

# CROWDFUNDING POLICY

## Introduction

The Albemarle County School Board (“School Board”) recognizes that crowdfunding campaigns, such as Go Fund Me, have become an increasingly popular method by which schools and Parent Teacher Organizations can procure funding for specific projects and/or programs. The revenue-raising potential that crowdfunding campaigns may provide may be a benefit for programs and classrooms of the Albemarle County Public Schools (“ACPS”). The ACPS realizes, however, that unregulated employee use of crowdfunding campaigns on behalf of the ACPS can subject both the ACPS and employees to significant potential legal liability.

## Purpose

The purpose of this policy is to regulate and establish parameters for use of crowdfunding campaigns for ACPS purposes or for the purpose of supplementing ACPS programs.

## Definitions

**Campaign** is a fundraising effort designed to raise funds to meet an advertised goal or need.

**Crowdfunding** is the practice of funding a project or venture by raising monetary contributions, typically through the Internet, for a particular purpose or cause.

**Eligible Organizations** include the ACPS, any authorized ACPS or school-sponsored student organization granted permission to engage in crowdfunding on behalf of the ACPS, subject to the requirements of this policy. ACPS-affiliated organizations including, but not limited to, parent/teacher organizations and booster groups are not subject to the requirements of this policy.

## Guidelines

1. Crowdfunding Campaigns on Behalf of the ACPS Must Have Written Approval
  - a. ACPS employees, including teachers, administrators, athletic coaches, and staff sponsoring activities and events, may not engage in crowdfunding campaigns related to their roles or duties as an ACPS employee or otherwise benefiting the ACPS, including ACPS programs, initiatives, mission, students, or staff without prior written authorization from the Superintendent/designee.
  - b. Approved crowdfunding campaigns must operate in compliance with all federal and state laws and School Board Policies and Regulations.
  - c. Approval of requests shall depend on factors including, but not limited to:
    - 1) Compatibility with the ACPS educational program, mission, vision, core values, and beliefs;
    - 2) Alignment with the ACPS goals that positively impact student educational experience;
    - 3) ACPS instructional priorities;

- 4) The manner in which donations are collected and distributed by the crowdfunding platform;
  - 5) Conform with School Board's mission to provide equity in resources across schools and student populations; and
  - 6) Other factors deemed relevant or appropriate by the ACPS.
- d. Only employees and/or eligible organizations with written approval from the ACPS pursuant to this policy are permitted to utilize crowdfunding campaigns for ACPS purposes or programs. Groups, clubs, and/or organizations that have not been granted formal recognition/approval by the School Board or ACPS shall not be granted permission to engage in crowdfunding campaigns on behalf of the ACPS.
  - e. Employees and/or eligible organizations not obtaining written approval pursuant to this policy may not solicit funds or items on behalf of the ACPS on a crowdfunding website; give the appearance of soliciting funds or items on behalf of the ACPS on a crowdfunding website; use the ACPS's name, logo, school mascot[s], or other identifying information in a crowdfunding post; or link to or reference any of the ACPS's websites, social media sites, or other site, platform, or account associated with the ACPS.
  - f. Absent written approval by the Superintendent/designee of a crowdfunding project pursuant to this policy, employees are prohibited from identifying on a crowdfunding site that they are an employee of the ACPS, if such identification may lead a reasonable reader to infer from the crowdfunding post that the funds designated will be utilized by or within the ACPS or for an ACPS program. Employees may not utilize their ACPS email address or other contact information for any crowdfunding campaigns, unless the campaign has been approved by the Superintendent/designee.

