

**SAN RAFAEL CITY SCHOOLS**  
Superintendent's Office – 310 Nova Albion Way, San Rafael, CA 94901  
Telephone (415) 485-3798

RECEIVED JUN - 5 2017

**Request for Authorization as a School-Connected Organization**

**Instructions:** Persons proposing to establish or continue a school-connected organization must annually request authorization from the Board of Education by completing this form (E 1230) and submitting it to the Superintendent's Office at above-listed address. Please read this form carefully and ensure that all questions are answered in full and all required documentation is attached. Incomplete forms will not be considered. If additional space is needed respond to a question, please attach additional sheets. The completed form must be signed by an officer of the organization over the age of eighteen (18) and the principal of the supporting school.

1. Name of organization: Pacific Coast Marlins Learn to Swim, a Make a Splash Local Partner
2. Date of request for authorization: June 12, 2017 to July 26, 2017
3. Please briefly describe the purpose of the organization, including the school(s) and program(s) the organization intends to support:

see attached

4. Attach a copy of the bylaws, rules, and procedures under which the organization will operate, including, but not limited to, procedures for maintaining the organization's finances and any membership guidelines/qualifications. attached

School-connected organizations shall not engage in unlawful discrimination. By submitting this request for authorization, the organization acknowledges and agrees that its membership requirements do not and will not discriminate on the basis of a protected category. Initial: JBA

5. List the names, titles, addresses, and phone numbers of the organization's current officers:

Name: Andrea Salmi  
 Title: President  
 Address: 12 Oakmont Ct. San Rafael 94901  
 Telephone: 415.302.8613

Name: Marc Detraz  
 Title: Technical Director  
 Address: 95 Racquet Club Drive San Rafael 94901  
 Telephone: 415.456.5522

Name: Judy Ferguson, CFO  
 Title: Treasurer and Secretary  
 Address: 222 H St. San Rafael 94901  
 Telephone: 415.302.5727

Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

6. State the organization's specific goals/objectives:

See attached

7. For each fundraising activity or event that the organization plans to hold this school year, please provide: (a) description of any goods or services to be sold; (b) anticipated date and location; (c) target amount of funds to be raised; and (d) planned use of funds raised.

See attached

8. Identify the bank the organization will use: Wells Fargo Bank, and the names of each person that will be authorized to withdraw funds from the organization's bank account(s):  
Andrea Salmi and Judy Ferguson

9. If this request for authorization is granted by the Board of Education, the organization will and hereby does automatically grant the District the right to audit the organization's financial records at any time, either by District personnel or a certified public accountant. Initial: JBF

10. Describe the organization's plan for use of funds remaining at the end of the school year if the organization is not continued or authorized to continue.

See attached

11. **Attach** evidence of insurance coverage in the form of an **original** certificate of insurance for bodily injury and property damage liability coverage in the amount of at least One Million Dollars (\$1,000,000) combined single limit naming San Rafael City Schools and its Board of Education as additional insureds. Please see AR 1230 for complete insurance requirements, which are incorporated herein. *Will be able to provide when program begins.*

12. If the organization seeks to raise more than Twenty-Five Thousand Dollars (\$25,000), **attach** documentation of independent legal status (e.g., articles of incorporation).

13. If the organization has federal tax exempt status (e.g., IRS 510(c)(3)), **attach** copies of an IRS affirmation letter and most recent IRS form 990. attached

14. If the organization is required to register with the State Attorney General's Registry of Charitable Trusts, **attach** proof of current registration. attached

15. The undersigned is an officer of the organization, over the age of eighteen (18), with authority to submit this request for authorization and to bind the organization, and hereby certifies that he/she has read and understands, and that the organization agrees to and will abide by, all policies, regulations, terms, and conditions set forth in the current versions **Board Policy 1230** and **Administrative Regulation 1230**, which are available at online at <http://www.srca.org/policies> and incorporated herein by this reference.

The undersigned further certifies that all information provided herein and attached hereto is true and correct to the best of his/her personal knowledge.

Signature: Judy Ferguson

Printed Name: Judy Ferguson

Title: Chief Financial Officer and Secretary

Date: 2-6-17

**To be completed by the principal of the sponsoring school:**

16. I, \_\_\_\_\_, am the principal of \_\_\_\_\_ School. I have reviewed this request for authorization in its entirety, and do not oppose authorization of this organization as a school-connected organization.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**To be completed if this is a subsequent request for authorization by an existing school-connected organization:**

17. Attach both (i) a financial statement for the previous school year showing the funds raised and spent by the school-connected organization, and (ii) an explanation of the expenditures made by the school-connected organization and the purpose of each expenditure. (attached budget)

END OF DOCUMENT

San Rafael City Schools  
School Connected Organization Application

**Pacific Coast Marlins Learn to Swim, a Make a Splash Local Partner (501c3)**

3. Purpose of organization, including the schools and programs intended to support.

We are a local 501c3 non-profit dedicated to teaching San Rafael under-served youth to swim. Our program, officially called the Pacific Coast Marlins Learn to Swim, a USA Swimming Make a Splash Local Partner is staffed by over 35 local high school and college volunteer instructors and lifeguards from over 15 different high schools, middle schools and colleges. We are in the sixth year of the program which was started by and is run by local high school students in Marin County, CA.

We provide FREE swim lessons to 100 children from our local San Rafael community. We work with two different local summer camp/daycare and give the children lessons as part of their daycare/camp day. All of our students come through these two programs.

In our first 5 years, we served the 50 children (ages 3-8) attending the Canal Childcare Center in San Rafael. The Childcare Center is operated by the Community Action Marin Child Development Agency in San Rafael and they serve the low income Latino and African-American communities in our city.

This past summer 2016, we were able to expand as a trial our program to include a similar demographic organization out of the Pickleweed Community Center called Canal Family Support that holds a Summer Enrichment Program (as part of their larger program, Kid's Club) for at-risk youth in grades 1-5. This program serves the low income Latino and African-American communities in our county. Kids Club is supported by the Catholic Charities of San Francisco.

6. State organizations specific goals and objectives.

For the summer 2017, the lessons will be held for seven weeks/ 2 sessions per week at the San Rafael High School pool. The Canal Childcare Center will participate in all seven weeks/14 sessions. The Kids Club will attend 4 weeks/7 sessions. The semi-private/group lessons are in 45-minute increments and will be divided into smaller classes of three to six children and two instructors. The groups will be divided by age and, as the weeks progress, skill-level. We have created a 5 level skill chart that is used to track each swimmer at each lesson. An assistant instructor/intern is on the pool deck to assist the 2 instructors in the water with each group and to monitor and log progress for each student. When a student has successfully completed all the skills for the current level, he/she moves up to the next skill level. At all times, we have 3 certified lifeguards and 3 adults on deck monitoring the lessons. Our goal is that by the end of the summer, all of the children will be comfortable in the water and the danger of drowning will never be a worry for them. Last summer, 80 of our 100 students ended the summer in level 2 or higher.

Our goal is to have this program live on for many years to come. There will always be more San Rafael children that need to learn to swim and many high school students who want to

serve in our community. Our average instructor volunteered 28 hours to our program last summer.

#### 7. Fundraising Activity

Our only fundraising activity is held every July and is called "Sponsor a Swimmer". We do not offer any goods or services. We simple ask each of our instructors to go to their families/friends/neighbors and ask them to help sponsor one of our students for the next year. There is no event connected to this fundraiser as the instructors do this on their own time. Our goal for the fundraiser is \$4000.00. All the money will be used the following summer to pay for liability insurance and transportation costs for the Pickleweed students.

#### 10. Planned Use of Funds Remaining

Any funds remaining in our account at the end of the 2017 lesson season will be used to pay for expenses in the 2018 lesson year.

