### **1. How should the Booster Club distribute scholarship money?**

It is recommended that scholarships for seniors should be made payable to the university (including “for the benefit of” the student’s name) and sent to the University’s Registrar. Scholarship money should never go directly to the student.

### **2. Can our Booster Club announce scholarship winners prior to UIL eligibility completion?**

Yes, scholarship winners may be announced, but the scholarship must be awarded at or after graduation from high school.

## **VOLUNTEERS**

### **1. Do all Booster Club participants need to be an approved McAllen ISD volunteer?**

Yes. Under state law, the school district is required to conduct a criminal background check (thru RAPTOR) on all volunteers working with students.

## Section 8



Important  
**FORMS**

# Important Forms

## **FORMS LIST:**

- FORM A - Booster Club and Parent Organization Checklist**
- FORM B - PTO/Booster Club Registration and Approval Form**
- FORM C - Audit Checklist for Parent Organizations**
- FORM D - Fundraiser Application Form**
- FORM E - Fundraiser Revenue and Expense Form**
- FORM F - Sample - Elected Officers**
- FORM G - Sample - Meeting Minutes**
- FORM H - Sample - Budget Report**
- FORM I - Sample - Monthly Treasurer Report**
- FORM J - Sample - Balance Sheet**
- FORM K - Sample - Income Statement**
- FORM L - Sample - Monthly Bank Reconciliation**
- FORM M - Sample - Cash Count Sheet**
- MISD Donation Form and Flowchart**
- MISD Use of Facilities Forms and Flowchart**

## MCALLEN INDEPENDENT SCHOOL DISTRICT Booster Club and Parent Organization Checklist

The following checklist serves as a guide to help ensure that your booster club or PTO has complied with the District's Policies and guidelines and Federal and State regulations governing booster club and parent organizations, which are explained in further detail in the McAllen ISD Parent Organizations and Booster Club Guidelines. This checklist is intended to be used as a guide and is not an all-inclusive list. It does not substitute for legal and professional advice from an attorney and a CPA.

### Start-up: Organization

Join [www.parentbooster.org](http://www.parentbooster.org)

OR

Incorporate - TX SOS Form 202

Obtain EINJ - [www.IRS.gov](http://www.IRS.gov)

Adopt bylaws

Adopt financial controls

Apply for 501 (c)(3) status - IRS Form 1023

Apply for State sales and income tax exemption - TX Comptroller form AP-207 or AP-204

### New fiscal or school year: Operations

Elect officers

Bank accounts - update signature cards

Two to three authorized signers on the account

No MISD employees may be authorized signers on the account

Organization may possess a debit card

Organization may not possess a credit card

Dual signature on all checks written from the organization's bank account

Read and review the McAllen ISD Parent Organizations and Booster Club Guidelines

Adopt a budget

Approved by PTO/Booster club on \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Calendar-in your PTO/Booster federal and state report due dates

Transfer records/passwords to new officers

Financial/accounting information

Governance documents - articles of incorporation, bylaws, minutes

ParentBooster.Org - if your organization is a paid member, update contact person

Submit your PTO/Booster Registration and Approval form [Form B]

### Ongoing operational requirements

File required reports (know your fiscal year dates)

IRS 990-series return (based on fiscal year end)

State franchise tax report (if not tax exempt)

State sales tax report (if sales are not tax-exempt)

ParentBooster.Org will complete this form for members

Report to members regularly (budget, treasurers reports, activities, programs)

- Ensure your fundraisers support your tax-exempt mission
- Maintain minutes of all board, committee and other meetings
- Maintain financial records of all financial activity (including, but not limited to, a ledger of transactions, bank reconciliation, copies of invoices and receipts, etc.)
- Review/amend bylaws, as needed
- Review/amend financial controls, as needed
- Deposit cash/checks received on a daily basis
- Submit Bank Statement (with scanned images) to your campus - 10 days after month-end

**Fundraising rules**

- Fundraising activities support/benefit the students and student activities
- All fundraising efforts are within Federal, State and District guidelines
- Fundraiser application forms [\[Form D\]](#) are submitted to the campus Principal on or before October 1st
- Raffles and bingos may not be used as a fundraiser unless your organization has been an IRS 501(c)(3) organization for 3 years or more. For more information on raffles go to the [Texas Attorney General's website](#).
- Students cannot be asked to seek donations

**Expenditures**

- All purchases must be approved within the organization's annual budget or minutes
- Receipts and invoices of all purchases must be retained in the organization's files
- Purchases of capital assets (Items \$500 or more with a life of more than a year) to be donated to the campus must submit and complete the McAllen ISD Donation form
- Booster clubs supporting UIL activities are subject to UIL Booster Club Guidelines and other related UIL rules

**End of school year (or fiscal year)**

- Conduct an annual financial review



**MCALLEN INDEPENDENT SCHOOL DISTRICT  
PTO/Booster Club Registration and Approval Form**

To: \_\_\_\_\_ Location: \_\_\_\_\_  
(Principal's Name) (School's or Department's Name)

Name of Organization: \_\_\_\_\_

Purpose of Organization: \_\_\_\_\_

School / Student Group to be Supported: \_\_\_\_\_

Faculty Sponsor for Booster Club: \_\_\_\_\_

Current Number of Parent Supporters: \_\_\_\_\_

I agree with the following statements:

- I have read the *PTO/Booster Club Playbook* and agree to abide by the information included in the guidelines as well as information referenced in the guidelines.
- I understand that noncompliance with any District policy or criteria may result in the suspending or disbanding of the PTO/Booster club by the Principal.
- I have included a current list of officers or representatives with names, titles, mailing addresses, phone numbers, and email addresses with this registration form.
- I have included a copy of the Bylaws and/or Constitution.
- I give consent for the District to review the organization's financial documents [GE Local]

Federal Identification Number: \_\_\_\_\_  
(This number must not be the school district's tax identification number)

**Officer's contact information:**

President name: \_\_\_\_\_ Telephone # \_\_\_\_\_

Vice President name: \_\_\_\_\_ Telephone # \_\_\_\_\_

Treasurer name: \_\_\_\_\_ Telephone # \_\_\_\_\_

Submitted by:

_____ President/Rep#1 Signature	_____ Date	_____ Vice-President Rep#2 Signature	_____ Date
------------------------------------	---------------	---	---------------

_____ Treasurer/Rep#3 Signature	_____ Date	_____ Secretary/Rep#4 Signature	_____ Date
------------------------------------	---------------	------------------------------------	---------------

Approved/Denied by:

_____ (Principal's Name)	_____ (Principal's Signature)	_____ Date
-----------------------------	----------------------------------	---------------

The original form should be sent to a representative of the PTO/Booster club. The Principal should keep a copy and provide copies to the sponsor (Booster club).

