



Playing by the Rules for Athletic Fundraising & Support: What Coaches, Parents, Boosters and Donors Need to Know



Thank you!

Parents, Boosters, Booster Clubs and Donors play an important role in Montana's high school activities programs. GFPS and MHSAA encourage the involvement of local communities in high school programs. Below are some key issues that schools and boosters should address in order to maintain compliance with applicable GFPS policies and MHSAA By-Laws, Rules and Regulations. Ultimately, it is the responsibility of the individual schools to comply with the MHSAA By-Laws, Rules and Regulations so please remember to check with your local administrators before beginning any function or event that impacts your local activity programs. Thank you for your support of student activities!

Contact Information: GFPS Athletic Department, 406-268-6083
P.O. Box 2429, Great Falls, MT 59403
1100 4th St. S., Great Falls, MT 59405
<http://www.gfps.k12.mt.us/departments/athletics>

Awards

Boosters often want to provide awards or other recognition for student-athletes. Even if the awards are provided by a source outside the district (i.e. boosters), the following MHSAA By-Law, found in the MHSAA Handbook, Section (15) AWARD RULE, must be followed:

- A. No award exceeding one hundred dollars (\$100.00) in value shall be given per event in any MHSAA sanctioned sport or in any MHSAA sanctioned interscholastic activity by a member school, by any person or by an organization to a student in recognition of that student's achievement or participation in any interscholastic activity. An event is defined as a sports camp, an invitational tournament/meet, a post season recognition function (i.e. sports banquet), or a fund raiser or similar function. Cash cannot be awarded. A single Association contest is not considered an "event" for the purposes of this rule.
- B. Awards of \$5.00 or less in value may be provided to individuals based on sportsmanship exhibited in any single Association contest. Awards of \$3.00 or less in value may be provided to individuals based on satisfactory completion of tasks set forth for fundraising activities such as pop hoop shoots, passing accuracy contests etc.
- C. When a student is selected by chance or random drawing, to participate in a halftime or pregame contest involving a sport skill (e.g. throwing, kicking, or shooting a basketball), he or she may receive cash or merchandise prize from the contest, without affecting eligibility under MHSAA Awards and Amateur rules.
- D. Random drawing of names or lucky numbers in a program determining the participant would not be a violation. Examples include, but are not limited to, booster club fund-raisers, drawings to shoot a half-court or three point shot, or passing a football to win a prize. During the season of activity, a player from a school team is permitted to participate in such contests, provided the selection occurs randomly.
- E. Individual miniature trophies for first and second place MHSAA state championship events may be purchased from the Association's awards provider.

Amateur Status

The following MHSAA By-Law, found in the MHSAA Handbook, Section (16) AMATEUR STATUS, must be followed:

All contestants in the MHSAA must be amateurs. Students may not accept remuneration directly or indirectly for playing on athletic teams, receive donations or gifts for participation outside the MHSAA Award Rule, knowingly accept payment for excessive tournament expense allowances, and/or receive money for unidentified or unspecified expenses.

Students may work in camps by fulfilling duties that include officiating, coaching or instructing. Students may be employed and compensated in the local intramural program as officials, and participate and/or work in summer athletic camps. A student may compete as a participant in sports during the year or during the summer when the player is not a member of the regular high school team, provided monetary compensation is not received.

Fundraising

All fundraisers that occur at regular season contests must be approved by the school's principal in advance of the fundraiser.

GENERAL FUNDRAISING

The information below pertains to all fundraising in which coaches or groups organize to fund their programs. Examples include: gold/blue cards, sale of items or raffles.

Record keeping: The program doing fundraising will keep an accurate accounting or inventory of cards or items that are distributed and returned for money. Additionally, all cards or items will be accounted for through each high school Finance Office.

Raffle information: Be aware of laws pertaining to raffles and 50/50 drawings.

