

Alpine School District

Guidelines for Camps, Clinics, Private But Public Education-Related Activities

I. District Guideline

The purpose of these guidelines is to provide direction and procedures for camps, clinics and other extra-curricular activities sponsored by the Alpine School District. These guidelines will also define the employee's responsibility whether these activities occur on or off school premises.

These guidelines will also render direction and parameters for employees who provide or participate in private but public education-related activities outside of their public education employment. These guidelines define when an employee is acting within the scope of employee duties with respect to school district activities, identifies when an employee does not represent the school district, and provides notice to employees regarding disclosure duties (Utah State Board Rule R277-107).

“Private but Public Education-Related Activities” means an activity in which an Alpine School District employee participates and may/may not receive compensation from current or prospective students of the school district. Such education-related activities include but are not limited to:

1. Tutoring
2. Lessons
3. Travel Opportunities
4. Independent Contractor

Private but Public Education-Related Activities are treated as **Non-District Sponsored** events.

“District Sponsored Activities” are those activities that are sponsored by the Utah High School Activities Association, a state or nationally affiliated educational organization, or programs that provide a worthwhile learning experience that are attended by a school team or group or individual students. These activities must be approved by the school district.

Camps and clinics involving school sanctioned teams, groups and school employees **must be** handled as **“District Sponsored Events”**. When an event is sponsored by a coach at the school, the public believes that this 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.

All appearance of district sponsorship must be avoided when an employee is involved in a “Private but Public Education-Related Activity”. See the Non-District Sponsored Events (off-premises) Section III for Private But Public Education-Related Activities Guidelines for details.

II.

Activities on School District premises

1. All extra-curricular activities held on school premises that are not planned and conducted by district employees will require the sponsor to follow the building and grounds rental procedures and provide insurance for the participants. Employees involved in these activities must sign the district indemnity agreement and the notice of individuals involved in private but public education-related activities. See the Non-District Sponsored Events (off-premises) Section III for Private But Public Education-Related Activities Guidelines for details.
2. An employee can allow school facilities to be used for private but public education-related activities if he or she is not compensated for his efforts and has the approval of school administration. An example of this is allowing students to practice in the basketball gym for summer league activities.
3. Public or community groups wishing to use school buildings and grounds must provide liability insurance which must be on file at the school. They will also be subject to the district rental procedure.
4. All extra-curricular student activities, clinics and camps, that are planned and conducted by district employees for district students as District sponsored events must do the following:
 - A. The principal must approve all camps and clinics.
 - B. An athlete may not attend a clinic or camp hosted or sponsored by a member school within three weeks of the starting date. This includes sending teams to team camps or competitions outside of the school. (UHSAA Participation Standards #9 pg30)
 - C. The school's **financial secretary** must collect all fees for camps or clinics sponsored by the District. Teachers or coaches cannot collect fees. All costs associated with the camp or clinic must also be submitted to the financial secretary for payment. Purchase cards can be used.
 - D. Fee waiver procedures apply to all camps and clinics sponsored by the District.
 - E. Coaches or teachers may, with prior written approval from the school principal, be paid the summer school rate or a flat stipend during one week of the summer or the curriculum rate during the school year, provided the money collected for the camp or clinic supports that rate. District employees must submit time cards to payroll indicating the hours to be paid. The school will be charged the coach's or teacher's salary plus benefits. With prior written approval from the principal, the school may pay non-District employees using the Volunteer Coaching or Services Agreement. (See attached) The District will issue a 1099 form at the end of the year. **Cash payments**

directly to clinicians or those assisting with the camp is strictly prohibited. All compensation to those assisting with the camp must be processed through District Payroll or District or school Accounts Payable and flagged as a 1099 vendor.

F. A roll with attendance must be kept for all camps and clinics.

G. Attached worksheets must be completed.

5. A summer workshop or clinic conducted by a school for any sport or activity shall be scheduled and held consistent with UHSAA by-laws and policies. These by-laws are available in every secondary school principal's office, at school District offices, at the Utah State Office of Education and from the UHSAA for a minimal cost.

III. Activities off School District premises

An employee can be involved in sponsored and non-sponsored school district events off school district premises. All non-sponsored school district events will be considered private activities. See the Non-District Sponsored Events (off-premises) Section III for Private But Public Education-Related Activities Guidelines for details. District insurance will cover district-sponsored events.