## MCALLEN INDEPENDENT SCHOOL DISTRICT Audit Checklist for Booster Clubs and Parent Organizations

### Cash Receipts

	Yes	No
1. Are cash receipt books used in acknowledging the receipt of cash and checks?	_____	_____
2. Are copies of voided receipts retained?	_____	_____
3. Are issuances of receipt books to individuals properly recorded and controlled?	_____	_____
4. Are monies turned in by the individuals collecting the funds?	_____	_____
5. Are cash receipts recorded promptly when received?	_____	_____
6. Is there enough documentation either on the cash receipt or attached to the receipt?	_____	_____
7. Are funds deposited within 24 hours of receipt (excluding weekends)?	_____	_____
8. Are cash receipts from fund-raising activities reconciled to the anticipated income from the fund-raiser?	_____	_____
9. Are all receipts recorded on the books?	_____	_____
10. Are all cash receipts accounted for in the proper sequence (no missing receipts)?	_____	_____
11. Are all cash receipts deposited without removing cash to make purchases?	_____	_____

### Cash Disbursements

1. Are expenditures in accordance with the intentions of the organization?	_____	_____
2. Are expenditures properly approved?	_____	_____
3. Are expenditures supported by an original invoice, register receipt or sales slip?	_____	_____
4. Is there notation on invoices indicating receipt of materials/services prior to payment?	_____	_____
5. Are disbursements by check signed by two authorized officers?	_____	_____
6. Are orders that have never been received reviewed for current status?	_____	_____
7. Are voided checks retained?	_____	_____
8. Are all expenditures recorded on the books?	_____	_____
9. Are proper controls in place to prevent expenditures in excess of funds?	_____	_____
10. Are payments made in a timely manner?	_____	_____
11. Are all checks accounted for in the proper sequence (no missing checks)?	_____	_____
12. Is there an unauthorized petty cash fund?	_____	_____

### Financial Statements/Reconciliations

1. Are monthly reports of financial transactions prepared and submitted to the officers?	_____	_____
2. Does ending balances o reports carry forward as beginning balances on subsequent reports?	_____	_____
3. Is the bank account reconciled monthly?	_____	_____
4. Are bank account reconciliations either done by the president or reviewed and approved by the president of the organization?	_____	_____
5. Is there a ledger that shows all transactions?	_____	_____
6. Is an annual budget adopted by the organization and submitted to the Principal?	_____	_____
7. Is an annual financial report (Income Statement and Balance Sheet) prepared and submitted to the officers and Principal?	_____	_____

### Exemption and Reporting

1. Is the organization a 501(c)(3)	_____	_____
2. Is the organization operating properly in order to retain their 501(c)(3) status?	_____	_____
3. Are sales taxes being collected, if required?	_____	_____

- 4. Does the organization have a sales tax permit, if required? \_\_\_\_\_
- 5. Have sales tax returns been filed timely, if required? \_\_\_\_\_
- 6. Were one-day tax-free days properly utilized? \_\_\_\_\_
- 7. Has the IRS Form 990-990EZ been prepared and submitted, if required? \_\_\_\_\_
- 8. Were 1099's properly issued, if required? \_\_\_\_\_

**Operations**

- 1. Are revenue producing activities in accordance with those approved by the District? \_\_\_\_\_
- 2. Are complete minutes prepared for all meetings? \_\_\_\_\_
- 3. Are complete minutes prepared on a timely basis? \_\_\_\_\_
- 4. Do the minutes properly reflect approval of sales and revenue producing activities? \_\_\_\_\_
- 5. Do the minutes properly reflect approval of expenditures? \_\_\_\_\_
- 6. Are organization monies spent to further the purpose of the organization? \_\_\_\_\_
- 7. Has the organization properly followed UIL guidelines? \_\_\_\_\_
- 8. Are gifts to coaches/sponsors documented in minutes and within allowable guidelines? \_\_\_\_\_
- 9. Has the organization refrained from using individual/personal accounts? \_\_\_\_\_

**District Requirements**

- 1. Has a PTO/Booster Club Registration and Approval Form [Form A] been completed? \_\_\_\_\_
- 2. Has an undated list of the officers been submitted to the Principal? \_\_\_\_\_
- 3. Has a copy of the Bylaws and/or Constitution been submitted to the Principal? \_\_\_\_\_
- 4. Were the Fundraiser Application Forms submitted before October 1st? \_\_\_\_\_

Printed Name	Officer Title/Member	Signature	Date <u>  /  /  </u>
--------------	----------------------	-----------	----------------------

Printed Name	Officer Title/Member	Signature	Date <u>  /  /  </u>
--------------	----------------------	-----------	----------------------

Printed Name	Officer Title/Member	Signature	Date <u>  /  /  </u>
--------------	----------------------	-----------	----------------------

Printed Name	Officer Title/Member	Signature	Date <u>  /  /  </u>
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MCALLEN INDEPENDENT SCHOOL DISTRICT
Fundraiser Application Form

Please submit to the campus Principal or designee for approval on or before October 1st. The campus Principal will retain a copy and return the original form to the individual requesting permission.