- As per MCA 23-5-158—Minors Not to Participate, a person under 18 years of age may sell or buy tickets for or receive prizes from a raffle conducted in compliance with 23-5-413 if proceeds from the raffle are used to support charitable activities, scholarships or educational grants, or community service projects.
- As per MCA 23-5-413—Raffle Prizes, the proceeds from the sale of tickets for a raffle conducted by a nonprofit organization, college, university, or school district may be used only for charitable purposes or to pay for prizes and may not be used for the administrative costs of conducting the raffle. (3)(a) The sale of raffle tickets authorized by this part is restricted to events and participants within the geographic confines of the state. (b) The sale of raffle tickets may not be conducted over the internet. All raffle announcements or advertisements conducted over the internet must include this sale restriction, the name of the organization offering the raffle, and all raffle terms.
- The Administrative Rule of Montana (ARM) has a set of requirements called: RAFFLE GENERAL REQUIREMENTS, AUTHORIZED RANDOM SELECTION PROCESSES, AND RECORD KEEPING REQUIREMENTS. Those requirements can be found here: <http://www.mtrules.org/gateway/ruleno.asp?RN=23%2E16%2E2602>

The following scenarios are in compliance:

- Parent/Booster/Donor/School Groups may raise funds to purchase merchandise for a team if the school agrees to accept and maintain possession of the merchandise purchased.
- Parent/Booster/Donor/School Groups may conduct fundraisers that allow students to earn money individually, provided that only students who actually work are compensated and the compensation is commensurate with the work completed (i.e. number of cars washed, number of discount cards sold) or with the number of hours worked. The students may choose to utilize the funds for merchandise, etc.
- NOTE: All of the above are permissible contingent upon all gender equity rules and standards being met.

The following scenarios are violations:

- Parent/Booster/Donor/School Groups raise funds to buy travel shirts, jackets, shooting shirts or other merchandise that the individual students keep.
- A member school, its booster club or other school-related group sponsors or finances a specialized camp, invitational tournament or any other event.

- Parent/Booster/Donor/School Groups raise funds in order to give cash in any amount to students for any reason, including but not limited to supplementing their meals on the road.

VOLUNTARY CONTRIBUTIONS/GIFTS/DONATIONS:

In order for GFPS activities to accept any voluntary contribution, gift or donation, the contribution, gift or donation shall be submitted to the high schools' Finance Office. If the contribution, gift or donation is over \$500, it shall be submitted to the Board of Trustees for recognition and acceptance in accordance with Board Policy 7260 (<http://www.gfps.k12.mt.us/content/7000-series-financial-management#7260>).

POST SEASON EVENTS:

The MHSA Executive Board has direct authority over post-season events. This reference, in part, is from Rules and Regulations, Section (8), in the MHSA Handbook:

The soliciting of voluntary contributions is prohibited at any post season Association contest. Unless approved by the MHSA Executive Board and the hosting school's principal, raffles or similar fund raising are prohibited at playoffs, championship games, post-season tournaments, post-season meets, and/or post-season festivals.

Gender Equity Requirements

The Ridgeway Settlement Agreement, found in the MHSA Handbook (Section U), is the result of federal case law involving the MHSA and all its member schools. In addition to many other requirements, all schools must comply with the following regarding Booster Clubs:

A school district shall affirmatively encourage booster clubs and similar groups of fans to devote comparable attention to the promotion and encouragement of female and male sports. The district shall not give significant assistance to any private organization which aids, benefits, or services athletes in the district on a sex discriminatory manner, unless for each organization which supports the athletes of only one sex, and to which the school district gives assistance, there is a comparable organization which supports the athletes of the other sex to which the school district gives comparable assistance.