Pacific Coast Marlins Learn to Swim  
Make A Splash Budget 2017

**2016-17 Income**

Rotary Club Donation	\$ 750.00
Sponsor a Swim Lesson Fundraiser	\$ 4,095.00
Hal Wagner Tournament Donation	\$ 750.00

Total Income	\$ 5,595.00
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**Estimated 2017 Expenses**

Pool Rental	\$ 1,560.00
Liability Insurance	\$ 820.00
Teaching Equipment	\$ 100.00
Instructor Uniform	\$ 820.00
End of season party	\$ 500.00
Transportation Costs	\$ 3,465.00

Total Expenses	\$ 7,265.00
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Total # of students	100
Cost per student	\$ 72.65

**BYLAWS OF**  
**PACIFIC COAST MARLINS LEARN TO SWIM**  
**A California Nonprofit Public Benefit Corporation**

**ARTICLE I. CHARITABLE PURPOSES**

Section 1. General Purpose. This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the California Nonprofit Public Benefit Corporation Law (the "Law") for charitable purposes.

This corporation is organized and shall be operated exclusively for charitable and educational purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code of 1986, as amended, or the corresponding provisions of any future United States internal revenue law (the "Code"). Notwithstanding any other provision of these Bylaws, this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this corporation, and the corporation shall not carry on any other activities not permitted to be carried on (a) by a corporation exempt from federal income tax under Code Section 501(c)(3), or (b) by a corporation, contributions to which are deductible under Code Section 170(c)(2).

Section 2. Specific Purpose. The specific purpose of Pacific Coast Marlins Learn to Swim is to offer free swimming lessons to children in San Rafael, CA and the adjacent areas.

**ARTICLE II. OFFICES**

Section 1. Principal Office. The principal office of the corporation for the transaction of the business of the corporation shall be fixed and located at such place within or without the State of California as the Board of Directors (the "Board") shall determine. By resolution, the Board is granted full power and authority to change such principal office from one location to another.

Section 2. Other Offices. Branch or subordinate offices may be established at any time by the Board at any place or places.

**ARTICLE III. NO MEMBERS**

The corporation shall have no members within the meaning of Section 5056 of the Law. Any action which otherwise would require approval of the members shall require approval only of the Board.

**ARTICLE IV. DIRECTORS**

Section 1. Powers. Subject to the limitations of the corporation's Articles of Incorporation (the "Articles"), these Bylaws, and the Law, the activities and affairs of the corporation shall be conducted and all corporate powers shall be exercised by or under the

direction of the Board. The Board may delegate the management of the activities of the corporation to any person or persons, a management company, or committees however composed, provided that the activities and affairs of the corporation shall be managed and all corporate powers shall be exercised under the ultimate direction of the Board. Subject to the same limitations, the Board shall have all powers permitted to or conferred by Law on the board of directors of a nonprofit public benefit corporation.

Section 2. Number of Directors. The number of directors shall consist of not less than three (3) nor more than five (5) directors, with the exact number of directors to be fixed within such limits by resolution of the Board as enacted from time to time.

Section 3. Election and Term of Office. Directors shall be elected at each annual meeting of the Board, but directors may be elected at any special meeting of the Board held for that purpose. Each director shall hold office for a term of three (3) years and until a successor has been elected and qualified. By resolution, the Board may arrange for terms to be staggered, including by establishing one or two year terms for certain initial directors. Directors may succeed themselves in office.

Section 4. Resignation. Any director may resign effective upon giving written notice to the President, the Secretary, or the Board, unless the notice specifies a later time for the effectiveness of such resignation; provided, however, that a director may not resign without permission of the Attorney General in a case where the corporation would be left without a duly elected director in charge of its affairs. If the resignation is effective at a future time, a successor may be elected before such time, to take office when the resignation becomes effective.

Section 5. Removal. Any director may be removed with or without cause by the affirmative vote of a majority of the directors then in office.

Section 6. Vacancies. Vacancies in the Board shall be filled by the affirmative vote of a majority of the remaining directors then in office, or by a sole remaining director. Each director so elected shall hold office until the expiration of the term of his or her predecessor and until his or her successor has been elected and qualified.

A vacancy or vacancies in the Board shall be deemed to exist in case of the death, resignation, or removal of any director, or if the authorized number of directors is increased. The Board may declare vacant the office of a director who has been declared of unsound mind by a final order of court, is convicted of a felony, or is found by a final order of judgment of any court to have breached a duty to the corporation arising under Chapter 2, Article 3, of the Law.

Section 7. Interested Directors. Not more than 49% of the persons serving on the Board at any time may be interested persons. An "interested person" is (1) any person being compensated by the corporation for services rendered to it within the previous 12 months, whether as a full-time or part-time employee, independent contractor, or otherwise, excluding any reasonable compensation paid to a director as director; and (2) any brother, sister, ancestor, descendant, spouse, brother-in-law, sister-in-law of any such person. Notwithstanding the

foregoing, any violation of the provisions of this Section shall not affect the validity or enforceability of any transaction entered into by the corporation.

Section 8. Place of Meeting. Regular or special meetings of the Board shall be held at any place within or without the State of California which has been designated from time to time by the Board. In the absence of such designation, regular meetings shall be held at the principal office of the corporation.

Section 9. Regular Meetings. Regular meetings of the Board shall be held without call or notice on such dates and at such times as may be fixed by the Board. Such regular meetings shall include an annual meeting to elect directors then up for election, and to conduct all other business as may properly come before the Board. The annual meeting shall take place at such time and place as determined by resolution of the Board.

Section 10. Special Meetings. Special meetings of the Board for any purpose or purposes may be called at any time by the President, the Secretary, or any two (2) directors.

Special meetings of the Board shall be held upon four days' written notice by first-class mail or 48 hours' notice delivered (i) personally (which may be oral or written), (ii) by telephone, including a voice messaging system, or (iii) by "electronic transmission by the corporation" (as defined below). Written notice shall be addressed or delivered to each director at his or her physical or email address, as applicable, as it is shown upon the records of the corporation, or as may have been given to the corporation by the director for purposes of notice, or, if such address is not shown on such records or is not readily ascertainable, at the place in which the meetings of the directors are regularly held. "Electronic transmission by the corporation" means a communication (a) delivered by (1) facsimile or email when directed to the facsimile number or email address, respectively, for that recipient on record with the corporation, (2) posting on an electronic message board or network which the corporation has designated for those communications, together with a separate notice to the recipient of the posting, which transmission shall be validly delivered upon the later of the posting or delivery of the separate notice thereof, or (3) other means of electronic communication, (b) to a recipient who has provided an unrevoked consent to the use of those means of transmission for communications under or pursuant to the Law, and (c) that creates a record that is capable of retention, retrieval, and review, and that may thereafter be rendered into clearly legible tangible form.

Notice by mail shall be deemed to have been given at the time a written notice is deposited in the United States mail, postage prepaid. Any other written notice shall be deemed to have been given at the time it is personally delivered to the recipient or is delivered to a common carrier for transmission, or actually transmitted by electronic means by the person giving the notice to the recipient, as the case may be. Oral notice shall be deemed to have been given at the time it is communicated to the recipient, including by telephone voice messaging system.

Section 11. Waiver of Notice. Notice of a meeting need not be given to any director who signs a waiver of notice or a written consent to holding the meeting or an approval of the minutes thereof, whether before or after the meeting, or who attends the meeting without protesting, prior thereto or at its commencement, the lack of notice to such director. All such

waivers, consents, and approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

Section 12. Quorum. A majority of the directors then in office constitutes a quorum of the Board for the transaction of business, except to adjourn as provided in Section 14 of this Article. All matters shall be decided by the vote of a majority of directors present at a meeting duly held at which a quorum is present, and every such act or decision shall be the act of the Board, unless a greater number is required by Law, the Articles or these Bylaws. Without limiting the foregoing, the actions listed in Section 17(a) through Section 17(f) shall require the vote of a majority of all directors then in office in order to be effective. A meeting at which a quorum is initially present may continue to transact business notwithstanding the withdrawal of directors, if any action taken is approved by at least a majority of the required quorum for such meeting.

Section 13. Participation in Meetings by Conference Telephone. Members of the Board may participate in any meeting through use of conference telephone, electronic video screen equipment or similar communication equipment, so long as all the directors participating in the meeting can hear one another. All such participating directors shall be deemed to be present in person at such meeting.