Campus: \_\_\_\_\_ Date: \_\_\_\_\_
PTO Club/Organization: \_\_\_\_\_ Type of sale: \_\_\_\_\_
Name of Sponsor: \_\_\_\_\_ Vendor: \_\_\_\_\_
Specific purpose(s) for which the net proceeds are to be used: \_\_\_\_\_

Description of Fundraiser: (i.e., Candy sale, car wash, spirit shirt sales, etc.): \_\_\_\_\_

Beginning date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Ending date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Time: \_\_\_\_\_ Location: \_\_\_\_\_

Date merchandise ordered: \_\_\_\_\_ Delivery date: \_\_\_\_\_

Charitable Cause: Yes \_\_\_ No \_\_\_

- 1. Are items being sold taxable? Yes \_\_\_ No \_\_\_
2. If yes to #1, will this event count as a "one-day, tax-free" sale day? Yes \_\_\_ No \_\_\_
3. Will this be the organization's 1st or 2nd tax-free sale day for the year (Jan-Dec)? Yes \_\_\_ No \_\_\_

Anticipated profit: \$ \_\_\_\_\_

Have parents been notified in writing? Yes \_\_\_ No \_\_\_

Is an incentive for students available? Yes \_\_\_ No \_\_\_

As the Booster club/PTO officer of this fundraiser, I agree to conduct this fundraiser in compliance with UIL, State Federal, and District Guidelines. I understand that the PTO/Booster must personally sign for all merchandise issued to them for sale. I also understand that all monies received for merchandise returned must be acknowledged by a receipt signed by the PTO/Booster sponsor. Daily deposits must be made on all funds collected. I am familiar with the school and district policies regarding the sale of merchandise at school and in the community. I accept responsibility for the sales tax collection and cash collections involved and understand that I will be held responsible.

Club Sponsor Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_ PTO/Booster Officer Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Approved \_\_\_\_\_ Denied \_\_\_\_\_

Principal Signature \_\_\_\_\_ Date \_\_\_\_ / \_\_\_\_ / \_\_\_\_

**MCALLEN INDEPENDENT SCHOOL DISTRICT  
Fundraiser Revenue and Expense Form**

Club/Organization: \_\_\_\_\_ Fund-raiser: \_\_\_\_\_

**Deposits**

<b>Date</b>	<b>Amount</b>	<b>Date</b>	<b>Amount</b>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
<b>Total amount deposited</b>			\$ _____

**Less Expenses**

<b>Date</b>	<b>Vendor</b>	<b>Check #</b>	<b>Amount</b>
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
<b>Total expenses:</b>			\$ _____
<b>Net Profit:</b>			\$ _____

**Tax Exempt Date (if applicable):** \_\_\_\_\_

_____	_____	_____	_____
Club Sponsor Signature	Date	PTO/Booster Officer Signature	Date
_____	_____	_____	_____
Principal Signature	Date	Secretary/Treasurer Signature	Date

\*Upon completion of this fund-raiser, the PTO/Booster Club should complete this form and submit to the Campus Principal.

**MCALLEN INDEPENDENT SCHOOL DISTRICT**  
**Sample - Elected Officers**

**ELECTED OFFICERS**

**Club Name:** \_\_\_\_\_ **Campus:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **Sponsor:** \_\_\_\_\_

**PRESIDENT**  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

**VICE PRESIDENT**  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

**TREASURE**  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

**SECRETARY**  
\_\_\_\_\_  
Printed Name

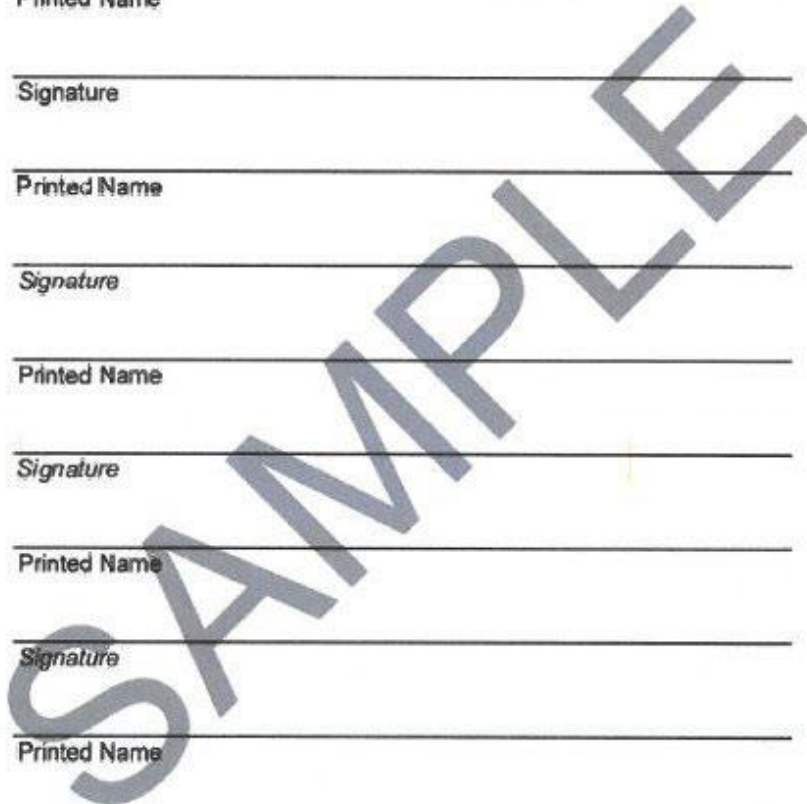
\_\_\_\_\_  
Signature

**SPONSOR**  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

**PRINCIPAL**  
\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature



**MCALLEN INDEPENDENT SCHOOL DISTRICT**  
**Sample - Meeting Minutes**

**MEETING MINUTES**

Organization: \_\_\_\_\_ Date: \_\_\_\_\_

1. Call to order by: \_\_\_\_\_ (who)  
\_\_\_\_\_ (time/place)

2. Reading of minutes by: \_\_\_\_\_ (who / time / place)

3. Reports:

4. Old Business:

5. New Business:

6. Announcement:

7. Adjournment:

\_\_\_\_\_

Time: \_\_\_\_\_

\_\_\_\_\_  
PTO/Booster Officer Signature

\_\_\_\_\_  
PTO/Booster Club Secretary Signature



**MCALLEN INDEPENDENT SCHOOL DISTRICT**  
**Sample - Budget Report**

**XYZ PTO**  
**2018 Budget Report**

<b>Income</b>	<b>Budget</b>	<b>Actual</b>
Fall Fundraiser	\$ 5,000.00	\$ 6,000.00
Catalog Sales	\$ 3,500.00	\$ 3,000.00
Concession Sales	\$ 4,000.00	\$ 3,500.00
<b>Total Income</b>	<u>\$ 12,500.00</u>	<u>\$ 12,500.00</u>
<b>Expenses</b>		
Fall Fundraiser	\$ 2,500.00	\$ 2,300.00
Catalog Sales	\$ 1,500.00	\$ 1,500.00
Concession	\$ 2,000.00	\$ 1,800.00
Donations to Campus	\$ 5,000.00	\$ 6,000.00
<b>Total Expenses</b>	<u>\$ 11,000.00</u>	<u>\$ 11,600.00</u>

