

Kane School District

Guidelines for Camps, Clinics, Non-District Sponsored Activities

I. District Guideline

The purpose of these guidelines is to provide direction and procedures for camps, clinics and other extra-curricular activities. These guidelines define when an employee is acting within the scope of employee duties with respect to school district activities (sponsored activities), and when an employee provides or participates in private but public education-related (non-sponsored) activities outside of their public education employment. These guidelines also define the employee's responsibility whether these activities occur on or off school premises and identifies when an employee does not represent the school district, and provides notice to employees regarding disclosure duties (Utah State Board Rule R277-107).

The individual or company receiving the primary financial benefit of an activity must also have full financial responsibility and liability of the activity. It is unfair to the taxpayer to bear the financial burden of covering the expense while a private individual has the financial gain. Activities that benefit the school, a school program, or are sponsored by a state or nationally affiliated educational organization providing worthwhile learning experience for students that are in part or fully subsidized by taxpayer dollars are school sponsored. Other activities are non-sponsored.

School sponsored activities include activities, fundraising events, clubs, camps, clinics or other event or activity that is authorized by a specific school which supports the District or authorized school club, activity, sport, class or program that also satisfies at least one of the following conditions:

- it is managed or supervised by a District or public school, or District or public school employee;
- it uses the District or public school's facilities, equipment, or other school resources; or
- it is supported or subsidized by public funds, including the public school's activity funds or minimum school program dollars.

(Rule 277-113-1)

Non-sponsored activities include activities in which a Kane School District employee participates and may/may not receive compensation directly from current or prospective students of the school district. Such activities include but are not limited to:

- A. Tutoring
- B. Lessons
- C. Travel Opportunities
- D. Independent Contractor
- E. Camps and Clinics

The following decision tree is provided for clarification.

Is primary financial beneficiary of the activity a private individual or company, or could it be considered that taxpayer funds are inappropriately subsidizing a private individual or company, or is an individual receiving personal economic benefit because of their position at the school (using school/District assets for personal gain)? Can the District employee establish their own level of compensation utilizing all proceeds from the camps, lessons, or other activity without regard to established hourly rates of pay?

If yes to any of the above, then the activity should be listed as non-school sponsored, and must follow the non-sponsored guidelines.

If not, then the activity is school sponsored and must follow the sponsored guidelines.

School Sponsored Events

Camps, clinics, and other activities involving school sanctioned groups such as teams, performing arts, or other school employee groups, must be handled as “District Sponsored Events”. When an event is sponsored by a coach or instructor at the school, the public believes that the event is sponsored by the school. In the event of a lawsuit, the District would be named. By being District sponsored, liability coverage will apply, protecting school employees.

- The principal must approve all camps, clinics, and other activities such as private lessons or tutoring. Merely having a key does not grant permission to use facilities.
- The school’s **financial secretary** must collect all fees for camps or clinics or other activities sponsored by the district. Teachers or coaches cannot collect fees. All costs associated with camp, clinic or other activity must also be submitted to the financial secretary for payment.
- Fee waiver procedures apply to all activities sponsored by the district.
- A roll with attendance must be kept for all camps and clinics.
- Attached worksheets must be completed.
- All district sponsored events must be approved by school administration. Out of state or 150 mile limit overnight activities must have the approval of the Board of Education.
- All compensation, if any to coaches or advisors, must be processed through district payroll. To prevent a conflict of interest no compensation can be received outside district payroll.
- Any non-district employee must be fingerprinted before performing services for the district if the employee will be working one on one with the students and must abide by district guidelines.
- Coaches, advisors and other school personnel cannot increase vendor fees for camps, clinics, workshops, etc. to help increase personal remuneration.

Kane School District

Financial Summary For Camps & Clinics

School: _____ Camp/clinic for _____ group

Dates of camp/clinic: _____ Camp fee _____

Time schedule for camp/clinic: _____ Total hours of camp/clinic _____

Faculty member in charge: _____

Total revenue (1) \$ _____

Total paid in wages & benefits (district employees) _____

Total paid in wages (non-district employees) _____

Materials & supplies _____

Total Cost \$ _____

Excess revenue \$ _____

Which school program will receive extra funds? _____

II. The financial secretary must receipt all money collected.

Signature of faculty member in charge

Date

Signature of principal or assistant principal

Date

Guidelines for Non-School Sponsored Events

All measures must be taken to avoid the appearance that an activity is school sponsored when an employee is involved with the activity. Utah State Risk Management does not provide insurance coverage for non-district sponsored events. The building rental indemnity agreement states that those sponsoring the event are personally liable for any legal claims made pertaining to the event that exceed insurance coverage obtained for the event. If the event is not sponsored by the District, and the employee gives the impression that the event was school sponsored, those suing will look to the District as a deep pocket after the sponsor's assets are personally exhausted. To minimize/avoid district liability risks all Non-District Sponsored Events must follow these guidelines.