Section 14. Adjournment. A majority of the directors present, whether or not a quorum is present, may adjourn any Board meeting to another time and place. Notice of the time and place of holding an adjourned meeting need not be given to absent directors if the time and place is fixed at the meeting adjourned, except that if the meeting is adjourned for more than 24 hours, notice of any adjournment to another time or place shall be given prior to the time of the reconvened meeting to the directors who were not present at the time of adjournment.

Section 15. Action Without Meeting. Any action required or permitted to be taken by the Board may be taken without a meeting if all members of the Board shall individually or collectively consent in writing to such action. Such consent or consents shall have the same effect as a unanimous vote of the Board and shall be filed with the minutes of the proceedings of the Board. Directors may consent, vote, or otherwise take action under this Section 15 by a signed document transmitted by mail, messenger, courier, email, facsimile, or any other reasonable method satisfactory to the Chair (if any) or the President.

Section 16. Rights of Inspection. Every director shall have the absolute right at any reasonable time to inspect and copy any and all books, records, and documents of every kind of the corporation, and to inspect the physical properties of the corporation.

Section 17. Board Committees. The Board may designate and appoint one or more committees, each consisting of at least two (2) directors and no non-director members, and delegate to such committees any of the authority of the Board except with respect to:

- (a) The filling of vacancies on the Board or in any committee;
- (b) The amendment or repeal of bylaws or the adoption of new bylaws;

- (c) The amendment or repeal of any resolution of the Board which by its express terms is not so amendable or repealable;
- (d) The appointment of committees of the Board or the members thereof;
- (e) The approval of any self-dealing transaction, as defined in Section 5233(a) of the Law, except as provided in Section 5233(d)(3) of the Law;
- (f) The expenditure of corporate funds to support a nominee for director after there are more people nominated for director than can be elected.

Any such committee must be established and the members thereof appointed, by resolution adopted by a majority of the number of directors then in office, and such committee may be designated by any name the Board shall specify. The Board may appoint, in the same manner, alternate members of any committee who may replace any absent member at any meeting of the committee. The Board shall have the power to prescribe the manner in which proceedings of any such committee shall be conducted. Unless the Board or such committee shall otherwise provide, the regular and special meetings and other actions of any such committee shall be governed by the provisions of this Article applicable to meeting and actions of the Board. Minutes shall be kept of each meeting of each committee.

Section 18. Advisory Committees. The Board may, by resolution adopted by a majority of the directors then in office, create one or more advisory committees to serve at the pleasure of the Board. Each advisory committee shall have at least one (1) director as a member at all times. Other appointments to such advisory committees need not, but may, be directors. The Board shall appoint and discharge advisory committee members at will. All actions and recommendations of an advisory committee shall require ratification by the Board before being given effect.

Section 19. Compensation. The corporation shall not pay any compensation to directors for services rendered to the corporation as directors, except that directors may be reimbursed for expenses incurred in the performance of their duties to the corporation, in reasonable amounts as approved by the Board. Nothing shall preclude any director from serving the corporation in any other capacity and receiving reasonable compensation for such services.

## ARTICLE V. OFFICERS

Section 1. Required Officers. The officers of the corporation shall be a President, a Secretary and a Chief Financial Officer, each of whom shall be chosen by and hold office at the pleasure of the Board. Any number of offices required or permitted by this Article may be held by the same person, except that the Secretary and Chief Financial Officer may not serve concurrently as President or Chair of the Board (if any).

Section 2. Permitted Officers. The Board may choose a Chair of the Board, one or more additional Vice Presidents, one or more Assistant Secretaries, one or more Assistant Treasurers, and such other officers as the business of the corporation may require, each of whom shall hold office for such period, have such authority and perform such duties as the Board at its pleasure may from time to time determine.

Section 3. Election of Officers. The officers shall be elected by the Board at the annual meeting, or at any regular or special meeting of the Board, and may succeed themselves in office. Each person elected as an officer shall continue in office until the next annual election of officers or until his successor shall have been duly elected and qualified or until his earlier death, resignation or removal in accordance with these Bylaws. Vacancies of officers caused by death, resignation, removal or increase in the number of officers may be filled by the Board at a regular or special meeting.

Section 4. Removal of Officers. Any officer may be removed at any time with or without cause and with or without notice by the affirmative vote of the Board.

Section 5. President. Subject to the discretion and control of the Board, the President shall be the chief executive officer of the corporation and shall have general supervision, direction and control over the affairs and property of the corporation and over its several officers, and shall have such other powers and perform such other duties as may be delegated by the Board from time to time. If the corporation has no Chair of the Board, then the President shall preside at all meetings of the Board.

Section 6. Secretary. The Secretary shall be the custodian of the seal of the corporation and of the books and records and files thereof. The Secretary shall keep or cause to be kept, at the principal office or such other place as the Board may order, a minute book of all meetings of the Board and its committees. The Secretary shall also keep, or cause to be kept, at the principal office in the State of California the original or a copy of the Articles of Incorporation and Bylaws of the corporation, as amended to date. The Secretary shall give, or cause to be given, notice of all meetings of the Board and any committee thereof required by these Bylaws or by law to be given, and shall have such other powers and perform such other duties as may be delegated by the Board.

Section 7. Chief Financial Officer. The Chief Financial Officer shall keep and maintain, or cause to be kept and maintained, adequate and correct accounts of the properties and business transactions of the corporation, including, without limitation, accounts of its assets, liabilities, receipts and disbursements, and shall send or cause to be sent to the directors of the corporation such financial statements and reports as are by law or these Bylaws required to be sent to them. The Chief Financial Officer shall deposit, or cause to be deposited, all monies and other valuables in the name and to the credit of the corporation and such depositaries as may be designated by the Board. The Chief Financial Officer shall disburse the funds of the corporation as may be ordered by the Board, shall render to the President or the directors, whenever requested, an account of all transactions and of the financial condition of the corporation, and shall have such other powers and perform such other duties as may be delegated by the Board.

Section 8. Technical Director. The Technical Director shall develop and implement a training plan for the corporation's volunteer swim instructors that is in compliance with the standards set forth by the USA Swimming Foundation's "Make a Splash" local partner program, and shall have such other powers and perform such other duties as may be delegated by the Board from time to time.

Section 9. Compensation. The Board shall decide all matters relating to the compensation of any officer. No salaried officer serving on the Board shall be permitted to vote on his or her own compensation as an officer. The Board, or an authorized Board Committee, shall review and approve the compensation, including benefits, of the President and the Chief Financial Officer to assure that it is just and reasonable. This review and approval shall occur initially upon the hiring of such officer, whenever the term of employment, if any, of the officer is renewed or extended, and whenever the officer's compensation is modified. Separate review and approval shall not be required if a modification of compensation extends to substantially all employees. If the corporation is affiliated with other charitable corporations, the requirements of this Section 9 shall be satisfied if review and approval is obtained from the board, or an authorized committee of the board, of the charitable corporation that makes retention and compensation decisions regarding a particular individual.

#### ARTICLE VI. INDEMNIFICATION OF AGENTS OF THE CORPORATION: LIABILITY INSURANCE

Section 1. The corporation shall indemnify any person who was or is a party or threatened to be made a party to any Proceeding (other than an action by or in the right of the corporation to procure a judgment in its favor, an action brought under Section 5233 of the Law, or an action brought by the Attorney General or a person granted relator status by the Attorney General for any breach of duty relating to assets held in a charitable trust) by reason of the fact that such person is or was an Agent, against Expenses, judgments, fines, settlements and other amounts actually and reasonably incurred in connection with such Proceeding if such person acted in good faith and in a manner such person reasonably believed to be in the best interests of the corporation, and, in the case of a criminal Proceeding, had no reasonable cause to believe the conduct of such person was unlawful. The termination of any Proceeding by judgment, order, settlement, conviction, or upon a plea of nolo contendere or its equivalent, shall not, of itself, create a presumption that such person did not act in good faith and in a manner which such person reasonably believed to be in the best interests of the corporation, or that such person had reasonable cause to believe that such person's conduct was unlawful.

