



Book	Draft Policies from NYSSBA
Section	1000
Title	DONATIONS, GIFTS, AND GRANTS TO THE DISTRICT
Code	1800
Status	Legal Review
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() Required
 (X) Local
 (X) Notice

NOTE: The following is offered to replace current policy 5230, Acceptance of Gifts, Grants, and Bequests to the School District. This replacement policy addresses broader areas: solicitation of grants and funds (including from websites like Donors Choose); coordination with support organizations, and Board oversight. This policy will allow the Board to exercise its governance and oversight authority in those areas, especially as competitive grants at the federal and state levels have become more prevalent. This policy is for the board's consideration.

Unsolicited Gifts and Donations from the Public

NOTE: This section of the policy regards acceptance of gifts by the Board.

The Board of Education welcomes and appreciates gifts and donations from the public. Gifts and donations of money, property, equipment, and materials may be accepted by the Board, except that the Superintendent of Schools may accept on behalf of the Board gifts and donations having a value less than \$75.00 dollars. This policy does not cover personal gifts to staff. See policy 2160, Code of Ethics, for guidance on that issue.]

The Board reserves the right to refuse to accept any gift which does not contribute towards the achievement of the district's goals, or the ownership of which would deplete the resources of the district. In accepting or rejecting gifts and donations, the Board will review the following factors:

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. all conditions or restrictions that may apply.
2. The gift must not benefit a particular or named individual or individuals.
3. If the purpose of the gift is an award to a single student, the determination of the recipient of such award will be made on the basis that all students will have an equal opportunity to qualify for it in conformance with federal and state law.
4. If the gift is in trust, the obligation of the investment and reinvestment of the principal will be clearly specified and the application of the income or investment proceeds will be clearly set forth.
5. No gift or trust will be accepted by the Board unless:
 - a. it is in support of and a benefit to all or to a particular public school in the district; or
 - b. it is for a purpose for which the school district could legally expend its own funds; or

c. it is for the purpose of awarding scholarships to students graduating from the district.

Any gift rejected by the Board will 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.

Soliciting and Accepting Gifts, Grants or Donations

NOTE: This section is intended to address all instances of the district soliciting grants or donations. This includes applying for private and government grants, as well as fundraising websites such as Donors Choose. (Student fundraising is covered by policy 5251.) We have drafted this policy to require district approval for all solicitations/applications. It is worth noting that Donors Choose does not require prior approval, but does involve Building Principals in their process. If the district does not wish to require prior approval, please modify as appropriate by deleting or editing the first two paragraphs below.

Prior to seeking any grant or donation, the applicant must obtain prior approval from the district. Teachers seeking grants or donations for their classroom must obtain approval from the Building Principal. Other staff or administrators seeking grants or donations to benefit an entire school or the district as a whole must obtain approval from the Superintendent or his/her designee. Grant applications for funding of more than \$5,000 require prior approval by the Board of Education.

Approval will depend on factors including, but not limited to: compatibility with the district's educational program and standards; availability of existing district resources; whether ownership would deplete district resources; and its impact on the equitable distribution of district resources.

All grants and donations must benefit the district and be congruent with the following principles:

1. The district's mission, vision, core values, and beliefs.
2. The district and school goals that positively impact student performance.
3. The district's instructional priorities and strategies.
4. Equity in funding.
5. Conform to district governance and decision-making procedures of the Board, central office, and building-level staff.
6. Provide a value or benefit that is greater than the obligation under the grant award.
7. Not violate management and/or bargaining unit rights and responsibilities.
8. Not carry any conditions that would divert school or district efforts away from the district's primary mission.

The Board reserves the right to deny approval of solicitation of any funding or grant application which does not contribute towards the achievement of the district's goals, or which would deplete the resources of the district. The Board may approve seeking grants which require a match of district funds or resources when the initiative has been identified as a priority by the Board and when such funds are planned as part of the district budget process or can be accommodated by the current budget.

All solicited grants and donations must be formally accepted by the Board.

Coordinating with Support Organizations

NOTE: This section aligns with our sample policy 1222, Relationship with Booster Organizations, to encourage or require (at the district's option) prior coordination when raising funds for the district.

The district requires independent support organizations (e.g., booster clubs, parent-teacher associations, education foundations) seeking to make a contribution of money or property to first meet with the Superintendent to identify the terms and conditions of the proposed gift and the needs of the district. The Board must approve such gifts and donations prior to any public announcement of the contribution.

Accounting for, and Oversight of, all Donations, Gifts, and Grants

NOTE: The first paragraph below encompasses district control over all items accepted or solicited by, or awarded to, the district.

All gifts, donations, grants, funds, property, and materials received by the district become the property of the district. Such items may not be returned without the approval of the Board. All items are subject to the same controls and regulations as other district property and will be deposited or inventoried accordingly.

NOTE: The following paragraph is optional. NYSSBA recommends that boards exercise oversight over the gifts, grants and donations received by the district, and recommends the following approach. NYSSBA understands that the issue of disparities among schools of the district can be a very complicated one. Boards need to balance its

responsibility to provide for equal educational opportunities for all district students, while understanding that some parents want to provide extra resources for their children.

The Board will receive a report of all gifts, donations, grants, funds, property, and materials 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 to minimize disparities between schools within the district.

Cross-ref:

1222, Relationship with Booster Organizations

1225, Relationship with Local Educational Foundations

2160, School District Officer and Employee Code of Ethics

5251, Student Fund Raising Activities

6640, Inventories

Ref:

Education Law 1709(12)

Adoption date:

