

Contract Committee Review Request
MUST BE COMPLETED IN FULL

Date: 12-7-21

Contract/Agreement Vendor: **Make A Wish - Erin Nantois**
 Name of Vendor & Contact Person
 enantois@oklahoma.wish.org
 Vendor Email Address

Make-A-Wish will provide Broken Arrow Public Schools with an online fundraising platform in which 100% of funds raised will go directly to the Make-A-Wish foundation to support their
 Summary

local child's wish
 Reason/Audience to benefit

1-10-22
 BOE Date

N/A
 Amount of agreement

Person Submitting Contract/Agreement for Review: Christian Welborn

PLEASE SEND THROUGH APPROPRIATE APPROVAL ROUTING BEFORE SENDING TO BOARD CLERK

Principal &/or Director or Administrator: Christian Welborn

Does this Contract/Agreement utilize technology? YES/NO
 If yes, Technology Admin: no

Leadership Team Member: Andre Perry

Funding Source: N/A
Fund/Project OCAS Coding

Consent Item: Accept and approve the NEW/RENEWAL agreement between Broken Arrow Public Schools and the vendor listed above. (ie. New fiscal year &/or Renewal services)

Action Item: Discussion, motion and vote on motion to approve or disapprove the NEW agreement between Broken Arrow Public Schools and the vendor listed above. (ie. Purchase over \$50,000 &/or new service)

The Contract/Agreement should be received at least 2 weeks prior to a Board Meeting to ensure placement on the Agenda. The Contract Committee meets most Tuesdays at 8:00a.m. All Contracts/Agreements, regardless the amount, must be first approved by the Contract Committee and then presented to the Board of Education for approval and signature. The item will be placed on Electronic School Board for the board agenda by Janet Brown. By following this process, the liability of entering into an agreement is placed with the district rather than an individual.



BROKEN ARROW PUBLIC SCHOOLS

EST. 1904

MEMORANDUM

To: Dr. Janet Vinson

From: Christian Welborn

Date: January 10, 2022

Re: Make A Wish

SUBJECT

Accept and approve the agreement between Broken Arrow Public Schools and Make-A-Wish Foundation to provide an online fundraising platform for high school students to utilize as they raise funds for Make-A-Wish. There is no cost to the district. C. Welborn

ENCLOSURE/ATTACHMENTS

Agreement

SUMMARY

Make-A-Wish will provide Broken Arrow Public Schools with an online fundraising platform in which 100% of funds raised will go directly to the Make-A-Wish foundation to support their efforts in granting wishes for children in need. This will be a service project for the leadership and student council program at Broken Arrow High School, and BAHS students will participate in granting a wish for a local child. School sites across the district are invited to participate.

FUNDING

N/A

RECOMMENDATION

Approve

WISH YOUR WAY PROGRAM GUIDELINES

Volunteer fundraising events/campaigns are hosted by individuals who want to raise money for Make-A-Wish® and the important work of wish granting. These guidelines explain Make-A-Wish's policies and procedures for such activities.

DEFINITION OF A VOLUNTEER FUNDRAISER

Make-A-Wish defines a volunteer fundraiser as a fundraising event or campaign organized by a third-party (defined as any non-affiliated group or individual - including volunteers and staff acting outside their roles), where Make-A-Wish has no fiduciary responsibility and little or no staff involvement or planning. The organizer is responsible for all aspects of the fundraiser, including compliance with the Wish Your Way Program Guidelines.

Organizers must be 13+ years or older to start their online fundraising page. If younger than 13, a parent or legal guardian must register the volunteer fundraiser on their behalf.

MAKE-A-WISH STAFF/VOLUNTEERS/WISH FAMILIES

Make-A-Wish staff and volunteers are not available to support the volunteer fundraiser, due to existing strategic priorities. Similarly, the attendance of wish kids and/or wish families at a volunteer fundraiser cannot be coordinated by the foundation. Contact your local Make-A-Wish chapter for additional information, if desired.

BRAND ASSOCIATION

A volunteer fundraiser should be administered in a manner that reflects favorably on Make-A-Wish, the mission of wish granting and wish families served. Make-A-Wish has the right to terminate the volunteer fundraiser's association with Make-A-Wish, including use of the Marks or fundraising tools, if it determines in its reasonable discretion that: (a) the volunteer fundraiser is or will likely be injurious to the brand; (b) is deemed offensive; (c) fails to comply with the Wish Your Way Program Guidelines.