- Any outside resources, i.e. booster club donations, fundraisers, donations by local businesses, contributions by community members etc., are considered "booster" funds. A school does not have to receive the donations through an organized "booster club" in order to apply this standard of equity. For the purpose of equity, any outside resource that is donated to the athletic fund is considered "booster" support.
- Outside resources must be allocated in a comparable fashion. To be considered comparable, the funds don't necessarily have to be exactly equal in dollar amounts. "Comparable" means that the impact on the programs is fair and equitable. For example, a parent group might want to donate money to purchase new volleyball standards and a new wrestling mat for the local high school. The cost of those two items will likely be different, but the impact on the programs could be considered comparable.

Specialized Camps, Invitational Tournaments & Other Events

Any student may participate in specialized camps, invitational tournaments and other events in all sports so long as the program and the student's participation meet the following requirements as per MHSA:

- A. No student shall participate in a specialized sports camp, invitational tournament or other sporting events in which any of his/her coaches are involved except from June 1 through July 31 of each calendar year. (This rule does not apply to individual sports.)
- B. If a coach employed by the school or a coach who volunteers in the school's athletic program conducts a specialized camp, invitational tournament or other event independent of the school district and uses school district facilities, the coach must follow the district policy on facility use including paying the normal rental fee and providing insurance coverage.

- C. An MHSA member school, its booster club or other school-related group may not sponsor or have any part in any way in financing a specialized camp, invitational tournament (outside of the regular season) or any other event. A school, booster club or other school-related group paying a coach for conducting a specialized camp, invitational tournament or other event would be in violation.
- D. The MHSA Award Rule and the MHSA Amateur Rule must be followed.

The following options are in compliance with the specialized camp rule (per MHSA):

- A student's parents pay the camp fee and the expenses for the student's travel and room at the camp.
- A student babysits, mows lawns or holds some other job to earn his/her own money to pay for the camp fee and expenses.
- A student works at a school fundraising opportunity (such as a concession stand) and is paid by the hour, earning his/her own money to pay for the camp fee and expenses. Records which detail the student's earnings should be kept.
- A local business or individual donates money to pay the camp fee or other expenses for a student or students to the individual or non-school related fundraising group.
NOTE: this is allowable provided the MHSA Amateur Rule is met in its entirety, specifically item d. which states that a student may not knowingly accept payment for excessive expenses. It is not permissible for an athlete to receive money for unidentified or unspecified expenses. Records and documentation should be maintained.
- A group of parents conducts a fundraiser to offset expenses for students to attend a camp.
NOTE: this is allowable provided the MHSA Amateur Rule is met in its entirety, specifically item d. which states that a student may not knowingly accept payment for excessive expenses. It is not permissible for an athlete to receive money for unidentified or unspecified expenses. Records and documentation should be maintained.

The following are violations of the specialized camp rule:

- A booster club pays the camp fee or other expenses for a student or students.
- A school supplements the expenses for a camp by providing transportation such as buses or bus drivers, and the expenses for the bus/bus drivers are not reimbursed by assessing a fee to the individual students.
- A school helps sponsor a camp by waiving the rental fees for school facilities or by failing to adhere to district policies regarding use of facilities, equipment, insurance etc. (if there are any).
- A school houses or administers funds that have been raised by outside groups for the purpose of conducting out-of-season events such as invitational tournaments, specialized camps or other similar events.

Other items of note regarding specialized camps, invitational tournaments & other events:

- School uniforms/equipment may be used, if the school allows.
- Provided a student's coach(es) are not involved and the school/booster club is not, in any way, sponsoring an invitational tournament or other event and provided all general rules are met, a student may attend an invitational tournament or other event at any time during the year.
- Groups organizing the event(s) should utilize the GFPS disclaimer form to distribute to athletes, to secure parental permission to participate, and to disavow any sponsorship by any participating players' schools.
- Use of district buses by outside groups must be addressed within the local district policy.

The previous information is for reference only. Complete guidance from the Montana High School Association (MHSA) can be found on the MHSA website. Please check the website for up-to-date information as guidelines are amended and changed periodically.

For more information, please contact:

Montana High School Association, 1 South Dakota Avenue, Helena, MT 59601/406-442-6010/www.mhsa.org
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