

SAN DIEGO UNIFIED SCHOOL DISTRICT

Date: May 12, 2016

To: All Elementary Principals, Area Superintendents

Subject: NOTIFICATION OF FUNDRAISING PRIZE LIMITATIONS

**Department and/or
Persons Concerned:** All Elementary Principals, Area Superintendents

Reference: Administrative Procedure 1700; Education Code section 49011(b)(4)

Brief Explanation:

As a result of a recent Uniform Complaint appeal, the California Department of Education (CDE) has directed that we notify all elementary school principals that course credit and privileges related to educational activities may not be offered or awarded as prizes for fundraising donations, such as allowing a student to not do homework for one day as a prize for raising money during a jogathon.

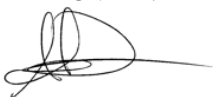
California Education Code section 29011(b)(4) states:

A school district or school shall not offer course credit or privileges related to educational activities in exchange for money or donations of goods or services from a pupil or a pupil's parents or guardians, and a school district or school shall not remove course credit or privileges related to education activities, or otherwise discriminate against a pupil, because the pupil or the pupil's parents or guardians did not or will not provide money or donations of goods or services to the school district or school.

Last fall, a jogathon was conducted at a district elementary school. Students could choose to participate in the jogathon, and friends, relatives, etc. could donate money to the school in the name of a student participant. Each student participant who chose to raise money was eligible to receive prizes, which varied depending on the amount of money donated. Most of the prizes were not related to class instruction or educational activities. One of the prizes, however, was a "Homework Pass" which was described as an exemption from having to do homework on one day. A Uniform Complaint was filed and appealed to the CDE which found that offering a Homework Pass as a prize in exchange for a donation violated California Education Code. CDE directed that all elementary school principals be informed that students may not earn course credit or privileges related to educational activities (such as a Homework Pass) in exchange for jogathon donations. This prohibition applies to all fundraising activities, not just jogathons.

If you have any questions regarding the above, please contact the Legal Services Office at (619) 725-5630.

APPROVED:



Andra M. Donovan
General Counsel

AMD:dmh

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