

**Procedural Guidelines for the
Operation of
Small Games of Chance on
West Shore School District Property**

Reference: Board Policy 707, 915 and 229

Inherent in all West Shore School District Guidelines contained herein, are the provisions of all applicable statutes relative to Local Option Small Games of Chance Acts and the amendments made by Act 195 of 1990 and Act 79 of 2000. The full text of the statute can be found at 10 P.S. Section 301 et seq. All organizations seeking permission to conduct small games of chance on District property must agree to comply with all state and federal laws and regulations and District policies. For purposes of these guidelines, the term small games of chance shall include raffles, 50/50 drawings and other games as listed under the statutory definitions.

I. Eligible Organizations for Participation in Small Games of Chance

- A. Non-profit sport boosters, PTO, or similar entities which support extracurricular activities in primary and secondary schools of the District are eligible to obtain permission and a license to operate a small game of chance on school property. School district-sponsored clubs, sports teams and other activities are not eligible under the statute to obtain a license to operate a small game of chance.
- B. It is the sole responsibility of the organizations described to acquire a license to operate small games of chance. It must obtain this license from the county in which they exist and must provide a copy of the license to the District Athletic Administrator and the District's Director of Business Affairs upon receipt of the license, and no less than thirty (30) days prior to completing the necessary application to conduct said game(s). All requirements pertaining to notification of municipal and county authorities of games of chance activities must be followed. Any licensed organization which operates a game of chance outside the boundaries of its home county must also notify the county in which they are operating the game of chance in writing. (i.e. Red Land Boosters seek to hold a small game of chance at the West Shore Stadium. This is in Cumberland County, so it must notify Cumberland County of their plans.) This correspondence needs to be part of the application materials submitted to the District. A list with each municipality in York and Cumberland County that has approved the operation of a small game of chance may be obtained from the County Treasurer's office in the respective counties.
- C. After obtaining the necessary license for the operation of small games of chance, all organizations must comply with Board Policies 229, 915, 707, and other applicable policies as related to soliciting funds and fundraising.
- D. It is not required that insurance coverage for errors and omissions be purchased prior to operating a game of chance on school property. However, it is understood that in the case of a legal action being taken against a booster organization for issues not

covered by the blanket bond, the organization and its officers, and not the school district are liable for all costs, fees, and fines associated with such action. The District does not and cannot offer its insurance program or its legal status as protection against such action.

The necessity for an errors and omission policy purchased by the booster organizations will be reviewed annually.

- E. Blanket bond must be purchased for organization's treasurer.
- F. Annually the Board of School Directors will approve a list of organizations having permission to run small games of chance on school property. An organization must be on the approved list in order to apply for permission to operate said games. This is an initial step and does not replace the need for the organization to apply separately for each event it wishes to run.

II. Necessary Submittals and Procedures

- A. A Fund Raising Request form must be completed for each date upon which an organization(s) is requesting to operate small games of chance. Said Fund Raising Request form is available as part of Board Policy 229. Forms shall be obtained through the school administration and submitted no less than fourteen (14) days in advance of requested date of game operation.
- B. The completed Fund Raising Request form must be submitted to the school administration through the respective school for approval or disapproval and forwarded to the School District Business Office for action. A copy of each organization's license to operate small games of chance and the required insurance policies must be attached to the request form. The form will be forwarded to the school administration for response to the requesting booster organization.
- C. The organization organizing and operating the game of chance must be listed on the Fund Raising Request form as the sponsoring organization.
- D. Only one organization may operate a small game of chance at the same time at a school or school district sponsored event and only one form of a game of chance may be operated on each specific date. Multiple forms of games of chance will not be permitted.
- E. The organization must file an accounting for each event where a small game of chance is held. The Small Games of Chance Account Ledger shall be submitted to the administration within five business days of the event.
- F. Failure to complete any and/or all necessary submittals or accountings, failure to comply with the Board policy or these guidelines, or submission of sales or misleading information relating to the game of chance or the accounting subsequent

to the operation of the small game of chance will result in the disapproval of subsequent requests for the operation of small games of chance.

- G. In the event that donations are received by the organization from a sponsor as a prize the organization must include a letter from the person or business making the donation indicating the value of the prize. This letter is to be part of the documentation submitted to the school district along with the request for approval to run the small game of chance.