**MCALLEN INDEPENDENT SCHOOL DISTRICT  
Sample - Monthly Treasurer Report**

**XYZ PTO  
Monthly Treasurers Report  
Month Ending May 31, 2017**

Beginning Balance **\$ 2,500.00**

Income (Deposits)

<u>Date</u>	<u>Description</u>	<u>Amount</u>
5/4/2017	T-Shirt Sales	\$250
5/5/2017	Donation from Mrs. Jones	\$500
5/21/2017	Interest earned from bank	<u>\$1.50</u>
	<b>Total Income</b>	<b>\$ 751.50</b>

Expenses (Checks Written)

<u>Date</u>	<u>Check No.</u>	<u>Payable To</u>	<u>Description</u>	<u>Amount</u>
5/1/2017	110	T-Shirt Co	T-shirts for sale	\$75
5/5/2017	111	Home Depot	Bench for Campus	\$100
5/10/2017		Wells Fargo	Bank charge	<u>\$75</u>
		<b>Total Expenses</b>		<b>\$250</b>

Ending Cash Balance as of May 31, 2017 (Beg Balance+Income-Expenses) **\$ 3,001.50**

Outstanding Checks (Haven't cleared bank)

<u>Check No.</u>	<u>Payable To</u>	<u>Amount</u>
110	T-Shirt Co	<u>\$75</u>
	<b>Total Outstanding Checks</b>	<b><u>\$75</u></b>

**MCALLEN INDEPENDENT SCHOOL DISTRICT**  
**Sample - Balance Sheet**  
**XYZ PTO**  
**BALANCE SHEET**  
**As of June 30, 20XX**

**ASSETS**

Chase Checking Account	\$2,154.25
Chase Savings Account	\$5,112.77
Accounts Receivable	\$3,758.00

**TOTAL ASSETS** **\$11,025.02**

**LIABILITIES & EQUITY**

Liabilities

Accounts Payable - Catalogs	\$3,524.75
Accounts Payable - Cookie Dough	\$1,000.00
Deferred Membership Income	<u>\$ 500.00</u>

Total Liabilities \$ 5,024.75

Equity

Retained Earnings	\$1,135.12
Net Income (Loss) From Current Year	<u>\$4,865.15</u>

Total Equity \$ 6,000.27

**TOTAL LIABILITIES & EQUITY** **\$11,025.02**

**Balance Sheet and Income Statement prepared by:**

Printed Name	Title
Signature	/ / Date

**MCALLEN INDEPENDENT SCHOOL DISTRICT**  
**Sample - Income Statement**

**XYZ PTO**  
**INCOME STATEMENT**  
**For the Period of July 1, 20XX through June 30, 20XX**

**INCOME**

Catalog Sales	\$9,129.18	
Cookie Dough Sales	\$2,300.00	
School Store Income	\$770.00	
Membership Dues	<del>\$2,000.00</del>	
Interest Income		
<b>Total Income</b>		<b>\$ 14,237.18</b>

**EXPENSES**

Catalog Sale Expense	\$3,752.68	
Cookie Dough Expense	\$1,388.13	
School Store Expenses	\$ 600.00	
Field Trips	\$ 770.00	
Postage	\$ 32.66	
Supplies	\$ 328.56	
Contribution to the School	<u>\$2,500.00</u>	
<b>Total Expenses</b>		<b>\$ 9,372.03</b>
<b>Net Income (Loss) For Current Year</b>		<b>\$ 4,865.15</b>

**Income Statement prepared by:**

Printed Name	Title
Signature	Date

**MCALLEN INDEPENDENT SCHOOL DISTRICT**  
**Sample - Monthly Bank Reconciliation**

**XYZ PTO**  
**BANK RECONCILIATION STATEMENT**

January 31, 2017

BALANCE PER BANK \$ \_\_\_\_\_

**DEPOSITS IN TRANSIT:**

_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
		\$ _____ 0.00

**TOTAL** \$ \_\_\_\_\_ 0.00

**OUTSTANDING CHECKS (enter as negative amounts):**

_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
_____	\$ _____	
		\$ _____ 0.00

**TOTAL** \$ \_\_\_\_\_ 0.00

**BALANCE PER BOOKS** \$ \_\_\_\_\_ 0.00  
 \_\_\_\_\_ 0.00

MCALLEN INDEPENDENT SCHOOL DISTRICT  
Sample - Cash Count Sheet

CASH COUNT SHEET

ORGANIZATION \_\_\_\_\_ DATE OF COUNT \_\_\_\_\_

Petty Cash     \_\_\_\_\_ Change Fund     Other \_\_\_\_\_

Currency	_____	X	\$ 1.00 =	_____
	_____	X	5.00 =	_____
	_____	X	10.00 =	_____
	_____	X	20.00 =	_____
	_____	X	50.00 =	_____
	_____	X	100.00 =	_____
				→ Total Currency → \$ _____

Coin	_____	X	.01 =	_____
	_____	X	.05 =	_____
	_____	X	.10 =	_____
	_____	X	.25 =	_____
	_____	X	.50 =	_____
	_____	X	1.00 =	_____
				→ Total Coins → \$ _____

Checks: \_\_\_\_\_ \$ \_\_\_\_\_

Petty Cash Disbursement Vouchers: \_\_\_\_\_ \$ \_\_\_\_\_  
(with attached paid receipts/invoices)

