

# Framingham Public Schools



## **Guidelines for Booster Organizations and Outside Entities supporting FHS Athletics**

### Introduction

The Framingham School Committee recognizes the role of the various booster organizations in assisting the Framingham Public Schools in enriching the athletics and co-curricular programs of the school district. As stated in Framingham School Committee Policy KBE, to foster relationships with parents and “to enhance communications with parents and school officials, the Committee encourages the maintenance of formal parent organizations, including booster organizations, in each school building.”

In light of this policy, the following guidelines have been developed to delineate activities and events that support the mission and vision of Framingham Public Schools and to establish expectations for collaboration between booster organizations and the Framingham School Committee acting through the Framingham Public Schools Administration. These guidelines are intended to provide important information to ensure that booster organizations are operating in compliance with Title IX and supporting gender equity within interscholastic athletics.

Even though the district may recognize a booster group, the district expressly disclaims any liability arising from its recognition of a booster group or the group’s adherence to the district guidelines. The district is legally separate from the booster organizations and it shall not be financially obligated for any liabilities the group may incur. The Framingham Public Schools recognizes and respects that booster organizations are private organizations operating solely under the control of its own board officers and members.

### Title IX Issues (Gender Equity in School Sports)

Title IX of the Education Amendments of 1990 provides: *“No person in the United State shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity regarding federal financial assistance.”*

There are several obligations ~~that~~ that the Federal Title IX regulations impose on schools, which include:

- School districts must ensure that equivalent benefits and services are provided to both sexes in athletic programs.

- Booster club issues arise with benefits and services.
- This does not require identical benefits and services.
- The fundamental premise: If booster clubs provide benefits and services to athletes of one sex that are greater than what the school is providing to athletes of the other sex, then the school must take steps to ensure that the benefits and services are equivalent for both sexes.
- Framingham Public Schools may not use lack of its own funds to justify failure to insure similar benefits to boys and girls.
- The district must assure that areas such as equipment, uniforms, coaches, travel, and facilities are provided on an equivalent basis regardless of booster club funding and the resulting benefits and services must be equivalent for both sexes.
- Illustrative problem areas include, but are not limited to:
  - Paying for out-of-state travel by booster clubs of a male sport but not a female sport.
  - Paying for certain tournament entry fees for a male sport and not a female sport.
  - Food or other benefits for athletes of only the football team.
  - Coaches of male teams receiving extra compensation that is not available for coaches of female teams.
  - Booster club donations may involve monetary or nonmonetary donations.
- The district has a legal duty to track contributions from outside sources, including booster clubs and individual boosters.

## **Title IX Summary**

Under Title IX, all donations (money or in-kind contributions) must be monitored by the school district and boosters, and booster clubs must cooperate with monitoring. The Athletic Director and Executive Director of Finance and Operations will distribute communication on this policy to the coaching staff at the beginning of each season.

***The Framingham Public Schools have the ultimate responsibility for Title IX compliance. In cases of non-compliance, the argument that a booster club provided funding that the District could not is not a legal defense. Title IX compliance encompasses the areas of trips, camps, facilities, equipment, coaches, uniforms, meals, tournaments, banquets, student awards, and letter jackets.***

Framingham Public Schools is committed to equal opportunity for male and female student athletes to include participation opportunities and equal treatment and benefits, and shall comply with Title IX of the Education Amendments of 1972.

The school district has designated a Title IX Coordinator. The Title IX Coordinator oversees the district's compliance with Title IX and handles inquiries or reporting of possible gender inequity or inequality with respect to the school district's sports offerings.

- Booster and parent organizations are solely responsible for being knowledgeable about and complying with MIAA provisions, federal regulations, and state regulations, including

organization, governance, and fundraising. Information regarding such issues can be found on the website of the Massachusetts's Office of the Attorney General.

- The Athletic Director and the Executive Director of Finance and Operations will ensure that contributions from booster clubs are appropriately monitored, whether monetary or non-monetary.
- All coaches must notify the Athletic Director of all donations and contributions whether monetary or nonmonetary – this includes services of volunteers.
- All fundraising efforts will require the written approval of the School Principal or Athletic Director and will require a specific purpose be stated for the use of the funds raised. Fundraising and/or contributions from booster clubs may be refused if acceptance of the contribution would result in an imbalance relative to compliance with Title IX.
- ~~The Framingham Public Schools school employees (paid or unpaid) perform performing services for the Framingham Public School district. An external booster organization is not allowed to hire a paid or unpaid employee or coach on behalf of Framingham Public Schools. It is the District's responsibility to supervise school-sponsored programs and activities; hire, evaluate and terminate athletic and activities personnel; and hire and supervise officials and judges. Any volunteer must also adhere to Human Resources onboard regulations to ensure compliance.~~
- ~~If a booster or parent organization wishes to pay for additional coaches, referred to as "coaching assistants," these individuals must be hired in compliance with the policies and procedures of the district. The booster or parent organization should donate funds to the district for the proposed expenses prior to the district making any commitment to hire the "coaching assistant". The funds must be sufficient to pay for the actual services plus any benefits due the employee.~~
- No coach may mandate fundraising activities for student athletes nor will student athletes be pressured into any fundraising activity at any time. No items obtained through funds raised from team fundraisers will be withheld from student athletes who choose not to participate in fundraising or are unable to participate in fundraising.
- No fundraising in the form of door to door sales of any kind will be allowed in the community for any student athletes.
- No fundraising will be allowed for items required to represent the City of Framingham such as uniforms, transportation, or facilities. The Athletic Director will have the final say in determining what item(s) are considered to represent the City of Framingham.
- Individual booster organizations are strongly encouraged to collaborate and fundraise for both girls and boys' athletics to ensure equitable outcomes for both genders.

- All monetary donations from booster clubs will be deposited into an earmarked athletics revolving account for each team to use with approval of the Athletic Director and FPS Business Office.
- Booster groups who have become a 501c3 and donate to school organizations must be approved by the Athletic Director and Principal. They must submit both a quarterly and an annual report to the Athletic Director for review by the AD, FPS Title IX Coordinator, and Gender Equity Committee.
- Any discrepancies that create an imbalance relative to Title IX equity in athletics will be subject to refusal by the Athletic Director and/or Title IX Coordinator.
- All team fundraising amounts will be reviewed quarterly by the Athletic Director and Title IX Coordinator for compliance with Title IX equity in athletics funding, and presented to the District Gender Equity Committee. Imbalances will be either deemed negligible, offset by other benefits provided to other gender, or offset by the District Title IX "Athletic Equity Fund".
- No fundraising will be allowed that presents or intends to provide an imbalance in benefits to one gender over another. The final determination will be made by the Athletics Director and/or Title IX Coordinator.
- If an outside entity has made a donation to the Team to be deposited into the FPS Athletics revolving account, the entity must provide a specific use of funds along with the donation and FPS should prioritize the use of funds in a timely manner. If a coach coordinates a fundraiser, there must be a plan to use the funds in the fiscal year the fundraiser occurs submitted to the Athletic Director. A team will only be able to carry over a balance of not more than \$2,000.00 from one school year to the next within the FPS athletics revolving account. Any amount in excess of \$2,000.00 will be added to the FPS Title IX "Athletic Equity Fund," within the FPS revolving account managed collaboratively by FHS Athletics, Business Operations and Office of Equity, Diversity and Community Engagement. Outside entities will be notified of these policies prior to the District's acceptance of a donation.