

GIFTS FROM THE PUBLIC

[This policy does not cover personal gifts to staff. See policies 1810, Gifts to School Personnel, and 2160, School District Officer and Employee Code of Ethics.]

The Board of Education welcomes gifts, donations, and bequests (hereinafter “gifts”) from the public, whether money, property, goods, materials, services, or any other form, which enable the District to enrich the educational environment of and programs for its students. The Board recognizes that such gifts are a benefit to the District and greatly appreciates the donations it receives from individuals, collections of individuals, Parent Teacher Associations, organizations, foundations, businesses, and other lawful groups.

The Board authorizes the Superintendent to establish the administrative regulations and/or procedures necessary to implement this policy.

Unsolicited Gifts

Only the Board may accept for the District any gift, except that the Superintendent of Schools may accept on behalf of the Board any such gift of less than ten thousand dollars (\$10,000) in value. All gifts accepted by the Superintendent on behalf of the Board shall be reported to the Board at the first regular meeting following acceptance of such gift.

It shall be the policy of the District to accept a gift, provided it is made within the statutory authority granted to school districts and is in the best interest of the District. However, the Board and the Superintendent reserve the right to refuse to accept any gift which does not comply with the below guidelines. Any gift rejected by the Board or the Superintendent shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

In granting or withholding its approval, the Board and/or the Superintendent will take into consideration the current needs of the District and will apply the below guidelines.

1. The terms of the gift must identify:
 - a. the subject of the gift,
 - b. the purpose of the gift,
 - c. the beneficiary or beneficiaries, if any, and
 - d. any conditions or restrictions that will apply.
2. The gift should have a purpose consistent with that of the District’s and should contribute towards the achievement of the District’s goals.
3. The gift should be compatible with the District’s goal of providing equitable educational opportunities throughout the District.
4. Gifts that include restrictions or conditions which are in violation of law, are against the District’s best interest, or place undue constraints on the District shall not be accepted.
5. The gift must not benefit a particular or named individual or individuals. In conformance with federal and state law, if the purpose of the gift is an award to a single student, the determination of the recipient of such award shall be made on the basis that all students shall have an equal opportunity to qualify for the award.

6. No conflict of interest shall be created by the acceptance of the gift.
7. The gift should not create an appearance of impropriety or imply endorsement of any business or product.
8. A consideration of whether the gift creates or will it in the future create any financial responsibility to the District.
9. The gift should not obligate the Board to continue to fund any program or activity once the gift is expended.
10. Ownership of the gift should not tend to deplete the resources of the District.
11. If the gift is in trust, the obligation of the investment and reinvestment of the principal shall be clearly specified and the application of the income or investment proceeds shall be clearly set forth.
12. No gift or trust will be accepted by the Board unless:
 - a. it is in support of and a benefit to the District as a whole or to a particular school in the District, or
 - b. it is for a purpose for which the District could legally expend its own funds, or
 - c. it is for the purpose of awarding scholarships to students graduating from the District.

Solicited Gifts

Any individual wishing to solicit any gift for the benefit of the District as a whole or for any particular school in the District must first obtain the appropriate administrative approval as required by the applicable regulations and/or procedures. The granting or withholding of approval to solicit shall be based on the same guidelines as would apply to the approval of unsolicited gifts. Once received, all solicited gifts must be formally accepted by the Board, except that the Superintendent may accept on behalf of the Board any such gift of less than ten thousand dollars (\$10,000) in value. All gifts accepted by the Superintendent on behalf of the Board shall be reported to the Board at the first regular meeting following acceptance of such gift. Any gift rejected by the Board or the Superintendent shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

Grants

Any individual wishing to apply for a grant, of any kind, must first obtain the appropriate administrative approval as required by the applicable regulations and/or procedures. Once received, all grants must be formally accepted by the Board, except that the Superintendent may accept on behalf of the Board any such grant of less than fifty thousand dollars (\$50,000). All grants accepted by the Superintendent on behalf of the Board shall be reported to the Board at the first regular meeting following acceptance of such grant. Annually recurring and/or non-competitive funding grants such as, but not limited to, IDEA Special Education Grants and Consolidated Title Grants, shall not require such approval.

Accounting for and Oversight of all Gifts

All gifts and grants whether money, property, goods, materials, services, or any other form, made to the District shall become District property and shall be used exclusively for school purposes. While a gift may have been presented to or solicited by a particular school building or

department, program, or individual within a school building, the gift shall be considered District property. The Board will take into consideration the source of a gift; however, the Board reserves the right to use the gift elsewhere within the District, as it sees fit and in accordance with any restrictions or conditions that apply, based on the total needs of the District.

Once accepted by the District, gifts, no matter the form, may not be returned without the approval of the Board. Further, all items shall be governed by and subject to the same controls, regulations, policies, and procedures as are other District property.

The Board shall receive an annual written report from the Superintendent or his/her designee of all gifts and grants received by the District during the school year and where each was used. It is the goal of the Board to properly account for all District resources and to monitor the distribution of those resources in an effort to minimize disparities among the schools within the District.

Cross-ref: 1810, Gifts to School Personnel
 2160, School District Officer and Employee Code of Ethics
 6640, Inventory, Accounting of Fixed Assets, and Tracking Policy

Ref: Education Law §1709(12)

Adoption date: May 8, 2007

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