## 2. ACPS Crowdfunding Procedures

- a. Employees and eligible organizations must obtain written permission for conducting a crowdfunding campaign and shall submit an approval request form, consistent with the requirements of this policy, to the Superintendent/designee. The approval request form shall be available in school offices and/or on the ACPS website and, when submitted, contain the following information:
  - 1) The name, job title, school, and email address of the requesting party, or, if the applicant is an eligible organization, the names of and contact information for two (2) members of the eligible organization who shall be responsible for overseeing the crowdfunding campaign;
  - 2) The crowdfunding website or physical location (site) selected for use from the approved ACPS list;
  - 3) The items being requested and/or the amount of funds targeted to be raised;
  - 4) The classroom, program, and/or activity to be benefited;
  - 5) Confirmation that the requesting party shall be responsible for preparing all materials and information related to the crowdfunding campaign and keeping the ACPS administration apprised of the status of the campaign;

- 6) The exact language that will be included in the solicitation and advertising for the crowdfunding campaign;
  - 7) Information as to the disposition of funds and/or items if the crowdfunding campaign does not meet its target or is concluded for other reasons; and
  - 8) The start and projected end dates of the post/advertising.
- b. Crowdfunding requests that are incomplete, not submitted in writing, and/or do not meet the requirements of this policy shall not be considered for approval.
- c. The Superintendent/designee shall be responsible for the review, and, as appropriate, approval of all crowdfunding requests. Written permission must be granted by the Superintendent/designee before the requesting party may proceed with any crowdfunding efforts.
- d. Crowdfunding requests must meet the following conditions:
- 1) The purpose of all school-based fundraising activities should be to generate resources to support the educational mission and priorities of the ACPS, as articulated by the School Board and Superintendent;
  - 2) Crowdfunding campaigns must meet the requirements set forth in this policy, including obtaining written approval and posting on an ACPS-approved crowdfunding site;
  - 3) Where crowdfunding proceeds are in the form of funds, such funds must be sent to the ACPS Finance Department or designated school, as appropriate, which shall ensure the appropriate accounting and holding of such funds until they are distributed for their stated purpose;
  - 4) Funds for crowdfunding, rather than items, are preferred. Where items are received from a crowdfunding project instead of monetary funds, all items become ACPS property and must be delivered directly to the ACPS department or school in which such items will be used.
  - 5) All crowdfunding campaigns involving classroom materials, projects, or resources must be consistent with the ACPS-approved curriculum;
  - 6) To the extent the requesting party seeks any technology or software, the requesting party shall secure the prior written approval of the Chief Technology Officer/designee prior to any crowdfunding solicitation. Solicitations for equipment other than technology shall be submitted and approved in advance by an appropriate ACPS administrator depending on the type of equipment to be solicited.
  - 7) All crowdfunding campaigns, including the solicitation of donations, online posting, selection of items, and/or use of funds must be consistent with all applicable laws and School Board policies;
  - 8) The sponsor shall provide the Finance Department or designated school, as appropriate, with a link to the fundraising campaign;
  - 9) All crowdfunding campaigns must have specific, pre-determined beginning and ending dates; and
  - 10) If a solicitation is not fully funded within the time period requested by the crowdfunding service or cannot otherwise be concluded, donations will be returned to the donors or to the ACPS as “account credits,” depending on the initial instructions to or requirements of the crowdfunding service. The solicitation for donations shall disclose that in the event the

crowdfunding service does not refund donations if insufficient funds are raised or there is a surplus after the fundraising goal has been reached, the ACPS will utilize such funds for another purpose not inconsistent with the original purpose of the crowdfunding campaign.

- e. Crowdfunding projects may not:
- 1) Disparage the ACPS or any of its buildings, programs, students, or employees or show the ACPS or any of its employees, students, or programs in a negative light;
  - 2) Include photographs, videos, or other images of ACPS students in the crowdfunding post or on the posting individual's home or biography page on the crowdfunding site;
  - 3) Include personally identifiable information of any ACPS student on the crowdfunding site;
  - 4) Be used to raise funds for an individual student, family, or staff member or for the personal gain of any individual other than the ACPS-related benefits associated with the campaign's purpose;
  - 5) Result in providing or delivering funds directly to the individual who requested the funds;
  - 6) Solicit funds for items or projects that are religious or political in nature or that have a religious or political purpose;
  - 7) Violate Title IX; federal or state student privacy laws, including, but not limited to, FERPA and IDEA; or any other applicable state or federal law;
  - 8) Be contingent on additional ACPS spending or require "matching" funds from the ACPS or another organization;
  - 9) Request food items that do not meet the ACPS standards or USDA regulations for school nutrition; or
  - 10) Contain language that suggests or states that an item or items for which donations are being sought are required for or otherwise integral to a student's special education program, necessary for students to achieve their IEP goals, or necessary to ensure participation of a student or students with disabilities in school or any program offered by the ACPS.