III. General Guidelines and Provisions (excerpted from Acts 198 and 78)

- A. Operation of the small game of chance may be conducted only by the licensed organizations after approval by the Administration.
- B. No person under 18 years of age shall be permitted to operate or play games of chance. This means that individuals under the age of 18 may neither sell nor purchase tickets or chances. Students under the age of 18 are specifically prohibited from either selling or purchasing chances.
- C. No eligible organization shall permit any person convicted of a felony in a Federal or State court within the past five (5) years or has been convicted in a Federal or State court within the past ten years of a violation of the Act of July 10, 1981 (P.L. 214, No. 67), known as the Bingo Law, or of this Act to manage, set up, supervise or participate in the operation of games of chance.
- D. Games of chance allowed under this Act include: punch boards, daily drawings (raffles), weekly drawings, raffles, and pull tabs.
- E. Maximum cash value for any prize shall be \$500.00.
- F. A special permit must be acquired from the county to issue a prize in excess of \$500.00. No more than two (2) special permits will be awarded in any given year. No more than \$5,000.00 in cash or merchandise shall be awarded in raffles in any calendar month.
 - A. The license to operate a small game of chance acquired by the booster organization must be posted or displayed at the site of the small game of chance. The School District will determine, with the Council of Booster Activities and PTO, etc., a designated location for the posting of said license(s).
- G. For Games of Chance held in the Stadium it is expected that ticket sales of games of chance tickets will be limited to no more than four tables located as designated by the District for this purpose. Additionally, tickets may be sold in the stands during the first half of the game, only. No tickets may be sold during half-time or intermission. Tickets are not to be sold to patrons waiting in line to enter the event or who may be in line to purchase food or beverages.

- H. Booster organizations shall acquire licensing annually as required by law in order to participate in the small games of chance. The booster organization will supply a copy of this license to the district each school year prior to requesting permission to run a small game of chance during that school year.
- I. A copy of the applicable law pursuant to 10 P.S. Section 301 et seq. will be made available to the members of the Council on Booster Activities, PTO, PAC, Music Boosters, etc., annually and upon request at the first meeting prior to the start of school.
- J. It is the sole responsibility of the organization(s) to comply with all provisions and statutes in accordance with the Local Option Small Games of Chance Acts and amendments thereto. Any summary of the law pertaining to Small Games of Chance contained within these guidelines are not to be relied upon by the eligible organization when conducting the game of chance. Instead, it shall be the provisions of the Small Games of Chance statute as cited above that govern the licensing and operation requirements read in conjunction with these procedural guidelines.
- K. While the various municipalities may identify areas of the municipality where Games of Chance may occur, the District reserves the sole right to determine if a particular game of chance may occur on its property or in its buildings or in a District sponsored function.

IV. Eligible Organization Records

- A. Host organizations must complete a Small Games of Chance Account Ledger for each date upon which a game of chance is held. The Account Ledger is to be submitted to the school administration and the Business Office within one week of the gaming date. Failure to comply will result in the denial of future fund raising activities
- B. Licensed organizations are required to maintain the following records for a three year period in accordance with the Internal Revenue Service compliance guidelines for tax exempt organizations:
 - 1. Gross receipts from sales of tickets or other items.
 - 2. Full details of expenses for games of chance.
 - 3. Total cost of prizes paid out.
 - 4. Details of how the proceeds were used or distributed.
 - 5. Invoices for games of chance.
 - 6. Amounts of proceeds.
 - 7. Lists of any merchandise, prizes, and receipts.
 - 8. Names and addresses of all prize winners over \$100.00.
 - 9. Cash value of all prizes.

- C. Separate annual records of prizes will be maintained for:
 - 1. The number and amount of all prizes awarded in excess of \$100.00.
 - 2. The total amount of all prizes awarded in each 7-day period.
 - 3. The total amount of raffle prizes awarded each month.

V. Applicable Forms for Submittal/Applicable Board Policies

- A. Fund Raising Request Form
- B. Small Games of Chance Account Ledger
- C. Board Policy 915, Booster Organizations
- D. Board Policy 707, Use of School Facilities
- E. Board Policy 229, Student Fund Raising