Other: \_\_\_\_\_ \$ \_\_\_\_\_

**TOTAL CASH AND VOUCHERS:** \_\_\_\_\_ \$ \_\_\_\_\_

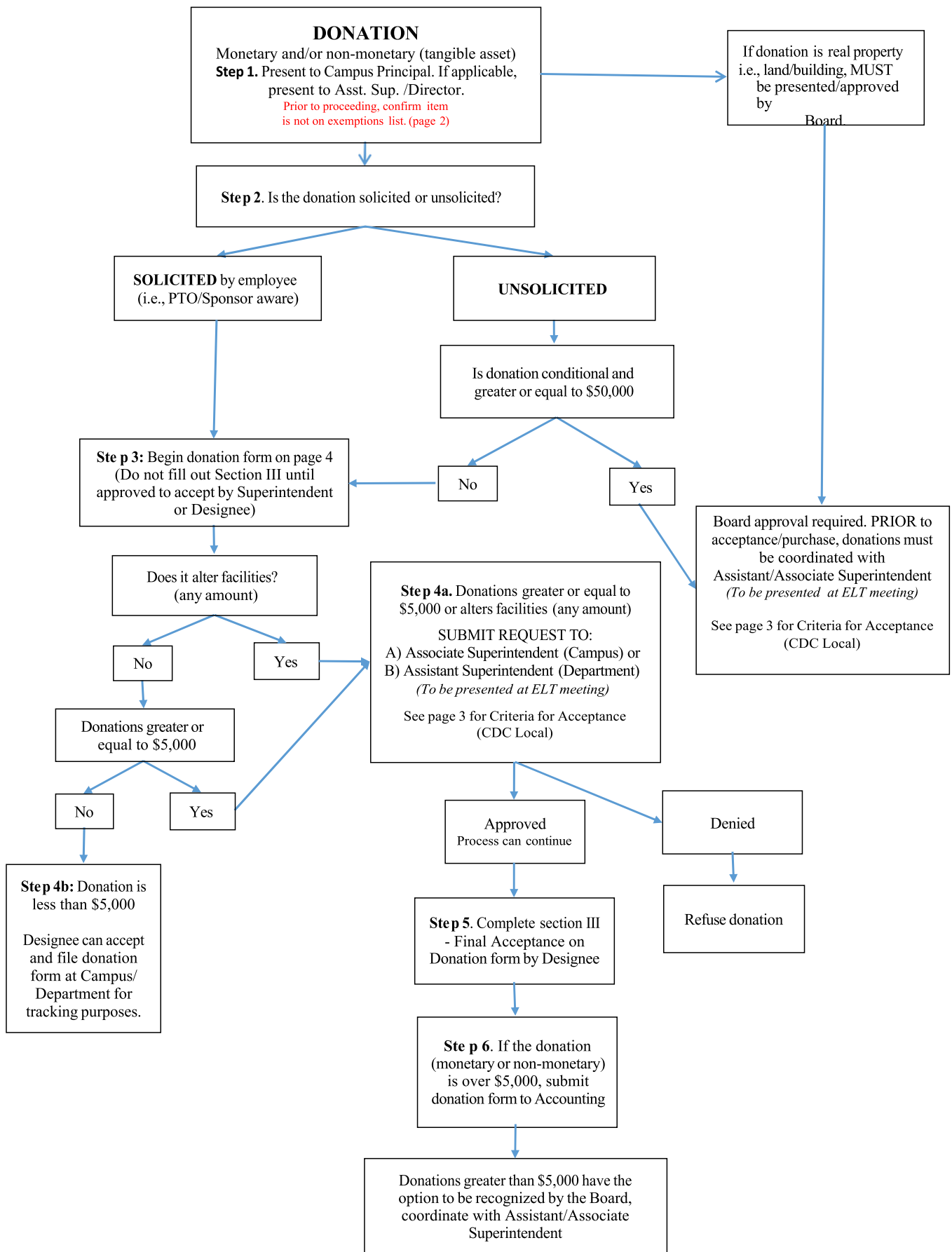
**TOTAL TO ACCOUNT FOR:** \_\_\_\_\_ \$ \_\_\_\_\_

**OVERAGE OR (SHORTAGE):** \_\_\_\_\_ \$ \_\_\_\_\_

First Person Making Count: \_\_\_\_\_  
(Signature)

Second Person Making Count: \_\_\_\_\_  
(Signature)

## Donation Form Instructions



*\*Any donation made to the District becomes the Sole Property of the District.*

***Donation form exemptions:***

Consumables will not require a donation form and are not subject to the Donation flow chart. Please note that some organizations may request a donation form for tax purposes and we must abide. Consumables includes commodities that are intended to be used quickly, usually within one year.

Examples of consumables include:

1. Food and drinks (Athletics must adhere to UIL rules),
2. Merchandise, i.e., pens/paper mugs, swag, etc.,
3. Short term use props/items,
4. Banquets,
5. Entertainment tickets, i.e., amusement park,
6. Travel (Athletics must adhere to UIL rules)
  - a. Due to liability issues, it is recommended to use the District's procurement process when paying for charter bus services; however, if paying directly to vendor must use the District's approved vendors. These vendors have been vetted and meet the safety requirements for our students.

The above exemptions only apply if donor/PTO/Booster pay directly to vendor. There is no dollar limit on these exemptions. If monies are provided to the District for the above purposes, donation must adhere to District policy, as noted on previous page.