Section 2. The corporation shall indemnify any person who was or is a party or is threatened to be made a party to any threatened, pending or completed action by or in the right of the corporation or brought under Section 5233 of the Law, or brought by the Attorney General or a person granted relator status by the Attorney General for breach of duty relating to assets held in a charitable trust, to procure a judgment in its favor by reason of the fact that such person is or was an Agent, against Expenses, actually and reasonably incurred by such person in connection with the defense or settlement of such action, if such person acted in good faith, in a manner such person believed to be in the best interests of the corporation and with such care, including reasonable inquiry, as an ordinarily prudent person in a like position would use under similar circumstances, except that no indemnification shall be made under this Section 2: (i) in respect of any claim, issue or matter as to which such person shall have been adjudged to be liable to the corporation in the performance of such person's duties to the corporation, unless and only to the extent that the court in which such Proceeding is or was pending shall determine upon application that, in view of all circumstances of the case, such person is fairly and reasonably entitled to indemnity for the Expenses which such court shall determine; (ii) of amounts paid in settling or otherwise disposing of a threatened or pending action, with or without court approval;

or (iii) of Expenses incurred in defending a threatened or pending action which is settled or otherwise disposed of without court approval unless it is settled with the approval of the Attorney General.

Section 3. To the extent that an Agent of the corporation has been successful on the merits in defense of any Proceeding referred to in Section 1 or Section 2 hereof or in defense of any claim, issue or matter therein, the Agent shall be indemnified against expenses actually and reasonably incurred by the Agent in connection therewith.

Section 4. Except as provided in Section 3 hereof any indemnification under this Article VI shall be made by the corporation only if authorized in the specific case, upon a determination that indemnification of the Agent is proper in the circumstances because the Agent has met the applicable standard of conduct set forth in Section 1 or Section 2 hereof by: (i) a majority vote of a quorum consisting of directors who are not parties to such Proceeding; or (ii) the court in which such Proceeding is or was pending upon application made by the corporation, the Agent or the attorney or other person rendering services in connection with the defense, whether or not such application by the Agent, attorney or other person is opposed by the corporation.

Section 5. Expenses incurred in defending any Proceeding may be advanced by the corporation prior to the final disposition of such Proceeding upon receipt of an undertaking by or on behalf of the Agent to repay such amount unless it shall be determined ultimately that the Agent is entitled to be indemnified as authorized in this Article VI.

Section 6. No indemnification or advance shall be made under this Article VI except as provided in Section 3 or clause (ii) of Section 4, in any circumstance where it appears: (i) that it would be inconsistent with a provision of the Articles of Incorporation of the corporation, these Bylaws, or an agreement in effect at the time of the accrual of the alleged cause of action asserted in the Proceeding in which the Expenses were incurred or other amounts were paid, which prohibits or otherwise limits indemnification; or (ii) that it would be inconsistent with any condition expressly imposed by a court in approving a settlement.

Section 7. The corporation shall have power to purchase and maintain insurance on behalf of any Agent against any liability asserted against or incurred by the Agent in such capacity or arising out of the Agent's status as such whether or not the corporation would have the power to indemnify the Agent against such liability under the provisions of this Article VI; provided, however that the corporation shall have no power to purchase and maintain such insurance to indemnify any Agent for a violation of Section 5233 of the Law.

Section 8. For the purposes of this Article VI, (i) "Agent" means any person who is or was a director, officer, employee, or other agent of the corporation, or is or was serving at the request of the corporation as a director, officer, employee or agent of another foreign or domestic corporation, partnership, joint venture, trust or other enterprise, or was a director, officer, employee or agent of a foreign or domestic corporation which was a predecessor corporation of the corporation or of another enterprise at the request of such predecessor corporation; (ii) "Attorney General" means the Attorney General of the State of California; (iii) "Expenses" includes without limitation, attorneys' fees and any expenses of establishing a

right to indemnification under Section 3 or clause (ii) of Section 4; and (iv) "Proceeding" means any threatened, pending or completed action or proceeding, whether civil, criminal, administrative or investigative.

## ARTICLE VII. REPORTS

No later than one hundred twenty (120) days after the close of the corporation's fiscal year, the corporation shall furnish to all of the directors a report containing the following information in reasonable detail:

1. The assets and liabilities, including the trust funds, of the corporation as of the end of the preceding fiscal year.
2. The principal changes in assets and liabilities, including trust funds, during the preceding fiscal year.
3. The revenue or receipts of the corporation, both unrestricted and restricted to particular purposes, for the preceding fiscal year.
4. The expenses or disbursements of the corporation, for both general and restricted purposes, during the preceding fiscal year.
5. With respect to the preceding fiscal year, (a) any transaction(s) involving both (i) the corporation and either a director or officer of the corporation (or its parent or subsidiary) and (ii) more than \$50,000; or (b) any indemnifications or advances aggregating more than \$10,000 paid during the fiscal year to any officer or director of the corporation.

The report required by this Article shall be accompanied by any report thereon of independent accountants, or if there is no such report, by the certificate of an authorized officer of the corporation that such reports were prepared without audit from the books and records of the corporation.

## ARTICLE VIII. OTHER PROVISIONS

Section 1. Inspection of Articles and Bylaws. The corporation shall keep in its principal office in the State of California the original copy of its Articles of Incorporation and of these Bylaws, as amended to date, which shall be open to inspection by the directors and such other persons as required by law, at all reasonable times during office hours.

Section 2. Endorsement of Documents: Contracts. Subject to the provisions of applicable law, any note, mortgage, evidence of indebtedness, contract, conveyance, or other instrument in writing and any assignment or endorsement thereof executed or entered into between the corporation and any other person, when signed by the Chair of the Board, the President, or any Vice President and the Secretary or any Assistant Secretary of the corporation, shall be valid and binding on the corporation in the absence of actual knowledge on the part of the other person that the signing officers had no authority to execute the same. Any such instruments may be signed by any other person or persons and in such manner as from time to time shall be determined by the Board, but, unless so authorized by the Board, no such person or

persons shall have any power or authority to bind the corporation by any contract or engagement to pledge its credit or to render it liable for any purpose or amount.

Section 3. Loans to Directors and Officers. The corporation shall not make any loan of money or property to or guarantee the obligation of any director or officer, unless approved by the Attorney General; provided, however, that the corporation may advance money to a director or officer of the corporation or of its parent or any subsidiary for expenses reasonably anticipated to be incurred in the performance of the duties of such director or officer, provided that in the absence of such advance, such director or officer would be entitled to be reimbursed for such expenses by the corporation, its parent, or any subsidiary.

Section 4. Construction and Definitions. Unless the context otherwise requires, the general provisions, rules of construction, and definitions contained in Part 1 of the California Nonprofit Corporation Law and in the Law shall govern the construction of these Bylaws. Section references refer to sections in such Article unless otherwise noted.

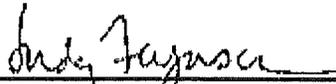
Section 5. Amendments. These Bylaws may be amended or repealed by the affirmative vote of a majority of the number of directors then in office.

*(signature page follows)*

CERTIFICATE OF SECRETARY

THIS IS TO CERTIFY: That I am the duly elected, qualified, and acting Secretary of Pacific Coast Marlins Learn to Swim and that the foregoing Bylaws were duly adopted as the Bylaws of such corporation by the Board of Directors thereof as of April 21, 2015.

Dated: April 21, 2015.