District Sponsored Events (off premises)

1. All District sponsored events must be approved by school administration. Out of state or 250 mile limit overnight activities must have the approval of the Board of Education.
2. The above rules under II-D outlined above will apply. 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. Non-district employees must use the attached Volunteer Coaching or Services Agreement form.
3. Coaches, advisors and other school personnel cannot increase vendor Camp & Clinic fees to help fund raising efforts or receive personal remuneration.
4. A summer workshop or clinic conducted by a school for any sport or activity shall be scheduled and held consistent with UHSAA by-laws and policies. These by-laws are available in every secondary school principal's office, at school district offices, at the Utah State Office of Education and from the UHSAA for a minimal cost.
5. See travel guidelines for additional information.

Non-District Sponsored Events (off premises)

To minimize/avoid District liability risks all Non-District Sponsored Events must follow these guidelines. All appearance of District sponsorship must be avoided when an employee is involved in a “Private but Public Education-Related activity.” All measures must be taken to avoid the appearance that the activity is school sponsored. 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.

There are several advantages for events to be sponsored by the school as a fund raising activity:

1. To avoid a conflict of interest, employees involved in non-district sponsored events but a private but a public education-related activity can not involve student teams or groups.
 - A. 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.**”
 - B. Required or voluntary participation in summer or other off-season clinics, workshops, and leagues shall not be used as eligibility criteria for team membership, participation in extracurricular activities, or for the opportunity to try out for school-sponsored programs.
 - C. If individual district students are involved the employee must complete a waiver of liability form for each student. These must be on file at the school. School equipment can be rented to students for non-district sponsored events.
2. Non District Sponsored events, the employee **may not:**
 - A. Contact any student at public schools except as permitted by Rule R277-107.
 - B. Use education record or information obtained through employment with the school district unless the records or information has been made available to the general public and the requirement of the Federal

Education Rights Privacy Act (FERPA) has been met.

- C. Use school time and/or materials to promote, discuss, or prepare for the private activity.
- D. State or imply to any person or entity that participation in a private activity is required for any school program.
- E. Give or withhold credit based on participation in private lessons or other private activities, included but not limited to clinics, camps, private programs or travel activities that are not equally and freely available to all students.
- F. Use school uniforms (unless rented), name or logos.

3. Advertising Non-District Sponsored Events

- A. An employee may purchase advertising space to advertise an activity or service in a publication that accepts advertising, whether or not sponsored by schools in the school district or by the school district. Such publication include school newspapers and yearbooks but not school newsletters.
- B. The advertisement may identify the activity participants and leaders or service providers by name, provide non-school telephone numbers, and provide details of the employee's employment experience and qualifications.
- C. Posters and brochures may be posted or distributed only at times and in areas of schools and school district buildings where members of the general public are allowed to advertise.
- D. Unless the activity is sponsored by the school district, the advertisement shall state clearly and distinctly in bold lettering that the activity is NOT sponsored by the school or school district.
- E. Neither the school nor the school district shall be named in the advertisement except in connection with the employee's employment history. The school may be listed if it is the site of the activity.

4. In promoting a private activity an employee may:

- A. Offer public education-related services, programs or activities to students provided they are not advertised or promoted during school time and

consistent with these guidelines.

- B. Discuss the private activity with students or parents only outside the classroom and the regular school day.
- C. Use directories that are available to the general public to identify prospective clients such as high school phone directories distributed or made available to the public.
- D. Use student or school publications in which commercial advertising is allowed to advertise and promote the private activity.

5. Contracts

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 private but public education-related activity shall provide a signed copy of the *Alpine School District Employee Involvement in Private, But Public-Related Activities* disclosure statement.

ALPINE 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 Alpine 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 Alpine 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. Alpine School District and _____ (school) are not affiliated with the camp/clinic and will not receive any financial benefit.

Distribution: White copy: Principal
Yellow copy: Employee

ALPINE SCHOOL DISTRICT
EMPLOYEE INVOLVEMENT IN PRIVATE, BUT PUBLIC
DISCLOSURE STATEMENT

Educator Name: _____

School: _____

Private Activity: _____

Private Activity Sponsor(s): _____

Travel Destination: _____

Dates of Activity: _____

As an educator in Alpine School District, I understand that I may participate in a private but public education-related 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 Alpine School District students are involved in my Private but Public Education-Related 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 Alpine School District. I agree to abide by all laws and rules of the State of Utah pertaining to and consistent with Alpine School District guidelines, including obtaining the Parent Notification and Release of Liability form for Employee Involvement in Private but Public Education-Related Activities.

Employee Signature: _____

Date: _____

Principal Signature: _____

Date: _____

Distribution: White copy – Principal Yellow copy- Employee

Note: Copy must be placed in employee's personnel folder.

