

POLICY

2012

5230

Non-Instructional/Business Operations

SUBJECT: Acceptance of Gifts, Grants and Bequests to the School District

The Board may accept gifts, donations, grants and/or bequests of money, real or personal property, as well as other merchandise which, in the view of the Board, add to the overall welfare of the School District, provided that such acceptance is in accordance with existing laws and regulations. Donations to the school are fully tax deductible so long as the gift is used exclusively for public purposes in accordance with USC Section 170(c). However, the Board is not required to accept any gift, grant or bequest and does so at its discretion, basing its judgment on the best interests of the District. Furthermore, the Board will not accept any gift, grant or bequest which constitutes a conflict of interest and/or gives an appearance of impropriety. At the same time, the Board will safeguard the District, the staff and students from exploitation, from special interest groups, and the like.

The Board will not accept any gifts or grants which will place encumbrances on future Boards, or result in unreasonable additional or hidden costs to the District. The Board may, if it deems it necessary, request that gifts of equipment, facilities or any item that requires upkeep and maintenance include funds to carry out such maintenance for the foreseeable life of the donation.

The Board would prefer the gift or grant to be a general offer rather than a specific one and that the donor/grantor work first with the school administrators in determining the nature of the gift or grant prior to formal consideration for acceptance. However, the Board, in its discretion, may direct the Superintendent of Schools to apply such gift or grant for the benefit of a specific school or school program.

Any gifts or grants of \$10,000 or more, donated to the School District and accepted by the Board of Education on behalf of the District, must be by official action and resolution passed by Board majority.

The Board is prohibited, in accordance with the New York State Constitution, from making gifts/charitable contributions with School District funds.

Gifts and/or grants of money to the District shall be annually accounted for in the general fund or under the trust and agency account in the bank designated by the Board of Education. All gifts, grants and/or bequests shall become School District property.

District employees or officers of the Jamesville-DeWitt Central School District shall not directly or indirectly, solicit any gift; or accept or receive any gift having a value of seventy-five dollars or more, whether in the form of money, services, loan, travel, entertainment, hospitality, thing, or promise, or any other form, under circumstances in which it could reasonably be expected to influence him/her, in performance of his/her official duties or was intended as a reward for any official action on his/her part.

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SUBJECT: Acceptance of Gifts, Grants and Bequests to the School District (cont'd)

It is recognized that an exchange of gifts between employees, teachers, and/or students is a tradition during the holiday season. Nothing herein should be construed as prohibiting such an exchange provided discretion is used. Gifts from children that are principally sentimental in nature may be accepted in the spirit in which they are given.

New York State Constitution Article 8, Section 1
Education Law Sections 1709(12), 1709(12-a) and 1718(2)
General Municipal Law Section 805-a(1)

Adopted: 08/07/95
Revised: 11/04
Revised: 02/06/12