  
\_\_\_\_\_  
Judy Ferguson, Secretary

INTERNAL REVENUE SERVICE  
P. O. BOX 2508  
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: **MAY 05 2015**

PACIFIC COAST MARLINS LEARN TO  
SWIM  
12 OAKMONT COURT  
SAN RAFAEL, CA 94901-0000

Employer Identification Number:  
47-3727661  
DLN:  
26053519002985  
Contact Person:  
CUSTOMER SERVICE ID# 31954  
Contact Telephone Number:  
(877) 829-5500  
Accounting Period Ending:  
December 31  
Public Charity Status:  
170(b)(1)(A)(vi)  
Form 990/990-EZ/990-N Required:  
Yes  
Effective Date of Exemption:  
March 13, 2015  
Contribution Deductibility:  
Yes  
Addendum Applies:  
No

Dear Applicant:

We're pleased to tell you we determined you're exempt from federal income tax under Internal Revenue Code (IRC) Section 501(c)(3). Donors can deduct contributions they make to you under IRC Section 170. You're also qualified to receive tax deductible bequests, devises, transfers or gifts under Section 2055, 2106, or 2522. This letter could help resolve questions on your exempt status. Please keep it for your records.

Organizations exempt under IRC Section 501(c)(3) are further classified as either public charities or private foundations. We determined you're a public charity under the IRC Section listed at the top of this letter.

If we indicated at the top of this letter that you're required to file Form 990/990-EZ/990-N, our records show you're required to file an annual information return (Form 990 or Form 990-EZ) or electronic notice (Form 990-N, the e-Postcard). If you don't file a required return or notice for three consecutive years, your exempt status will be automatically revoked.

If we indicated at the top of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

For important information about your responsibilities as a tax-exempt organization, go to [www.irs.gov/charities](http://www.irs.gov/charities). Enter "4221-PC" in the search bar to view Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, which describes your recordkeeping, reporting, and disclosure requirements.

Letter 5436

PACIFIC COAST MARLINS LEARN TO

Sincerely,

A handwritten signature in black ink, appearing to read "Tomera Pippanda". The signature is written in a cursive style with a large, sweeping initial "T".

Director, Exempt Organizations



Office of the Director  
California Franchise Tax Board

Session expires in 19:24

## 199N e-Postcard - Confirmation

Print this page for your records. The Confirmation Number below is proof that you successfully filed your e-Postcard.

We received your FTB 199N California e-Postcard on May 11, 2016 06:56 PM.

**Confirmation Number:** 376644813200

### Entity Information

**Entity ID:** 3766448  
**Entity Name:** PACIFIC COAST MARLINS LEARN TO SWIM  
**Account Period Beginning:** MARCH 13, 2015  
**Account Period Ending:** DECEMBER 31, 2015

This is your entity's first year in business.  
Your entity has not terminated or gone out of business.  
Your entity has not changed the account period.

**Gross Receipts:** \$11,137

This is not an amended return.  
An IRS Form 1023/1024 is not pending.

**Date IRS Form 1023/1024 Filed:** N/A  
**FEIN:** 473727661  
**Doing Business As:** PACIFIC COAST MARLINS LEARN TO  
**Website Address:**

### Entity's Mailing Address

12 OAKMONT COURT  
SAN RAFAEL, CA 94901

## Principal Officer's Information

**Name:** ANDREA SALMI  
12 OAKMONT COURT  
SAN RAFAEL, CA 94901

## Contact Information

**Name:** JUDY FERGUSON  
**Phone:** 415.454.1224

[Print](#)

[Log Out](#)

After we process your 199N e-Postcard, you may receive a bill if the three year gross receipt average is greater than the amount allowed for filing a 199N e-Postcard.

[Back to Top](#)

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Form 990-N

## Electronic Notice (e-Postcard)

OMB No. 1545-2085

Department of the Treasury  
Internal Revenue Service

for Tax-Exempt Organization not Required to File Form 990 or 990-EZ

2015

Open to Public Inspection

**A** For the 2015 Calendar year, or tax year beginning 2015-01-01 and ending 2015-12-31**B** Check if available

- Terminated for Business  
 Gross receipts are normally \$50,000 or less

**C** Name of Organization: PACIFIC COAST MARLINS LEARN TOSWIM12 Oakmont Court, SanRafael, CA, US, 94901**D** Employee IdentificationNumber 47-3727661**E** Website:**F** Name of Principal Officer: Andrea Salmi12 Oakmont Court, SanRafael, CA, US, 94901

**Privacy Act and Paperwork Reduction Act Notice:** We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws.

The organization is not required to provide information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. The rules governing the confidentiality of the Form 990-N is covered in code section 6104.

The time needed to complete and file this form and related schedules will vary depending on the individual circumstances. The estimated average time is 15 minutes.

**Note:** This image is provided for your records only. Do Not mail this page to the IRS. The IRS will not accept this filing via paper. You must file your Form 990-N (e-Postcard) electronically.

Mailed 5/16/16

MAIL TO:  
Registry of Charitable Trusts  
P.O. Box 903447  
Sacramento, CA 94203-4470  
Telephone: (916) 445-2021

# ANNUAL REGISTRATION RENEWAL FEE REPORT TO ATTORNEY GENERAL OF CALIFORNIA

Sections 12586 and 12587, California Government Code  
11 Cal. Code Regs. sections 301-307, 311 and 312

Failure to submit this report annually no later than four months and fifteen days after the end of the organization's accounting period may result in the loss of tax exemption and the assessment of a minimum tax of \$800, plus interest, and/or fines or filing penalties as defined in Government Code section 12586.1. IRS extensions will be honored.



WEB SITE ADDRESS:  
<http://aq.ca.gov/charities/>

State Charity Registration Number <u>CT0219787</u>	Check if: <input type="checkbox"/> Change of address <input type="checkbox"/> Amended report
Name of Organization <u>Pacific Coast Marlins Learn to Swim</u>	
Address (Number and Street) <u>12 Oakmont Court</u>	Corporate or Organization No. <u>3766448</u>
City or Town, State and ZIP Code <u>San Rafael CA 94901</u>	Federal Employer I.D. No. <u>47-3727661</u>

### ANNUAL REGISTRATION RENEWAL FEE SCHEDULE (11 Cal. Code Regs. sections 301-307, 311 and 312) Make Check Payable to Attorney General's Registry of Charitable Trusts

Gross Annual Revenue	Fee	Gross Annual Revenue	Fee	Gross Annual Revenue	Fee
Less than \$25,000	0	Between 100,001 and \$250,000	\$50	Between \$1,000,001 and \$10 million	\$150
Between \$26,000 and \$100,000	\$25	Between \$250,001 and \$1 million	\$75	Between \$10,000,001 and \$50 million	\$225
				Greater than \$50 million	\$300

#### PART A - ACTIVITIES

For your most recent full accounting period (beginning 3/13/15 ending 12/31/15) list:  
Gross annual revenue \$ 11,137 Total assets \$ 8462.06

#### PART B - STATEMENTS REGARDING ORGANIZATION DURING THE PERIOD OF THIS REPORT

Note: If you answer "yes" to any of the questions below, you must attach a separate sheet providing an explanation and details for each "yes" response. Please review RRF-1 instructions for information required.

	Yes	No
1. During this reporting period, were there any contracts, loans, leases or other financial transactions between the organization and any officer, director or trustee thereof either directly or with an entity in which any such officer, director or trustee had any financial interest?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. During this reporting period, was there any theft, embezzlement, diversion or misuse of the organization's charitable property or funds?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. During this reporting period, did non-program expenditures exceed 50% of gross revenues?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. During this reporting period, were any organization funds used to pay any penalty, fine or judgment? If you filed a Form 4720 with the Internal Revenue Service, attach a copy.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. During this reporting period, were the services of a commercial fundraiser or fundraising counsel for charitable purposes used? If "yes," provide an attachment listing the name, address, and telephone number of the service provider.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. During this reporting period, did the organization receive any governmental funding? If so, provide an attachment listing the name of the agency, mailing address, contact person, and telephone number.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. During this reporting period, did the organization hold a raffle for charitable purposes? If "yes," provide an attachment indicating the number of raffles and the date(s) they occurred.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Does the organization conduct a vehicle donation program? If "yes," provide an attachment indicating whether the program is operated by the charity or whether the organization contracts with a commercial fundraiser for charitable purposes.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Did your organization have prepared an audited financial statement in accordance with generally accepted accounting principles for this reporting period?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Organization's area code and telephone number (415) 302 - 8613  
Organization's e-mail address andrea.salmi@yahoo.com

I declare under penalty of perjury that I have examined this report, including accompanying documents, and to the best of my knowledge and belief, it is true, correct and complete.