Alpine School District

Extracurricular Addenda Agreement

NAME _____ DATE _____

SOCIAL SECURITY NUMBER _____

EXTRA CURRICULAR ASSIGNMENT _____

SCHOOL (Location) _____

TOTAL ADDENDA AMOUNT: _____

(Rate is based on present schedule. In the event a salary schedule change is effected for the term of the contract, the rate and total amount will be changed to reflect the negotiated change.)

ACCOUNT NUMBER: _____

TERM OF THIS CONTRACT: _____

The following provisions apply to this addenda agreement:

- i. This addenda agreement does not alter the basic contract in any way.
- ii. This addenda agreement may be terminated as follows:
 - a. **Automatic Termination** - The addenda agreement is to automatically terminate at the conclusion of the contract term.
 - b. **Voluntary Termination** - The addenda agreement may be terminated at any time by mutual agreement between the educator, the principal/supervisor and the Administrator of Personnel.
 - c. **Involuntary Termination** – An educator may be involuntarily terminated during the term of the addenda agreement if:
 - i. There is evidence that the immediate supervisor made a sincere effort to help the educator remediate the unsatisfactory performance except in cases of extreme or serious problems or emergency; or
 - ii. Reasonable advanced written notice of planned termination is given to the

educator. A minimum of 10 calendar days is recommended; or

- iii. After 10 calendar days written notice, if student participation or enrollment is lower than expected; or
 - iv. After 10 calendar days written notice of budget shortfalls at the instructional level or at the school level or within the Alpine School District.
 - v. I will abide by the document “Guidelines for Camps, Clinics, Private but Public Education Related Activities.” I certify that I have no conflict of interest where I may receive any type of monetary incentive to myself. (See District Conflict of Interest Policy 4098 and question 7 on Questions and Answers relating to “Guidelines for Camps, Clinics, Private but Public Education Related Activities.”)
3. It is understood and agreed that nothing herein shall be construed to entitle an educator to an addenda beyond the terms described above. Any employee, signing an addenda, pursuant to the policies and procedures of the Alpine School District, shall not have an expectation of continued employment under an addenda beyond the term described above. It is also understood that the initiation and termination of all addenda agreements must be approved by the Board of Education.
4. In the event an educator terminates his basic contract, this addenda becomes invalid.
5. The additional compensation earned through this addenda and Career Ladder monies will be in addition to the basic contract amount listed on the salary schedule. This additional compensation is excluded from the computation of any early retirement stipend benefit. See Policy #4022, Item 1.2.
6. Payment for addenda: Employees select one of the following options for payment of services.
____ Lump sum payment at the end of the season or assignment to be paid on one of the following payroll checks: November, March, or May.
____ Payment over 12 months or remaining checks.

Employee

Date

Principal / Supervisor

Date

cc: All of the above and Payroll

Alpine 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? _____

I. The financial secretary must receipt all money collected.

Signature of faculty member in charge

Date

Signature of principal or assistant principal

Date

Camps & Clinics Payroll Expenses

Wages for District Employees

Name _____

Hours

Preparation _____

Teaching _____

Total hours _____

Name _____

Hours

Preparation _____

Teaching _____

Total hours _____

Name _____

Hours

Preparation _____

Teaching _____

Total hours _____

TOTAL HOURS FOR EMPLOYEES _____

Summer School Rate _____

Total Employee Wages _____

Total Benefits _____

Total Charged to the School _____

Signature of faculty member in charge

Date

Signature of principal or assistant principal

Date

1099 Expenses Wages for Non-District Employees

Name	Amount
_____	_____
_____	_____
_____	_____
_____	_____

Total Non-District Employee Wages \$ _____

Note: Copies of signed Voluntary Coaching Agreement must be attached for all individuals listed above and submitted to district Accounts Payable Department for payment. **Cash payments directly to clinicians or those assisting with the camp is strictly prohibited.**

Signature of faculty member in charge

Date

Signature of principal or assistant principal

Date

QUESTIONS AND ANSWERS

1. What is the district's conflict of interest policy?

“It is the policy of Alpine School District to protect public interest and to maintain the faith and confidence of citizens in the integrity of the public schools and school employees by setting standards of employee conduct which preclude actual or potential conflicts of interest between their public duties and their private interests. It is the district's intent to maintain high standards of employee conduct by prohibiting employees from improperly disclosing or using information, from using their positions to secure privileges or exemptions or from accepting employment which would impair independence of judgment or ethical performance.”

2. Can a district employee receive any compensation for any camp, clinic, or workshop that their team participates in?

For district-sponsored events, the advisor or coach may be paid the summer school rate or a flat stipend during one week of the summer, or the curriculum rate provided the money collected for the activity supports that rate. The employee must submit a time card to the payroll department indicating the hours to be paid.

For non district-sponsored events, an employee cannot require students to attend out-of-school camps, clinics or workshops where they would be receiving compensation from a source other than the school or district. The employee must sign the district indemnity agreement and the notice of individuals involved in private but public education-related activities. If Alpine School District students are involved in camps, clinics or workshops where the advisor or coach receives compensation, the employee must obtain the Parent Notification and Release of Liability form and disclose any form of compensation received.

3. Can a coach or advisor increase camp, clinic or workshop fees charged by a non-Alpine District organization which their team will be attending to pay the coach or advisor personally or raise funds for their programs?

No. Recently, the district received a letter from a university conducting summer workshops for school football programs suggesting fees to student participants be increased to cover other costs. The university would then write a check to the coach for the difference in their fee and the fee charged to the student participants. The only additional costs that can be charged to student participants are transportation, lodging and meal costs that are not covered by those conducting the camp, clinic or workshop.

4. What must coaches or advisors disclose to parents for private yet public activities that involve their students? (For example, a French teacher taking students to France, or a coach taking students to a camp outside the district where the coach will receive compensation, or a band teacher giving private lessons, etc.)

The coaches or advisors must have the parents sign the Parent Notification and Release Liability form. They must disclose on the Parent Notification and Release of Liability form any compensation they will receive or special benefits (free transportation, lodging, etc). The parents must understand the activity is not sponsored by the district and the district will not be responsible for transportation, supervision or other associated costs. Liability will not be

accepted nor provided by the district, but must be assumed by the participant or sponsoring organization. The Release of Liability form must be kept on file at the school.

5. What liabilities must be assumed and disclosures made to school administration by a coach or advisor when they are involved in a non district-sponsored camp, clinic or workshop?

The coach or advisor must sign the district indemnity agreement and the notice of individuals involved in private but public education-related activities. If Alpine School District students are involved in this activity, the employee must obtain and turn in the Parent Notification and Release of Liability form and disclose any form of compensation received. The school must keep these documents on file for audit purposes.

6. Must voluntary coaches or advisors comply with the private yet public activities disclosure when they are involved with Alpine school District students?

Yes. Volunteer coaches or advisors must follow the same rules and procedures as district employees when district students are involved. They must sign the volunteer Coaching or Service Agreement form and the notice of individuals involved in private but public education-related activities. They must obtain and turn in the Parent Notification and Release of Liability form and disclose any form of compensation received. The parents must understand the activity is not sponsored by the district and the district will not be responsible for transportation, supervision or other associated costs. Liability will not be accepted nor provided by the district but must be assumed by the participant or volunteer coach/advisor or sponsoring organization. If procedures are not followed, the coach or advisor may be subject to disciplinary action.

7. May the school hire an employee or volunteer who received additional salary or compensation from outside business ventures that market training or instruction?

It is the district's intent to prohibit employees from using their positions to secure privileges or promote any activity that would impair independence. Students must not be required to participate with any outside business that promotes training or instruction, or have an implied understanding that their chance to participate on school teams or organizations will be improved by attending the private business of the coach or instructor.

The school should not allow current employees or hire prospective employees who would have a conflict of interest where they receive any type of remuneration or school donation, based on the number of students participating in a private business venture relating to their position with the school.

A coach or instructor may be employed by an outside business venture on a salary or hourly basis. However, the compensation the employee receives from the outside source must not be based on the number of students participating in that venture relating to their position with the school.

8. What requirements must be met for summer activities for school sport teams to be considered non district-sponsored activities? (Example: Golf tournaments in St. George attended by the golf team.)

The school and/or the district name cannot be used in any way associated with the activity. This

must be clear to all participants. The coach or advisor cannot be actively involved with their teams in these activities. See question #18 for what is allowable promotion for non-sponsored district activities. The same rules apply to non-district employees. A booster club cannot be involved since it is associated with the school and its programs. The district cannot be responsible for transportation, supervision or other associated costs. Parent groups or clubs must assume all responsibility and provide insurance for all participants.

9. What records must coaches or advisors keep when conducting district-sponsored camps, clinics or workshops?

The coach or advisor must complete the following forms and keep them for one year.

- A. Financial Summary for Camps & Clinics
- B. Camps & Clinics Payroll Expenses
- C. 1099 Expense Wages for Non-District Employees
- D. Camps & Clinic Participants

10. Can a coach or advisor require their team to participate in any camp, clinic or workshop?

No. Participation in extracurricular activities cannot be used as eligibility requirements for team membership or participation.

