



SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 2.1e

Meeting Date: June 28, 2017

Subject: Revision to Board Policy 3290 Gifts, Grants and Bequests and Deletion of Administrative Regulations 3290 Gift, Grants and Bequests

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: _____)
- Conference/Action
- Action
- Public Hearing

Division: Business Services and Legal Services

Recommendation: Adopt Revision to Board Policy 3290 Gifts, Grants and Bequests.

Background/Rationale: California Education Code section 41032 provides the Governing Board the opportunity to accept gifts, donations, and bequests on behalf of the school district. The policy ensures all donations are in the best interest of students, provide equitable educational opportunities, and comply with the district policy and all state and federal regulations. The intent of the revision to Board Policy 3290 Gift, Grants and Bequests is to consolidate and delete Administrative Regulation 3290 Gift, Grants and Bequest and include updates provided by the California School Board Association. The Board Policy Committee reviewed this on January 27, 2016 and April 7, 2017. Board Policy 3290 was presented as First Reading at the June 15th Board meeting.

Financial Considerations: None

LCAP Goal(s): College, Career and Life Ready Graduates; Safe, Emotionally Healthy and Engaged Students; Family and Community Empowerment; Operational Excellence

Documents Attached:

1. Executive Summary
2. Clean version of the Board Policy 3290
3. Revised red-line version of the Board Policy 3290

Estimated Time of Presentation: N/A

Submitted by: Gerardo Castillo, CPA, Chief Business Officer
Amari Watkins, Director, Accounting Services

Approved by: José L Banda, Superintendent

Board of Education Executive Summary

Business Services

Adopt Revision to Board Policy 3290 Gifts, Grants and Bequests

June 28, 2017



I. OVERVIEW/HISTORY:

Pursuant to California Education Code 41032, the Governing Board has authorization to accept donations and gifts such as grants and bequests of money, property, or services to the district from any individual, private agency or organization, or other public agencies on behalf of the district.

On June 15, 2017 Staff presented the First Reading of the revision to Board Policy 3290 Gifts, Grants and Bequests based on the updates provided by the California School Boards Association (CSBA). The revised board policy now includes language from Administrative Regulation 3290 Gifts, Grants and Bequests, which will be deleted following consolidation. In addition, the revised policy adds language regarding acceptance of gifts of instructional materials, reporting to the Board, donor appreciation, and corporate sponsorship conditions. The BP 3290 was reviewed by the Board Policy Committee on January 27, 2016 and April 7, 2017.

While greatly appreciating suitable donations, the Board shall reject any gift 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.

Before accepting a gift, 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.

II. Driving Governance:

Education Code 41032

III. Budget:

This policy is intended to create practices that adequately safeguard public funds, provide for accountability and ensure compliance with all state and federal laws.

IV. Goals, Objectives and Measures:

To establish sound policy governing the evaluation, acceptance, and recognition of donations, gifts, grants, and bequests received throughout the Sacramento City Unified School District.

Board of Education Executive Summary

Business Services

Adopt Revision to Board Policy 3290 Gifts, Grants and Bequests

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V. Major Initiatives:

Provide recognition of and expand our community partner support of additional educational opportunities for students

VI. Results:

Approval of the revision to Board Policy 3290 Gifts, Grants and Bequests

VII. Lessons Learned/Next Steps:

- Provide donation reports to Board for acceptance
- Monitor donations to ensure they are used for the intended purpose, if applicable
- Provide recognition to community partners

Sacramento City USD

Board Policy

Gifts, Grants And Bequests

BP 3290

Business and Noninstructional Operations

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, or other public agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift 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.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

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

(cf. 1260 - Educational Foundation)

Before accepting a gift, 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)

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 determines would be unable to sustain when the donation is exhausted
2. Entail undesirable or excessive 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 endorsement of any business or product or unduly commercialize or politicize the school environment

(cf. 1325 - Advertising and Promotion)

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

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

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. At the Superintendent or designee's discretion, a gift may be used at a particular school.

The district's Donation and Gift Guidelines shall provide the specific processes for the acceptance, valuation, and recognition of all types of gifts, grants, donations, and bequests received by any district office, department, or school, including dependent charter schools. The Guidelines shall create best practices to safeguard public funds, provide for accountability, ensure compliance with all state and federal laws, and fulfill the directives of this policy.

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)

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)

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

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)

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. 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. 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 in any prohibited activity.
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

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

Management Resources:

WEB SITES

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

Policy **SACRAMENTO CITY UNIFIED SCHOOL DISTRICT**

adopted: November 16, 1998 Sacramento, California

reviewed: November 5, 2001

Revised: May 4, 2017

Sacramento City USD

Board Policy

Gifts, Grants And Bequests

BP 3290

Business and Noninstructional Operations

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, or other public agency that desires to support the district's educational program. While greatly appreciating suitable donations, the Board shall reject any gift 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.

(cf. 0100 - Philosophy)

(cf. 0200 - Goals for the School District)

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

(cf. 1260 - Educational Foundation)

~~bequest or gift of money or property on behalf of the district. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.~~

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

~~(cf. 3315 - Relations with Vendors)~~

Before accepting a gift, 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)

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

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(cf. 1325 - Advertising and Promotion)

~~consider whether the gift:~~

- ~~1. Has a purpose consistent with the district's vision and philosophy~~
- ~~2. Begins a program which the Board would be unable to continue when the donated funds are exhausted~~
- ~~3. Entails undesirable or excessive costs~~
- ~~4. Implies endorsement of any business or product~~

~~(cf. 1325 - Advertising and Promotion)~~

~~The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.~~

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