Judy Ferguson Signature of authorized officer      Judy Ferguson Printed Name      Treasurer Title      5-11-16 Date



Last Summer (2016)

# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
6/9/2016

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Risk Management Services, Inc.  P.O. BOX 32712 Phoenix AZ 85064-2712	<b>CONTACT NAME:</b> Debra Williams <b>PHONE (A/C No. Ext):</b> (602) 840-3234 <b>E-MAIL ADDRESS:</b> dwilliams@theriskpeople.com	<b>FAX (A/C No):</b> (602) 274-9138	
	<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURED</b> Pacific Coast Marlins Swim Club  12 Oakmont Ct  San Rafael CA 94901	(415) 233-0689		<b>INSURER A:</b> National Casualty <b>11991</b>
			<b>INSURER B:</b> Gerber Life Insurance Co <b>70939</b>
			<b>INSURER C:</b>
			<b>INSURER D:</b>
			<b>INSURER E:</b>
			<b>INSURER F:</b>

**COVERAGES**      **CERTIFICATE NUMBER:** Cert ID 17581      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participant Legal <input checked="" type="checkbox"/> Liability Included GENL AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:	Y	Y	KRO-63116-00 MAS	5/30/2016	5/30/2017	EACH OCCURRENCE \$ 2,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000 MED EXP (Any one person) \$ EXCLUDED PERSONAL & ADV INJURY \$ 2,000,000 GENERAL AGGREGATE \$ NONE PRODUCTS - COM/PO/OP AGG \$ 2,000,000 ABUSE/MOLESTATION \$ 250,000
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	Y	Y	KRO-63116-00 MAS	5/30/2016	5/30/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	UMBRELLA LIAB <input type="checkbox"/> OCCUR EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED    RETENTION \$						EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				PER STATUTE    OTH-ER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	XS Medical/Dental A D & D			03-071691-15	5/30/2015	5/30/2016	Maximum Limit \$ 25,000 Maximum Limit \$ 5,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Verification of General Liability coverage for Swimming Lessons. Excess Medical/Dental coverage provided for the Insured's Participants only. A 30 Day Cancellation notice applies per policy provisions. The Certificate Holder is included as Additional Insured on General Liability, but only as respects to the Named Insured's operations.

<b>CERTIFICATE HOLDER</b>  San Rafael City Schools  310 Nova Albion Way  San Rafail CA 90903	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.  AUTHORIZED REPRESENTATIVE 
--	--

## **Discussion/Action**

### **A. SRCS Board Policy 1230, Administrative Regulation 1230, and Exhibit 1230 (School-Connected Organizations) – Presented for a First Reading**

QUICK SUMMARY/ABSTRACT: SRCS Board Policy 1230, Administrative Regulation 1230, and Exhibit 1230 E (Request for Authorization as School-Connected Organization) presented for discussion/direction, as a first reading.

#### RATIONALE:

##### **Background Information:**

In response to Board direction given in connection with the Board's first reading of proposed Board Policy 1330, Administrative Regulation 1330, and Exhibits (Civic Center – Use of School Facilities) at the Board's November 14, 2016, Board Meeting, proposed revisions and updates to Board Policy 1230 and Administrative Regulation 1230 (School-Connected Organizations) were made. Additionally, a proposed application form has been added as proposed Exhibit 1230 in efforts to streamline and render the School-Connected Organization request and authorization process more user-friendly. Board Policy 1230, Administrative Regulation 1230, and Exhibit 1230 are now presented for a first reading by the Board.

#### ATTACHMENTS:

BP 1230  
AR 1230  
E 1230

San Rafael City Schools

**School-Connected Organizations –  
Proposed Updates to Board Policies & Regulations**

**Proposed BP 1230**

San Rafael City Schools | BP 1230 Community Relations

Field Code Changed

**School-Connected Organizations**

The Board of Education recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district co-curricular and extracurricular programs ("school-connected organizations"), such as athletic teams, debate teams, musical groups, and other activities that provide a positive source of involvement for students consistent with the district's vision for student learning. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities. All contributions to or participation by students/parents/guardians in fundraising activities by a school-connected organization shall be completely voluntary.

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The Board recognizes that school-connected organizations are separate legal entities, independent of the district. As such, school-connected organizations shall not attempt to utilize the district's tax exempt status or federal identification number.

In order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, and pursuant to Education Code section 51521, any school-connected organization that desires to raise money to benefit any district school(s) or students shall first request and obtain authorization from the Board, in accordance with Board policy and administrative regulation. School-connected organizations shall submit subsequent requests for authorization annually. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

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The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities.

The Board recognizes its responsibility to ensure that equivalent opportunities are provided to students of both sexes. Therefore, if a school-connected organization intends to provide benefits, services, or property only for teams or programs of one sex, the Board shall take appropriate action to ensure equivalency for both sexes.

Activities by school-connected organizations shall not conflict with federal, state, or local law, Board policies and administrative regulations, or any rules of the sponsoring school. No student shall be required to fundraise, or pay any fees, deposits, or charges, except as specifically authorized by law, for his/her participation in an educational activity sponsored by a school-connected organization that constitutes an integral part of the district's education program, including co-curricular and extracurricular activities.

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The district shall maintain a list of all school-connected organizations. Additionally, once a year, all teachers, coaches, and school site staff will be provided with information on the requirements for school-connected organizations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination on the basis of sex

Field Code Changed

35160 Authority of governing boards

Field Code Changed

38130-38138 Civic Center Act, use of school property for public purposes

Field Code Changed

48931 Authorization for sale of food by student organization

Field Code Changed

48932 Authorization for fund-raising activities by student organization

Field Code Changed

49431 Sale of food to elementary students during the school day

Field Code Changed

49431.2 Sale of food to middle, junior, or high school students

Field Code Changed

49431.5 Sale of beverages at elementary, middle, or junior high schools

Field Code Changed

51520 Prohibited solicitation on school premises

Field Code Changed

51521 Fund-raising project

Field Code Changed

BUSINESS AND PROFESSIONS CODE

17510-17510.95 Solicitations for charitable purposes

Field Code Changed

25608 Alcohol on school property; use in connection with instruction

Field Code Changed

GOVERNMENT CODE

12580-12599.7 Fundraisers for Charitable Purposes Act

Field Code Changed

PENAL CODE

319-329 Lottery, raffle

Field Code Changed

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs

Field Code Changed

15500 Food sales in elementary schools

Field Code Changed

15501 Food sales in high schools and junior high schools

Field Code Changed

CODE OF REGULATIONS, TITLE 11

300-312.1 Fundraising for charitable purposes

Field Code Changed

UNITED STATES CODE, TITLE 20

Field Code Changed

1681-1688 Discrimination based on sex or blindness, Title IX

Field Code Changed

COURT DECISIONS

Field Code Changed

Serrano v. Priest, (1976) 18 Cal. 3d 728

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

WEB SITES

CSBA: <http://www.csba.org>

Field Code Changed

California Office of the Attorney General, charitable trust registry:  
<http://caag.state.ca.us/charities>

Field Code Changed

California State PTA: <http://www.capta.org>

Field Code Changed

Policy SAN RAFAEL CITY SCHOOL DISTRICT

adopted: December 8, 2008 San Rafael, California

revised: \_\_\_\_\_, 2016 San Rafael, California

**Proposed AR 1230**

San Rafael City Schools | AR 1230 Community Relations

Field Code Changed

**School-Connected Organizations**

Initial Request for Authorization

Persons proposing to establish a school-connected organization shall request and obtain prior written authorization from the Board of Education. The request for authorization shall be submitted on the district's form (E 1230), and shall contain, at least, the following:

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Deleted: for authorization to operate at the school  
Deleted: The request for authorization  
Deleted: and purpose of the  
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1. The name of the organization.
2. The date of the request for authorization.
3. A brief description of the purpose of the organization, including the school(s) and program(s) the organization intends to support.
4. A copy of the bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership guidelines/qualifications, if any, and an agreement that the organization will not engage in unlawful discrimination.
5. The names, titles, addresses, and phone numbers of all officers.
6. A list of specific objectives.
7. A list of planned fundraising activities for the school year, if any, including for each fundraising activity:
  - a. Description of any services/goods to be sold;
  - b. Anticipated dates and locations;
  - c. Target amount of funds to be raised; and
  - d. Planned use of funds raised.
8. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds.
9. An agreement to grant the district the right to audit the organization's financial records at any time, either by district personnel or a certified public accountant.
10. Planned use for any money remaining at the end of the school year if the organization is not continued or authorized to continue in the future.