11. What is required of a coach or advisor to hold a camp, clinic or workshop on school premises which is not a district-sponsored event?

The sponsor must follow the building and ground rental procedures and provide insurance for the participants. If the sponsor is an employee, they must sign the district indemnity agreement and the notice of individuals involved in private but public education-related activities. If Alpine School District students are involved in this activity, the employee must obtain the Parent Notification and Release of Liability form and disclose any form of compensation received.

12. What is required for a non-school employee group or organization to use school premises?

The sponsor must follow the building and ground rental procedures and provide insurance for the participants, a certificate of insurance and sign the indemnity agreement.

13. What approvals are necessary to have a coach or advisor's team attend a camp, clinic or workshop held out of state?

The Application for Student overnight and/or Extended Trip must be approved by the faculty advisor, principal and have board approval. Each school will receive a letter from the superintendent's office indicating which school trips have been approved.

14. Is inviting a special athlete or coach to conduct a camp, clinic or workshop considered a non-district event?

If the activity is planned, conducted and approved by the district, it will be considered a district sponsored event. Any non-employee helping in the activity will be considered a 1099 vendor. Otherwise the activity will be considered a non-sponsored district activity and will require the sponsor to follow the building and grounds rental procedures.

- 15. How can coaches or advisors pay those that help train and teach at their camps, clinics or workshop? (Examples – coaching assistants, music tutors for band students, choreographers, etc.)**

All payments to employees must be processed through the district's payroll systems which will then appear on the employee's W2 form. Non-district employees must be processed through the district's Accounts Payable system and be fingerprinted. The only exceptions for fingerprinting are consultants that are used for a few hours to one or two days. Short-term consultants need not be fingerprinted if we can guarantee that they will never be one on one with a student. If there is any questions that they may be one on one with a student, they must be fingerprinted. Non-district employees must complete and sign the Volunteer Coaching or Service Agreement form. The schools can issue a check to one or two day consultants with proper documentation.

- 16. Can members of a coach's or advisor's team or prospective team members use school facilities outside of the sport season?**

Yes, if the employee does not receive any compensation and the activity is within the UHSAA by-laws and policies. All such arrangements must be approved by school administration prior to school facilities use.

- 17. Can employees tutor students on school premises for which they are receiving direct compensation from students?**

No school facilities can be used if compensation is directly received from students.

- 18. What is a coach or advisor allowed to do to promote non-district activities?**

In general, a coach or advisor can offer public educational services, programs or activities to students as long as they are not advertised or promoted during school time or in the classroom. A coach or advisor cannot use education records or information obtained through employment with the district unless they are available to the general public. Posters and brochures can only be posted in areas of the school where members of the general public are allowed to advertise. See the Guidelines for Camps, Clinics, Private but Public Education-Related Activities procedure for more details.

- 19. What procedures must be followed for summer trips taken by athletic teams sponsored by booster clubs or parent groups?**

Since these activities involve the coach or advisor, use the school name and involve members of the school team they are considered district-sponsored events. All district procedures and rules apply. All activities must conform to UHSAA by-laws and policies including dead time.

- 20. What transportation systems must be used for district-sponsored events?**

Only public transportation systems can be used. Private vehicles, rental cars and vans are prohibited. For out of state events there is no cap on the amount the district can be sued for. The district's insurance premiums to the state are based on the actions against the district. If public transportation cannot be used, schools should not participate in the event.

- 21. What procedures and requirements must be met for community-sponsored programs (example: hockey and lacrosse clubs, 9th grade football & baseball, boys' volleyball) that are not sanctioned by the UHSAA?**

Community sponsored program events as indicated above are considered non-sponsored district activities. This must be clear to all participants. See question #18 for what is allowable promotion for non-sponsored district activities. The club or community program must be responsible for transportation, supervision or other associated costs. This also includes providing insurance for all participants.

- 22. May the coach pay clinicians or staff directly from the cash from camp proceeds?**

Coaches must never receive cash nor pay cash directly to those who assist with the camp or clinic. All payments must be made from District payroll, or the school or district accounts payable department and flagged as a 1099 vendor.

- 23. Can a coach or advisor hire immediate family to work a camp or clinic?**

No.

- 24. During the one week camp, can coaches hold tournaments and team camps to generate revenue?**

No.

Conclusion

Activities involving school sanctioned teams, groups and school employees must be handled as district-sponsored events. All district procedures and liability coverage apply. This reduces the potential risks and conflict of interest issues. Liability insurance coverage alone is prohibitive for most parent groups. The district is not interested in sponsoring non-student activities or activities with high injury rates.