REVENUE & ACCOUNTING

The organizer of the volunteer fundraiser will donate all net proceeds from the fundraiser to Make-A-Wish. As a reminder, these proceeds are **not** tax-deductible for the organizer. Under no circumstance will Make-A-Wish provide funding or reimburse for expenses related to the fundraiser. Further, the organizer – or any other individual or entity associated with the volunteer fundraiser – may not retain any portion of revenues generated by the fundraiser.

All donations made directly to Make-A-Wish – through the Wish Your Way online fundraising platform or mailed to Make-A-Wish – are 100% tax-deductible. Make-A-Wish cannot solicit for or acknowledge/receipt the value of in-kind donations for the fundraiser, as such donations are not made directly to the foundation.

The organizer of the volunteer fundraiser understands and agrees they: (a) are not authorized to act as an agent of Make-A-Wish; (b) may not open a bank account in the foundation's name; (c) may not endorse, or attempt to negotiate, any checks made payable to Make-A-Wish; (d) nothing contained herein shall be construed in a way to create a joint venture, partnership or other similar relationship between Make-A-Wish and the organizer.

While rare, Make-A-Wish may request written accounting setting forth the amounts raised by the volunteer fundraiser and the manner in which such amounts were ascertained.

USE OF MAKE-A-WISH NAME & SUPPORTER LOGO

Make-A-Wish grants the organizer non-exclusive, non-transferable permission to use the Make-A-Wish name and supporter logo ("the Marks") in connection with the volunteer fundraiser. The organizer must adhere to the provided *Make-A-Wish Supporter Logo Brand Standards* when using the Marks.

The organizer agrees that the Marks: (a) may not be altered in any way; (b) may not be transferred to another person or entity; (c) may not be used in conjunction with telemarketing or door-to-door solicitations; (d) will only be associated with promotions that are positive in nature and reflect Make-A-Wish's life-affirming mission.

Costs associated with promotional material to support the volunteer fundraiser are the sole responsibility of the organizer; Make-A-Wish funds are not permitted to cover such costs.

SAFETY & LIABILITY

All volunteer fundraisers, particularly live events, should be conducted with the safety of participants in mind. Special attention should be given to the safety of minors. If the volunteer fundraiser is physically challenging, Make-A-Wish recommends the organizer require all participants to execute event waivers that specifically release the foundation from all claims relating to participation in the fundraiser.

Organizers of volunteer fundraisers shall not rely in any circumstance on Make-A-Wish's insurance for coverage of their fundraiser. Make-A-Wish recommends the organizer seek independent insurance advice, if appropriate.

Make-A-Wish is not responsible, under any circumstance, for operational management or issues associated with the fundraiser. The organizer assumes all risk for expenses and liabilities, and agrees to indemnify, hold harmless and defend Make-A-Wish, any affiliated and related organizations, and the officers, directors, employees, agents and representatives of each, against any and all claims arising out of, or occurring in connection with the volunteer fundraiser.

PROMOTIONS & BBB WISE GIVING ALLIANCE

All promotions for the volunteer fundraiser and associated materials must clearly state that proceeds of the fundraiser will benefit Make-A-Wish, but should not imply or state that Make-A-Wish is the host, sponsor or endorser of the fundraiser.

In accordance with standards adopted by the BBB Wise Giving Alliance, the organizer of the volunteer fundraiser agrees that any solicitations related to the fundraiser must specify at the point of solicitation, and in a manner acceptable to Make-A-Wish: (a) that Make-A-Wish is the benefitting organization; (b) the actual or anticipated portion of the proceeds that will benefit Make-A-Wish; (c) the duration of the fundraiser; and (d) any maximum or guaranteed minimum contribution amount. Example: "Team Wish Champs is hosting a fundraiser in which \$5 of every purchase benefits Make-A-Wish, up to \$5000."

LEGAL

Volunteer fundraisers must comply with all federal, state and local laws. Contact Make-A-Wish and/or local government agencies for additional information.

The logo for Make-A-Wish, featuring the text "Make-A-Wish" in a serif font. The letter "A" is stylized with a large, curved line arching over it, and a small star is positioned above the right side of the "A". A registered trademark symbol (®) is located at the end of the word "Wish".