## McAllen ISD Donation Form

*See consideration guidelines on previous page.*

### SECTION I:

Solicited       Unsolicited       Does donation alter facilities? \_\_\_\_\_

Describe Property (Include mfg./model) or Cash Amount	Serial # (If applicable)	Quantity	Per Unit Value*	Total Amount

\*Appraised Market Value. *Additional page can be added as needed.*

Please indicate specific purpose or instruction, if any: \_\_\_\_\_

Proposed installation method or source donated by: \_\_\_\_\_

Print Name of Donor: \_\_\_\_\_

Print Donor's Address, City, State, Zip: \_\_\_\_\_

\_\_\_\_\_  
Donor Signature

\_\_\_\_\_  
Date

### SECTION II:

Department	Accepted	Rejected	Dept. Director Signature	Date
Department of Technology	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Instructional Technology	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Facilities, Maintenance & Operations	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Child Nutrition	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Athletics	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fine Arts	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____
Fixed Assets	<input type="checkbox"/>	<input type="checkbox"/>	_____	_____

Rationale: \_\_\_\_\_

Special Requirements: \_\_\_\_\_

### SECTION III: Final Acceptance (Required)

Signature of McAllen ISD Administrator/Campus Principal: \_\_\_\_\_

Department/Campus: \_\_\_\_\_

Signature of Superintendent or Designee (if applicable): \_\_\_\_\_

Date: \_\_\_\_\_

## GIFTS, BEQUESTS AND DONATIONS

McAllen ISD is a public school district and is a political subdivision of the State of Texas and as such is exempt under section 115 of the IRS Code. The District is not a tax-exempt entity under the Internal Revenue Service (IRS) Code Section 501(c)(3). However, the district is considered a tax-exempt organization that may receive charitable contributions according to the IRS Code Section 170(c)(1). Contributions to the district are deductible by donors as provided in section 170 of the IRS.

Per **CDC (LOCAL), Other Revenues, Gifts and Solicitations**, the Board delegates to the Campus Principals/Administrators the authority to accept gifts that are to be used for items beyond the basic needs of a campus/department that meet the CDC (Local) acceptance criteria.

Criteria for acceptance: The District shall not accept any gift that would violate or conflict with policies of or actions by the Board or with federal or state law.

Before the Superintendent accepts a gift or recommends acceptance of a gift to the Board, as applicable, the Superintendent shall consider whether the gift:

1. Has a purpose consistent with the District's educational philosophy, goals, and objectives;
2. Places any restrictions on a campus or District program;
3. Would support a program that the Board may be unable or unwilling to continue when the donation of funds is exhausted;
4. Would result in ancillary or ongoing costs for the District;
5. Requires employment of additional personnel;
6. Requires or implies the endorsement of a specific business or product [see GKB for advertising opportunities];
7. Would result in inequitable funding, equipment, or resources among District schools or programs (Title IX);
8. Obligates the District or a campus to engage in specific actions; or
9. Affects the physical structure of a building or would require extensive maintenance on the part of the District.

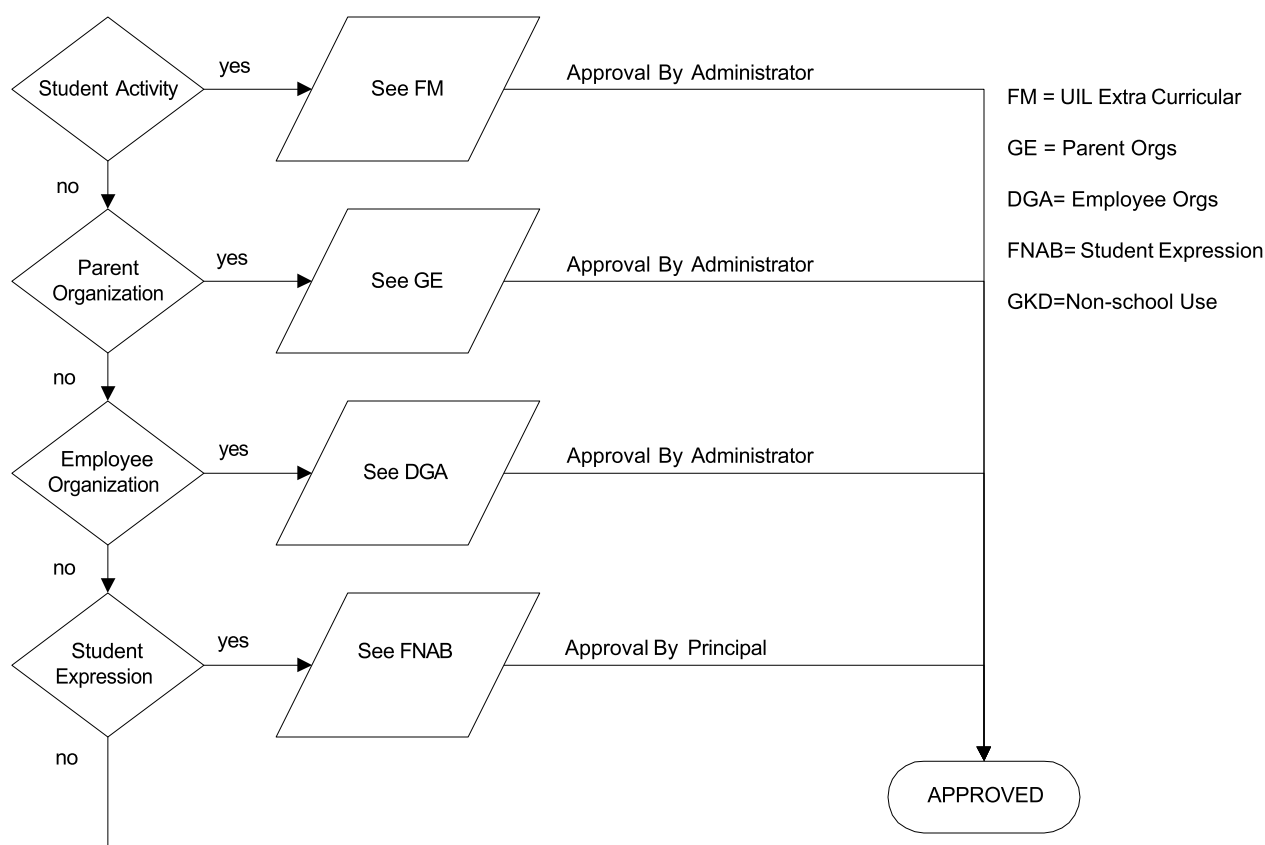
Board agenda items must be coordinated through the Assistant/Associate Superintendent. Acceptance of any gift, request or donation is subject to Board policy CDC (LOCAL).