- Must obtain private insurance for the event naming the district as primary insured ;
- Required signed building rental indemnity agreement;
- Must rent facility and all requisite equipment at a fair market rental rate. This includes uniforms and practice gear. They cannot use actual school jerseys.
- Funds from the activity must not be commingled with school funds;
- Required or voluntary participation in summer or other off-season clinics, workshops, leagues, or lessons shall not be used, stated, or implied as eligibility criteria for team membership, participation in extracurricular activities, or for the opportunity to try out for school-sponsored programs.
- Required informed consent stating that the school and school district is not a sponsor of the activity (see Parent Notification and Release of Liability Document). These must be on file at the school.
- Advertising must follow State rule R277-107-5 as follows:
 - An employee may purchase advertising space to advertise an activity or service in a publication, whether or not sponsored by the public schools, that accepts paid or community advertising.
 - The advertisement may identify the activity participants and leaders or service providers by name and provide details of the employee's employment experience and qualification. Employees should provide personal contact information. Employees may not use school contact information for non-sponsored activities.
 - Posters or brochures may be posted or distributed in the same manner as could be done by a member of the general public, advertising an employee's services, consistent with District policy. Advertisements shall state clearly and distinctly that the activity is NOT sponsored by the District. The name of the District or school shall not be used in the advertisement except as the District's name may relate to the employee's employment history or if school facilities have been rented for the activity.
 - If the name of the employee offering the service or participating in the activity is stated in any advertisement sent to the employee's students, or is posted, distributed, or otherwise made available in the employee's school, the advertisement shall state that the activity is not school sponsored.
 - Education records or information obtained through employment with the District is not to be used to contact students or others regarding the activity. Employees may not use class time to promote the activity.

- Per rule R277-605-5 “School personnel, activity leaders, coaches, advisors, and other personnel shall not require students to attend out-of-school camps, clinics or workshops for **which the personnel, activity leaders, coaches, or advisors receive remuneration from a source other than the school or district in which they are employed.**”
- The employee must provide the principal at the school where he/she is employed a signed copy of all contracts between him/her and the private activity sponsor. The employee who engages in any non-school sponsored activity shall provide a signed copy of the *Kane School District Employee Involvement in Non-District Sponsored Activities* disclosure statement.
- Merely having a key does not grant permission to use facilities for private, non-sponsored activities.

KANE SCHOOL DISTRICT

PARENT NOTIFICATION AND RELEASE OF LIABILITY

I understand that the individual listed below will perform duties which are not sponsored, endorsed, or associated with Kane School District. Therefore the District is not responsible for transportation, supervision of students or other costs associated with this activity. Liability will not be accepted nor provided by Kane School District but must be assumed by the individual or sponsoring organization.

Name: _____

Sponsoring Organization _____

Activity(ies): _____

Parent/Guardian Signature:

Date:

Any financial benefit from the camp/clinic goes to the camp sponsor. Kane School District and _____ (school) are not affiliated with the camp/clinic and will not receive any financial benefit.

Additional compensation to instructor/district employee includes: _____

KANE SCHOOL DISTRICT

**EMPLOYEE INVOLVEMENT IN NON DISTRICT SPONSORED
DISCLOSURE STATEMENT**

Educator Name: _____

School: _____

Private Activity: _____

Private Activity Sponsor(s): _____

Travel Destination: _____

Dates of Activity: _____

As an educator in Kane School District, I understand that I may participate in a non-district sponsored activity if the activity is separate and distinguishable from employment in the school district and does not interfere with performing the duty of employment with the school district in any way. If Kane School District students are involved in my non-district sponsored activity, I will have parents sign the Parent Notification and Release of Liability form. I will disclose any form of remuneration I receive to the parent.

I have provided to the principal of my school a copy of all contracts, where applicable, between myself and the private activity sponsor(s). I agree to provide liability insurance where applicable. I understand that the school district will maintain a copy of these contracts and this disclosure statement in my school personnel file. I agree that the private activity is not sponsored by the school or school district and that my duties to the activity sponsor(s) are outside the scope of and unrelated to any duties or responsibilities that I may have as an employee of Kane School District. I agree to abide by all laws and rules of the State of Utah pertaining to and consistent with Kane School District guidelines, including obtaining the Parent Notification and Release of Liability form for Employee Involvement in Non-District Sponsored Activities.

Employee Signature: _____

Date: _____

Principal Signature: _____

Date: _____