### 3. Designation of Approved Crowdfunding Sites

- a. All crowdfunding sites that are approved by the ACPS must meet all of the following requirements:
  - 1) The site must be operated by a legitimate corporation or limited liability company with no significant history of fraud, unlawful activity, financial mismanagement, or other misconduct.
  - 2) The site must have a policy that requires all funds raised by an individual on behalf of the school to go directly to the ACPS, not the individual who posted/advertised the fundraising request.
- b. To the extent that no crowdfunding sites available meet the requirements above, the ACPS shall not approve requests for crowdfunding.
- c. Sites designed for crowdfunding by schools and/or educators shall be given preference, if they meet the requirements of this section.

#### 4. Additional Requirements and Protocols

- a. Where a crowdfunding campaign requires the electronic transfer of funds, the Finance Department or designated school, as appropriate, shall ensure that such transfer is made properly and in accordance with acceptable standards of practice. Where such transfer cannot be properly achieved, the campaign shall not be approved.
- b. The ACPS reserves the right to refuse or redirect funds that have been raised through an approved crowdfunding campaign if it discovers that the project violated this policy or was in violation of the crowdfunding site's requirements, policies, and/or regulations.
- c. The ACPS reserves the right to terminate any pre-approved crowdfunding campaign for any reason or withhold approval for any crowdfunding campaign project for any reason.
- d. Items obtained through crowdfunding must fulfill the purpose of the approved crowdfunding campaign
- e. It shall be the responsibility of the sponsor whose crowdfunding campaign is approved by the Superintendent/designee, as applicable, to ensure that all applicable laws and rules, including rules and requirements established by the crowdfunding site, are followed.
- f. All items and/or proceeds received through any crowdfunding solicitation shall become the property of the School Board and not of the requesting party who solicited the items or funds. Although preference shall be given for the items/materials to be used by the requesting party, the ACPS reserves the right to transfer such items/materials to another school, classroom, teacher, or staff member where needed.

#### **Delegation of Responsibility**

The Superintendent/designee shall ensure that standard operating procedures and guidelines are in place to monitor all crowdfunding solicitations.

## CROWDFUNDING REQUEST FORM

Submit this form via email or on paper to the school principal or the director of the department. The school principal or director will notify you if the crowdfunding request is approved. The school principal/director will send a copy of this form to Fiscal Services.

Name: \_\_\_\_\_ Email Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ Phone Number: \_\_\_\_\_

School or Department or Other Organization: \_\_\_\_\_

If Other Organization, provide another name (besides yours) as a point of contact for the crowdfunding campaign.

Name: \_\_\_\_\_ Email Address: \_\_\_\_\_

Job Title: \_\_\_\_\_ Phone Number: \_\_\_\_\_

Name of Crowdfunding Website: \_\_\_\_\_

Provide a description of the items being requested and purpose of the crowdfunding campaign. Describe the classroom, program, or activity that will benefit:

Target Goal/Amount of Funds Requested: \$ \_\_\_\_\_

If this campaign is primarily for funds, the funds MUST be sent to the ACPS school or department designated or the ACPS Finance Department for proper disbursement.

Start Date of the Crowdfunding Campaign: \_\_\_\_\_ End Date: \_\_\_\_\_

Describe what you will do with funds/items if the goals are not met. Will you redistribute or reimburse items/funds? Will you use what is collected/donated?

Provide the EXACT language that will be included in the solicitation/advertising for the crowdfunding campaign:

I affirm that I \_\_\_\_\_, the requesting party, shall be responsible for preparing all materials and information related to the crowdfunding campaign and keeping the ACPS administration apprised of the status of the campaign.

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Signature

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Date