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Deleted: <#>An agreement to grant the district the right to audit the group's financial records at any time, either by district personnel or a certified public accountant¶

Deleted: <#>The signature of the principal of the supporting school¶  
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11. Evidence of liability insurance as required by law in the form of an attached original certificate of insurance.

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An agreement to provide e

12. If the organization seeks to fundraise more than \$25,000 annually, documentation of independent legal status (e.g., articles of incorporation).

13. If the organization has tax exempt status (e.g., IRS 501(c)(3)), copies of an IRS affirmation letter and most recent IRS form 990.

14. If the organization is required to register with the State Attorney General's Registry of Charitable Trusts, proof of current registration.

15. Acknowledgment of and agreement to comply with the terms set forth in BP 1230 and AR 1230.

16. The signature of the principal of the supporting school.

The request for authorization must be executed by an officer of the organization over the age of eighteen (18).

#### Subsequent Request for Authorization

Authorized school-connected organization status shall expire on June 30th of each year. A school-connected organization desiring to continue its operations must annually request and obtain written authorization from the Board. Each subsequent request for authorization shall be submitted on the district form (E 1230), and shall contain, at least, the following:

**Deleted:** : the organization lacks the means or expertise to manage the activities or funds;; or the organization's prior or proposed activities Authorization may be revoked by the Board at any time if it finds that a school-connected organization's activities have deviated from the information presented in the request for authorization, or that¶  
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1. A new and complete request for authorization (E 1230) for the coming school year, with current information.
2. A financial statement for the previous school year showing the funds raised and spent by the school-connected organization, and an explanation of the expenditures made by the school-connected organization and the purpose of each expenditure.

#### Board Evaluation and Authorization

Each completed initial or subsequent request for authorization must be submitted to the Board through the Superintendent or designee. The Superintendent or designee shall return any request for authorization that is incomplete or not on the district form to the organization without consideration. The Superintendent or designee shall present his/her recommendation to the Board to approve or deny a request for authorization.

**Deleted:** Requests for subsequent authorization shall be presented to the Superintendent or designee annually, along with a financial statement showing all income and expenditures from fund-raisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his recommendation to the Board for approval.¶

The Board may deny an initial or subsequent request for authorization if it fails to contain all required information, if the organization's membership is limited so as to be discriminatory on the basis of a protected category, or if the Board determines, in its sole discretion, that: the organization lacks the means or expertise to manage the activities or funds; the organization's fundraising methods are inappropriate for the educational standards of the district; the organization's goals can be expected to unbalance the district's or school's programs to a

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harmful degree; authorization would negatively impact the district, school, students, or school activity/program in any way; or the organization's prior or proposed activities conflict with federal, state, or local law, Board policies and administrative regulations, or any rules of the sponsoring school. Authorization may be revoked by the Board at any time if it makes any of the foregoing determinations or finds that a school-connected organization's activities have deviated from the information presented in the request for authorization.

An authorized school-connected organization is not and shall not purport to act as an agent of the district or school. The school-connected organization shall use a separate name and logo, but, upon consent of the Superintendent or designee, may also include or reference the school's name, school team's name, or any logo attributable to the school or district.

Once authorized, the school-connected organization may not conduct fundraising activities that were not included in its request for authorization, unless the school-connected organization amends and re-submits its request for authorization and obtains prior authorization from the Board for the additional fundraising activities.

**Moved down [1]:** Upon consent of the Superintendent or designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.

#### Fiscal Requirements

Each school-connected organization shall be solely responsible for its own tax status and compliance, accounting, internal controls, financial reporting, retention of records, and other operations. School-connected organizations shall not use the district's tax exempt status or federal identification number.

Funds of the school-connected organization shall not be co-mingled with district funds, including associated student body funds. District employees shall not be authorized signatories on any bank accounts used by the school-connected organization. Additionally, district employees shall not serve as an officer or in a fiduciary capacity for a school-connected organization without the prior written permission of the Superintendent or designee.

School-connected organizations automatically grant the district the right to audit the organization's financial records at any time, either by district personnel or a certified public accountant.

#### Activities and Events

All announcements, permission slips, and publicity materials for events or fundraising activities by the organization will clearly indicate that the event or activity is sponsored by the school-connected organization and not by the school or district.

**Moved (insertion) [1]**  
**Deleted:** Upon consent of the Superintendent or designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.

All contributions to or participation by students, parents/guardians, and district employees in fundraising activities by a school-connected organization will be completely voluntary, and a student's ability to participate in district programs will not depend on his/her contribution to or participation in fundraising.

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Food and Beverages

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Food and beverage sales by school-connected organizations shall not compete with the district's school nutrition program and shall comply with The Pupil Nutrition, Health, and Achievement Act of 2001, Education Code section 49430 et seq.

No alcoholic beverages shall be sold, served, or consumed at any event or activity of a school-connected organization at which students attend or are invited to attend or that occurs on district property.

District Employees

School-connected organizations are prohibited from hiring or directly paying district employees. Organizations may make donations to the district to cover the costs of additional employees, but only if such positions are approved in advance by the Board and hired through the district's personnel department. At their discretion, exempt employees may volunteer to perform activities for school-connected organizations during non-working hours.

District Facilities and Insurance

School-connected organizations desiring to use district facilities or grounds shall comply with Board Policy 1330 and Administrative Regulation 1330. No use shall be permitted without prior approval.

In order to maintain eligibility to use district facilities and grounds, a school-connected organization shall, at its sole cost and expense, furnish and maintain, at all times during operation as a school-connected organization, Bodily Injury and Property Damage Liability Coverage or financial responsibility in the amount of at least One Million Dollars (\$1,000,000) combined single limit naming the district and its Board as additional insureds. The Board may at any time require more than such minimum coverage. The school-connected organization must provide a separate endorsement naming district and its Board as additional insureds; stating the school-connected organization's coverage is primary to any insurance or self-insurance maintained by the district; and stating there shall be a waiver of any subrogation. The policy must provide that in the event of cancellation, alteration, or reduction of coverage, a minimum of thirty (30) days prior written notification will be provided to the district by mail with no restrictions. The standard cancellation clause which states that "failure to mail such notice shall impose no obligation or liability" is not acceptable. At least ten (10) days prior to the expiration of any certificate, the school-connected organization shall deliver to the district a new certificate of insurance consistent with all of the terms and conditions set forth herein.

**Regulation SAN RAFAEL CITY SCHOOL DISTRICT**

approved: December 8, 2008 San Rafael, California

revised: \_\_\_\_\_, 2016 San Rafael, California

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A

Request No. \_\_\_\_\_

E 1230

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**Proposed E 1230**

**SAN RAFAEL CITY SCHOOLS**  
Superintendent's Office – 310 Nova Albion Way, San Rafael, CA 94901  
Telephone (415) 485-3798

**Request for Authorization as a School-Connected Organization**

**Instructions:** Persons proposing to establish or continue a school-connected organization must annually request authorization from the Board of Education by completing this form (E 1230) and submitting it to the Superintendent's Office at above-listed address. Please read this form carefully and ensure that all questions are answered in full and all required documentation is attached. Incomplete forms will not be considered. If additional space is needed respond to a question, please attach additional sheets. The completed form must be signed by an officer of the organization over the age of eighteen (18) and the principal of the supporting school.

