

REVISEDBUSINESS AND NONINSTRUCTIONAL OPERATIONSGifts, Grants and Bequests

The Governing Board may accept any gift, grant, or bequest of money, property, or service to the district from any individual, ~~private agency or~~ organization, foundation, or ~~other~~ public or private agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board ~~discourages shall reject~~ any gifts which may directly or indirectly impair its authority to make decisions in the best interest of district students or its ability or commitment to provide equitable educational opportunities. ~~for all district students.~~

~~(cf. 0100 – Philosophy)~~

(cf. 0200 – Goals for the School District)

(cf. 0410 - Nondiscrimination in District Programs and Activities)

(cf. 0415 – Equity)

(cf. 1260 – Educational Foundation)

(cf. 9270 – Conflict of Interest)

Review of Potential Gifts, Donations or Bequests

Prior to submission to the Board, the Superintendent or designee shall review the proposed gift, donation or bequest and prepare a recommendation for the Board.

Before accepting any gift, grant, or bequest, the Board shall carefully consider any conditions or restrictions imposed by the donor to ensure their consistency with the district's vision, philosophy, and operations. If the Board believes the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

(cf. 0000 – Vision)

(cf. 0100 – Philosophy)

In addition, the Board shall ensure that acceptance of the gift, grant, or bequest does not:

1. Involve creation of a program which the Board would be unable to sustain when the donation is exhausted
2. Entail undesirable or; excessive ~~or non-budgeted~~ costs
3. Promote the use of violence, drugs, tobacco, or alcohol ~~or the violation of any law or district policy~~

(cf. 5131.6 – Alcohol and Other Drugs)

(cf. 5131.62 – Tobacco)

4. ~~Imply-Advertise or endorsement~~ the use of non-nutritious food or beverages during the school day ~~of any business or product or unduly commercialize or politicize the school environment~~

(cf. ~~1325-5030 – Advertising and Promotion~~ Student Wellness)

5. Encourage or enable the violation of any law or district policy

6. Imply endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 – Advertising and Promotion)

~~Non-monetary gifts must be accepted by the Board.~~

Any gift of books and instructional materials shall be accepted ~~if they only if they~~ meet ~~regular~~ district criteria for selection of instructional materials.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

(cf. 6161.11 – Supplementary Instructional Materials)

Gifts of Land

~~In the event that a gift, donation or bequest of land is accepted with the understanding that it will be used for school purposes, and the land is subsequently found to be unusable, the Board may have the land reconveyed to the donor without consideration to the district, providing that the rights of any bona fide purchaser or encumberer of the land is not adversely affected.~~

All gifts, grants and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school, classroom, or teacher. At the Superintendent or designee's discretion, a gift may be used at a particular school or classroom.

~~In those cases where the gift, donation or bequest identifies specific schools or departments as the recipient, or designates specific purposes for the gift, donation or bequest, the Board shall honor the desires of the donor providing the donation neither conflicts with the objectives or goals of the district nor creates any hardships or hazardous conditions.~~

When any gift of money received by the district is not immediately used, it shall be placed in the county treasury in accordance with law. (Education Code 41030-41031)

(cf. 3430 – Investing)

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants, and/or bequests received on behalf of the district in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

(cf. 3440 – Inventories)

(cf. 3460 – Financial Reports and Accountability)

Corporate Sponsorship

The Board may enter into an agreement or arrangement with an outside entity for the sponsorship of an educational, athletic, or other program or activity. When appropriate, the agreement may allow the outside entity to advertise or promote its business, product, or service in district publications or on district property or web sites.

(cf. 1113 – District and School Web Sites)

(cf. 1700 – Relations Between Private Industry and the Schools)

(cf. 3312 – Contracts)

(cf. 6145.2 – Athletic Competition)

Every sponsorship agreement shall be in writing and shall be approved by the Board. The Board shall ensure that the district's relationship and arrangement with the sponsor are consistent with the district's mission, values, and goals. Any advertising or promotional message, image, or other depiction to be used by the sponsor shall meet the standards set for commercial advertising on district property and in district-sponsored publications in accordance with BP 1325 – Advertising and Promotion. ~~No message, image, or other depiction that promotes the use of obscene language, pornography, alcohol, tobacco, or prohibited drugs or that advocates unlawful discrimination, use of violence, or the violation of law or district policy shall be allowed.~~

Each sponsorship agreement shall contain statements including, but not limited to:

1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed.
2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.
3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information and the requirement ~~that the sponsor's obtain approval of the Board before using~~ use of such information. ~~shall require prior approval of the Board.~~
4. ~~The prohibition against the collection or distribution of students' personal information except as allowed by law.~~ The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with district vision, mission, or goals or the sponsor engages in any prohibited activity.
5. ~~The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with district vision, mission, or goals or the sponsor engages in any prohibited activity.~~ The prohibition against the collection of students' personal information except as allowed by law.

(cf. 5022 – Student and Family Privacy Rights)
(cf. 5125 – Student Records)

Online Fundraising

Any person or entity who wishes to conduct an online fundraising campaign, including a crowd funding campaign, for the benefit of the district, a school, or a classroom shall submit a written request for prior approval to the Superintendent or designee. Approval of requests shall take into consideration compatibility with the district's vision and goals, core beliefs, instructional priorities, and infrastructure; the manner in which donations are collected and distributed; equity of the use of funds; and any other factors deemed relevant or appropriate by the district.

Any person or entity approved to conduct an online fundraising campaign shall comply with relevant district policies and procedures, including ensuring financial transparency in describing the purpose and use of the funds and protecting student privacy as applicable. Such person or entity shall specify that the district, rather than a staff member, classroom, or school, will own the funded resources.

Funds raised by an online fundraising campaign and donated to the district shall be subject to the same terms, criteria for acceptance, and accountability measures as any other donation as specified in this policy.

Appreciation

The Board may show appreciation for any donation to the district in any manner it deems appropriate. Such appreciation may take the form of letters of recognition or Board resolutions; plaques, commendations, or awards; planting of commemorative trees or gardens; or naming or renaming of buildings, grounds, or facilities. Conferment of any such honor shall be in accordance with applicable Board policy.

(cf. 1150 – Commendations and Awards)
(cf. 7310 – Naming of Facility)

~~Corporate Sponsorship~~

~~Each sponsorship agreement shall contain statements including, but not limited to:~~

- ~~1. The purpose of the relationship with the sponsor, details of the benefits to the district, and how the benefits will be distributed.~~
- ~~2. The duration of the agreement and the roles, expectations, rights, and responsibilities of the district and the sponsor, including whether and to what extent the sponsor is allowed to advertise or promote its products and/or services.~~

- ~~3. The authority of the Board to retain exclusive right over the use of the district's name, logo, and other proprietary information. The sponsor's use of such information shall require prior approval of the Board.~~
- ~~4. The authority of the Board to terminate the agreement without any penalty or sanction to the district if the sponsor's message, business, or product becomes inconsistent with district vision, mission, or goals or the sponsor engages~~
- ~~5. The prohibition against the collection of students' personal information except as allowed by law.~~

~~(cf. 5022 Student and Family Privacy Rights)~~
~~(cf. 5125 Student Records)~~

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus
35160 Powers and duties
35162 Power to sue, be sued, hold and convey property
41030 School district may invest surplus monies from bequest or gifts
41031 Special fund or account in county treasury
41032 Authority of school board to accept gift or bequest; investments; gift of land requirements
41035 Advisory committee
41036 Function of advisory committee
41037 Rules and regulations
41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceflink.org>

Policy adopted: 5/10/94

Policy revised: 11/8/94; 4/09/02; 4/25/06; 1/8/13