

Running an Event AND other Insurance and Legal Aspects of PTA

Torrance Council of PTAs Training Workshops, January 2019

Event Planning (and Budgeting) Worksheet (Fillable Form from TCPTA)

See www.CAPTA.org Toolkit, Or www.TorranceCouncilofPTAs.com Council Fillable form

Fiduciary Agreement (www.TorranceCouncilofPTAs.org) to use with donations to schools;

Donation checks should be written to/delivered to TUSD, NEVER made out to your school.
PTAs may pay for school staff via a donation to TUSD, earmarked for identified school staff.

TUSD Requirements; available at www.TUSD.org, AND www.TorranceCouncilofPTAs.org

- Facilities Use permit
- Banner permit
- Food trucks – procedure & list
- Flyer approval process
- TB Screening Form and procedures
- Volunteer form w/Code of Conduct
- **Depts/Nutritional Services**
- Wellness Policy/Nutrition Standards

PTA Insurance (www.capta.org and www.TorranceCouncilofPTAs.org)

Provided through CAPTA: Comprehensive General Liability with Extended Medical Payments, Professional Liability (Directors & Officers Liability), Fidelity Bond:

PTA Insurance Broker: **Changes in insurance; In effect as of 1/5/2019**

AIM Association Insurance Management, Inc.

8144 Walnut Hill Lane Suite 900 Dallas Texas 75231

(800) 876-4044, FAX (214) 360-0801

Email: CAPTA@aim-companies.com

DO NOT sign a hold harmless agreement (unless get permission from insurance company).
Insurance only covers your unit if proper procedures, financial and safety, are followed.

Insurance & Loss Prevention Guide--CAPTA Red light/Green light guide (on www.CAPTA.org):

- Red Light: activities and events that are prohibited
 - Yellow Light: Activities and events which may require additional clearances; call insurance
 - Green Light: approved activities and events
 - Excess crime bond application
 - TCPTA Addendum: Added TUSD limited events; www.torrancecouncilofptas.org
 - Hold Harmless Agreement
 - Incident Report
 - Parent's Approval and Student Waiver Form and Participant's Waiver Form
- Do not use the Insurance version of these forms. Use the ones on the TCPTA website.

Vendors/Concessionaires/Service Providers: **Must approve all contracts at Association Mtg**

- Vendor/concessionaire/service provider must sign PTA hold harmless agreement (found on insurance website and in CAPTA toolkit.)
- Evidence of insurance (\$1M policy required)
- Pre-approved vendor list, extensive listing, on www.CAPTA.org AIM Insurance info

Contracts; See CAPTA toolkit www.capta.org and www.TorranceCouncilofPTAs.org

- Conflict of Interest (Whistleblower) Forms for all Executive Board members annually
- Authorization from executive board before negotiating

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- Approval by PTA membership (association) before signing
- Signed by two elected officers, one of whom must be the president
 - “ABC PTA by Jane Smith, President and John Doe, (officer title)”
- Length of contract limited to current membership year

Forms specific to TUSD/TCPTA (www.TorranceCouncilofPTAs.org)

- TCPTA Addendum to PTA insurance guidelines: TUSD exceptions to Insurance Guidelines.
- TUSD-PTA Media Release Form: Combines TUSD and CAPTA media release forms. Use only version on TCPTA website.
- TUSD – TCPTA Fiduciary Agreement: Adapted from CAPTA form in CAPTA toolkit. Use ONLY version on TCPTA website.
- TUSD-PTA Student Participation Permission/Waiver Form: Combines the TUSD and CAPTA permission/waiver forms. Use this form for each individual event that requires a waiver. This form is distributed by principals and teachers and is available to them from TUSD. (Form revision in progress in conjunction with TUSD; New form to be available ASAP.)

Raffles

Forms and information on conducting a legal raffle: www.ag.ca.gov/charities/raffles.htm
And www.TorranceCouncilofPTAs.org

- A completed registration form and registration fee must be submitted by September 1 (or at least 60 days before your raffle) of each year (September 1 through August 31) during which a raffle is expected to be conducted.
- A Nonprofit Raffle Report must be completed for the raffles conducted during a reporting year (September 1 through August 31). Reports are due on or before October 1.

Alcohol and PTA Events

Approval and permission must be given by the Supt., or designee, prior to any alcohol being brought onto any TUSD school campus.

- **Selling Alcohol**: In accordance with the California State PTA insurance program, PTAs may not engage in the sale of alcoholic beverages. Donated alcohol may be used as auction items provided the auction is held at a non-school site location and the contents are not decanted during the event or on the premises.
- **Serving of Alcohol at PTA Events**: The California State PTA strongly urges PTAs to refrain from serving alcoholic beverages at PTA functions. Any alcoholic beverages must be provided and served by a licensed establishment or catering company that has the appropriate permits and insurance. The PTA may not collect for the cost of the alcoholic beverages through ticket sales. This cost must be paid separately to the licensed establishment.

Advertising

Do not advertise or endorse any product or service, though you can recognize and thank donors. TUSD Wellness Policy limits publicizing food-related fundraisers at school sites.

Accepting contributions

Your PTA is a 501(c)3 nonprofit. Any donation/gift may qualify as a charitable donation for federal income tax purposes; be careful NOT to say definitively that, ‘your contribution is tax deductible.’