1. Name of organization: \_\_\_\_\_
2. Date of request for authorization: \_\_\_\_\_
3. Please briefly describe the purpose of the organization, including the school(s) and program(s) the organization intends to support:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Attach a copy of the bylaws, rules, and procedures under which the organization will operate, including, but not limited to, procedures for maintaining the organization's finances and any membership guidelines/qualifications.

School-connected organizations shall not engage in unlawful discrimination. By submitting this request for authorization, the organization acknowledges and agrees that its membership requirements do not and will not discriminate on the basis of a protected category. Initial: \_\_\_\_\_

5. List the names, titles, addresses, and phone numbers of the organization's current officers:

Name: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_

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Request No. \_\_\_\_\_

E. 1230

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6. State the organization's specific goals/objectives:

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7. For each fundraising activity or event that the organization plans to hold this school year, please provide: (a) description of any goods or services to be sold; (b) anticipated date and location; (c) target amount of funds to be raised; and (d) planned use of funds raised.

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8. Identify the bank the organization will use: \_\_\_\_\_, and the names of each person that will be authorized to withdraw funds from the organization's bank account(s): \_\_\_\_\_.

9. If this request for authorization is granted by the Board of Education, the organization will and hereby does automatically grant the District the right to audit the organization's financial records at any time, either by District personnel or a certified public accountant. **Initial:** \_\_\_\_\_

10. Describe the organization's plan for use of funds remaining at the end of the school year if the organization is not continued or authorized to continue.

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11. Attach evidence of insurance coverage in the form of an original certificate of insurance for bodily injury and property damage liability coverage in the amount of at least One Million Dollars (\$1,000,000) combined single limit naming San Rafael City Schools and its Board of Education as additional insureds. Please see AR 1230 for complete insurance requirements, which are incorporated herein.

12. If the organization seeks to raise more than Twenty-Five Thousand Dollars (\$25,000), attach documentation of independent legal status (e.g., articles of incorporation).

13. If the organization has federal tax exempt status (e.g., IRS 510(c)(3)), attach copies of an IRS affirmation letter and most recent IRS form 990.

14. If the organization is required to register with the State Attorney General's Registry of Charitable Trusts, attach proof of current registration.

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Request No. \_\_\_\_\_

E 1230

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15. The undersigned is an officer of the organization, over the age of eighteen (18), with authority to submit this request for authorization and to bind the organization, and hereby certifies that he/she has read and understands, and that the organization agrees to and will abide by, all policies, regulations, terms, and conditions set forth in the current versions **Board Policy 1230** and **Administrative Regulation 1230**, which are available at online at <http://www.scs.org/policies> and incorporated herein by this reference.

Field Code Changed

The undersigned further certifies that all information provided herein and attached hereto is true and correct to the best of his/her personal knowledge.

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**To be completed by the principal of the sponsoring school:**

16. I, \_\_\_\_\_, am the principal of \_\_\_\_\_ School. I have reviewed this request for authorization in its entirety, and do not oppose authorization of this organization as a school-connected organization.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**To be completed if this is a subsequent request for authorization by an existing school-connected organization:**

17. Attach both (i) a financial statement for the previous school year showing the funds raised and spent by the school-connected organization, and (ii) an explanation of the expenditures made by the school-connected organization and the purpose of each expenditure.

END OF DOCUMENT

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**Existing BP 1230**

San Rafael City Schools | BP 1230 Community Relations

**School-Connected Organizations**

The Board of Education recognizes that parents/guardians and community members may wish to organize parent organizations and/or booster clubs for the purpose of supporting district and extracurricular programs, such as athletic teams, debate teams, or musical groups. The Board appreciates the contributions made by such organizations and encourages their interest and participation in supporting district activities and helping to achieve the district's vision for student learning.

The Board recognizes that school-connected organizations are separate legal entities, independent of the district. However, in order to help the Board fulfill its legal and fiduciary responsibility to manage district operations, any school-connected organization that desires to raise money to benefit any district student shall submit a request for authorization to the Board, in accordance with Board policy and administrative regulation. In addition, the Superintendent or designee shall establish appropriate internal controls for the relationship between school-connected organizations and the district.

The Board encourages school-connected organizations to consider the impact of fund-raising activities on the overall school and district program. School-connected organizations may consult with the principal to determine school needs and priorities. Activities by school-connected organizations shall not conflict with law, Board policies, administrative regulations, or any rules of the sponsoring school.

**Legal Reference:**

**EDUCATION CODE**

200-262.4 Prohibition of discrimination on the basis of sex

35160 Authority of governing boards

38130-38138 Civic Center Act, use of school property for public purposes

48931 Authorization for sale of food by student organization

48932 Authorization for fund-raising activities by student organization

49431 Sale of food to elementary students during the school day

49431.2 Sale of food to middle, junior, or high school students

49431.5 Sale of beverages at elementary, middle, or junior high schools

51520 Prohibited solicitation on school premises

51521 Fund-raising project

**BUSINESS AND PROFESSIONS CODE**

17510-17510.95 Solicitations for charitable purposes

25608 Alcohol on school property; use in connection with instruction

**GOVERNMENT CODE**

12580-12599.7 Fundraisers for Charitable Purposes Act

**PENAL CODE**

319-329 Lottery, raffle

**CODE OF REGULATIONS, TITLE 5**

4900-4965 Nondiscrimination in elementary and secondary education programs

15500 Food sales in elementary schools

15501 Food sales in high schools and junior high schools

**CODE OF REGULATIONS, TITLE 11**

300-312.1 Fundraising for charitable purposes

**UNITED STATES CODE, TITLE 20**

1681-1688 Discrimination based on sex or blindness, Title IX

**COURT DECISIONS**

Serrano v. Priest, (1976) 18 Cal. 3d 728

**Management Resources:**

**CALIFORNIA DEPARTMENT OF EDUCATION LEGAL ADVISORIES**

1101.89 School District Liability and "Hold Harmless" Agreements, LO: 4-89

**WEB SITES**

CSBA: <http://www.csba.org>

California Office of the Attorney General, charitable trust registry:  
<http://caag.state.ca.us/charities>

California State PTA: <http://www.capta.org>

Policy SAN RAFAEL CITY SCHOOL DISTRICT

adopted: December 8, 2008 San Rafael, California

**Existing AR 1230**

San Rafael City Schools | AR 1230 Community Relations

**School-Connected Organizations**

Persons proposing to establish a school-connected organization shall submit a request to the Board of Education for authorization to operate at the school. The request for authorization shall contain:

1. The name and purpose of the organization
2. The date of application
3. Bylaws, rules, and procedures under which the organization will operate, including procedures for maintaining the organization's finances, membership qualifications, if any, and an agreement that the group will not engage in unlawful discrimination
4. The names, addresses, and phone numbers of all officers
5. A list of specific objectives
6. An agreement to grant the district the right to audit the group's financial records at any time, either by district personnel or a certified public accountant
7. The name of the bank where the organization's account will be located and the names of those authorized to withdraw funds
8. The signature of the principal of the supporting school
9. Planned use for any money remaining at the end of the year if the organization is not continued or authorized to continue in the future
10. An agreement to provide evidence of liability insurance as required by law

Requests for subsequent authorization shall be presented to the Superintendent or designee annually, along with a financial statement showing all income and expenditures from fund-raisers. If the Superintendent or designee proposes to deny the request for reauthorization, he/she shall present his recommendation to the Board for approval.

Upon consent of the Superintendent or designee, school-connected organizations may use the school's name, school team's name, or any logo attributable to the school or district.

School-connected organizations are prohibited from hiring or directly paying district employees. Organizations may make donations to the district to cover the costs of additional employees, but

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only if such positions are approved in advance by the Board. At their discretion, employees may volunteer to perform activities for school-connected organizations during non-working hours.

Regulation SAN RAFAEL CITY SCHOOL DISTRICT

approved: December 8, 2008 San Rafael, California