If the donated property relates to the Department of Technology, Instructional Technology, Facilities Maintenance and Operations, Child Nutrition, Athletics and/or Fixed Assets, approval from the corresponding department is required prior to acceptance (Sections II). Examples include technology and computer equipment, construction related contracted services, food or food preparation equipment, equipment that requires additional electrical capacity and items that involve the removal or addition of permanent fixtures to buildings or grounds.

Donations to the District that alter or modify District owned property or facilities must receive approval from the Superintendent or designee prior to acceptance.

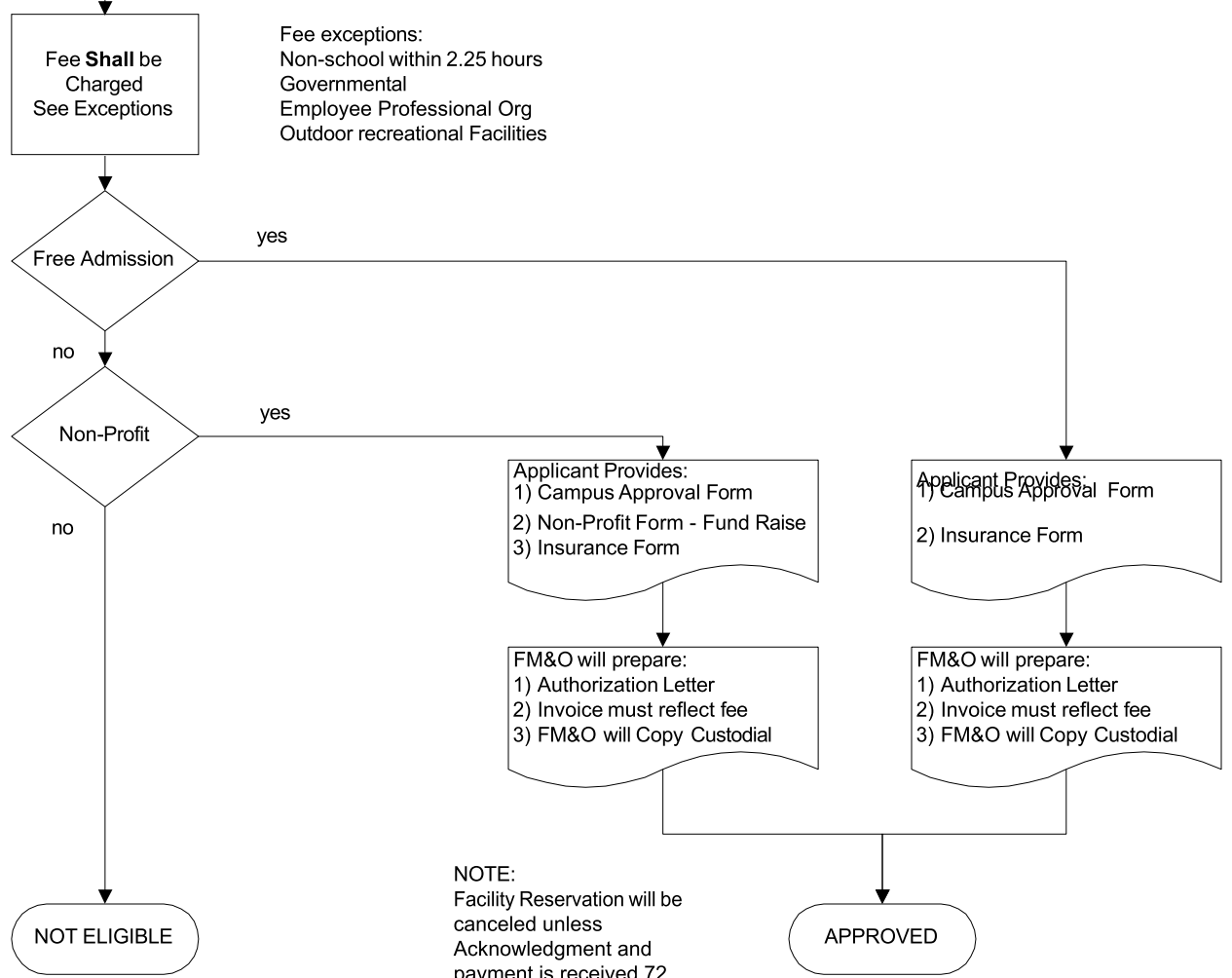
**Purpose:** The purpose of this form is to record the receipt of gifts and donations from individuals, firms, associations, civic organizations, and philanthropic, social or service groups. These donations may be in the form of cash or property. Gifts or bequests of nonmonetary types of property are recorded at appraised market value at the time of receipt.

**McAllen  
Student Activities  
Parent Organizations  
Employee Organizations  
Student Expression**



FM = UIL Extra Curricular  
 GE = Parent Orgs  
 DGA= Employee Orgs  
 FNAB= Student Expression  
 GKD=Non-school Use

**Community Relations**



Fee exceptions:  
 Non-school within 2.25 hours  
 Governmental  
 Employee Professional Org  
 Outdoor recreational Facilities

NOTE:  
 Only Non-Profit  
 Organizations are allowed  
 fund raising  
 See GKD

NOTE:  
 All other situations  
 require board approval  
 and interlocal agreement.  
 i.e. Stadium, Pool, Open  
 Gym, Pavilions, Etc.

NOTE:  
 Facility Reservation will be  
 canceled unless  
 Acknowledgment and  
 payment is received 72  
 hours prior to event.

**USE OF FACILITIES ON SUNDAYS IS PROHIBITED**

**NOTE: ORGANIZATION MUST BE NON-PROFIT**

**DIRECTIONS:** Please complete this application in its entirety. An officer of the organization requesting the use of facilities must sign the application. This form must be approved by the Building Principal or designee and forwarded to the Facilities, Maintenance & Operations Department of the McAllen Independent School District at least two weeks prior to the event. When Child Nutrition Program facilities are desired, two weeks lead-time is necessary. Type or PRINT all of the information requested below, excluding the signature.

- 1. Date of Application: \_\_\_\_\_ 2. Date(s) Facility is Needed: \_\_\_\_\_
- 3. Facilities Requested: \_\_\_\_\_
- 4. Specific Area Requested (Cafeteria, Auditorium, etc.): \_\_\_\_\_
- 5. Nature of Activity or Event: \_\_\_\_\_
- 6. Time Requested: From: \_\_\_\_\_ To: \_\_\_\_\_ 7. Admission Charge Required for Attendees: Yes  No
- 8. Purpose of Proceeds: \_\_\_\_\_ 9. Number of Persons Expected: \_\_\_\_\_

10. If Special Services or equipment will be needed, please describe your needs below.

Example: custodian, food service employee, air conditioning after school hours, overhead projector, microphone, etc.

Empty box for describing special services or equipment needs.

**CONDITIONS OF APPLICATION:** In making this application, it is understood and agreed that the provisions of the rules and regulations governing the use and rental of school facilities as adopted by the Board of Trustees of the McAllen Independent School District be adhered to in every instance. A complete copy of these rules and regulations is available in the office of the Building Principal or designee. Pertinent excerpts are reproduced on the back of this application. Furthermore, it is agreed that any fee to be paid in connection with the use of school facilities (together with evidence of insurance, if required), shall be due and payable three business days in advance of the scheduled use of the requested facility.

The applicant hereby agrees and undertakes to save and hold harmless the School District, its officers, agents, and employees from any and all claims for damages, personal, or otherwise, that may arise out of the use of said property, whether by a member of his/her organization or by other persons using or enjoying said property, and without regard to whether the damage, personal or otherwise, is brought about or caused by negligence whether on the part of the applicant or the School District or both.

**APPLICANT:**

\_\_\_\_\_  
Name of Organization

\_\_\_\_\_  
Address of Organization

\_\_\_\_\_  
City / State / Zip Code

**BY:** PRINT Name of Authorized Representative

\_\_\_\_\_  
Signature of Representative

\_\_\_\_\_  
Address of Authorized Representative

\_\_\_\_\_  
City / State / Zip Code

\_\_\_\_\_  
Office Phone      \_\_\_\_\_  
Home Phone

\_\_\_\_\_  
Relationship of Organization to McAllen ISD

**TO BE FILLED BY BUILDING PRINCIPAL OR DESIGNEE**

APPROVED:  NOT APPROVED:

\_\_\_\_\_  
Signature of Building Principal or Designee

\_\_\_\_\_  
Date of Approval

**TO BE FILLED BY FACILITIES, MAINTENANCE & OPERATIONS**

- CAMPUS APPROVAL SIGNATURE ABOVE
- INSURANCE ATTACHED
- IF FUND RAISING 501 C3 LETTER ATTACHED

\_\_\_\_\_  
Final Approval Authority

\_\_\_\_\_  
Date of Approval

**NUMBER OF SPECIAL PERSONNEL REQUIRED:**

(To be secured and paid for by the Applicant)

Custodian: \_\_\_\_\_ Groundskeeper: \_\_\_\_\_ Plumber: \_\_\_\_\_

Electrician: \_\_\_\_\_ HVAC Technician: \_\_\_\_\_ Police: \_\_\_\_\_

# Section 9



## Contact Information

### **ATHLETICS**

BRIAN MCCLENNY

[BMCCLENN@MCALLENISD.NET](mailto:BMCCLENN@MCALLENISD.NET)

DIRECTOR OF ATHLETICS

956-618-6089

### **CHILD NUTRITION**

ALEXANDRA MOLINA

[ALEXANDRA.MOLINA@MCALLENISD.NET](mailto:ALEXANDRA.MOLINA@MCALLENISD.NET)

DIRECTOR OF CHILD NUTRITION

956-632-3226

### **FACILITIES USE**

RUBEN TREVINO

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EXECUTIVE DIRECTOR OF FACILITIES, MAINTENANCE & OPERATIONS

956-688-5445

### **FINE ARTS**

DEBRA LOYA

[DEBRA.THOMAS@MCALLENISD.NET](mailto:DEBRA.THOMAS@MCALLENISD.NET)

DIRECTOR OF FINE ARTS

956-618-6085

### **ACCOUNTING**

DYANIRA DIAZ

[DYANIRA.DIAZ@MCALLENISD.NET](mailto:DYANIRA.DIAZ@MCALLENISD.NET)

DIRECTOR OF ACCOUNTING

956-632-8403

### **INTERNAL AUDIT**

STEPHANIE GARCIA

[STEPHANIE.GARCIA@MCALLENISD.NET](mailto:STEPHANIE.GARCIA@MCALLENISD.NET)

INTERNAL AUDITOR

956-632-8442

### **POLICE DEPARTMENT**

CHIEF JOSE SILVA

[JOSE.SILVA@MCALLENISD.NET](mailto:JOSE.SILVA@MCALLENISD.NET)

CHIEF OF POLICE

956-928-8990

### **2021-2022 CAMPUS DIRECTORY**



**LOCAL IMPORTANT PHONE NUMBERS**

<b>ENVIRONMENTAL HEALTH</b> <b><u><a href="#">HIDALGO COUNTY HEALTH DEPARTMENT</a></u></b>	956-383-0111
<b>HEALTH &amp; CODE ENFORCEMENT (FOOD AND HEALTH PERMIT)</b> <b><u><a href="#">CITY OF MCALLEN</a></u></b>	956-681-1900



**STATE AGENCIES**

<b>OFFICE OF THE TEXAS ATTORNEY GENERAL</b> <b><u><a href="http://www.texasattorneygeneral.gov">www.texasattorneygeneral.gov</a></u></b>	512-463-2100
<b>TEXAS SECRETARY OF STATE</b> <b><u><a href="http://www.sos.state.tx.us">www.sos.state.tx.us</a></u></b>	512-463-5600
<b>TEXAS STATE COMPTROLLER'S OFFICE</b> <b><u><a href="http://www.comptroller.texas.gov">www.comptroller.texas.gov</a></u></b> Exempt Organizations Department Sales and Use Taxes	800-531-5441 ext. 34142 800-252-5555
<b>UNIVERSITY INTERSCHOLASTIC LEAGUE (UIL)</b> <b><u><a href="http://www.uil texas.org">www.uil texas.org</a></u></b>	512-471-5883