



UNITED INDEPENDENT SCHOOL DISTRICT AGENDA ACTION ITEM

TOPIC First Reading of Policy CDC (LOCAL): Other Revenues: Grants from Private Sources

SUBMITTED BY: Juan Cruz **OF:** School Attorney

APPROVED FOR TRANSMITTAL TO SCHOOL BOARD: _____

DATE ASSIGNED FOR BOARD CONSIDERATION: May 21, 2014

RECOMMENDATION:

It is recommended that the Board of Trustees approve First Reading of Policy CDC (LOCAL): Other Revenues: Grants from Private Sources.

RATIONALE:

BUDGETARY INFORMATION

BOARD POLICY REFERENCE AND COMPLIANCE:

OTHER REVENUES
GRANTS FROM PRIVATE SOURCES

CDC
(LOCAL)

GRANTS

The Board shall apply for all appropriate grants to enhance the educational programs and help achieve District goals as aligned with the Strategic Direction. Grants shall concentrate on the needs of the students, and the Board shall eliminate and/or refuse any grants that are not student-oriented and merely contribute to an increase in staffing.

Programs for which evaluations have shown no positive benefits to the students involved shall be phased out at the conclusion of the grant funding period.

**MISCELLANEOUS
LOCAL REVENUE**

Incoming funds from interest on bank deposits, tuition, rentals of property, sale of books, and other curriculum materials, gifts and bequests, and other miscellaneous sources shall be considered "other local revenues."

SCHOLARSHIPS

The District shall encourage organizations and patrons to provide for unrestricted scholarships for District students. Scholarship donations shall be accepted by the District in accordance with procedures that allow flexibility of acceptance and ease in administering the program.

**GIFTS AND
DONATIONS**

The District encourages and accepts public gifts and donations from private businesses, organizations, community groups, other governmental agencies, and individuals that further the educational mission of the District and benefit the entire District or a specific school class or program. Financial and material contributions are deductible as charitable donations for federal income, estate, and gift tax purposes to the extent allowed by law. Appropriate documentation shall be provided to the donor upon request. [See DONATION, below]

DEFINITIONS

For the purpose of this policy, the following definitions shall apply.

GIFT

A gift shall mean something bestowed voluntarily and without a fee to the District. No gift, favor, loan, service, entertainment, or anything of more than token value shall be accepted by a District employee from any District vendor or prospective vendor seeking to do business with the District. Items of token value include trinkets of minimal value such as coffee mugs, key chains, caps, and the like. Plaques and commemorative items shall not be considered gifts for purposes of this policy.

DONATION

A donation shall mean accepting money, a device, service, or other asset at no cost to the District.

DEVICE

A device shall mean a tangible product, commodity, good, or instrument that has relative value or worth.

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BEQUEST	A bequest shall mean to give or leave by will.
DONOR	A donor shall mean an organization or individual who contributes a donation, device, or gift.
DONATION ACCEPTANCE	A gift, donation, or device given to a school or to the District may be accepted by the District provided that: <ol style="list-style-type: none">1. It has a legitimate use in a school program or the District;2. It is not excessively expensive for the District to install, operate, and maintain;3. It meets the District's design standards;4. Title to the donated real property is transferred to the District [see DONATION, above];5. The gift does not create a controversy calling into doubt the appropriateness of the gift or donation;6. The gift does not require factual determination as to the legal ownership of the gift; and7. The item is an arm's-length transaction and not connected to an existing contract, future promise, or future contract.
VOLUNTARY AND UNCONDITIONAL GIFTS OR DONATIONS	<p>The District, schools, programs, and classes may seek and accept gifts or donations. The practice is permissible as long as it is truly voluntary and in no way a prerequisite to participation in any District program or activity. Furthermore, the District shall not solicit anything of value from known technology service providers who plan to participate or currently participate in the District's E-Rate Program. However, the District may accept voluntary philanthropic donations initiated by such vendors where such actions further the educational mission of the District and comply with all aspects of this policy. Any statement or explanation related to a donation that may lead a reasonable person to believe the donation may not be truly voluntary shall be avoided.</p> <p>Examples of such statements include, but are not limited to, a specified minimum amount of a donation, a date by which a donation is due, or a lesser donation amount if funds are received prior to a certain date. Additionally, any statement or action that exerts explicit or implicit pressure on a student or parent to make a donation shall be avoided. The reason a student or family does not make a donation is not a subject for inquiry.</p>

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**FUTURE
CONSIDERATION**

A gift shall be accepted by the District without promise or expectation of future consideration of the donor.

The District shall not accept a donation from an individual or group affiliated with one school or program for the direct purpose of hiring or employing additional staff to provide services. [See DH(EXHIBIT)]

**DONATION
APPROVALS**

Any offer of a donation that is valued at under \$1,000 shall require the prior approval of the principal, program director, or extracurricular sponsor to which the donation is offered.

**DONATION
UNDER \$1,000**

**DONATIONS
\$1,000 OR MORE**

Any offer of a donation that is valued at \$1,000 or more shall require the approval of the District's Board. Any donation to the District that requires the approval of the Board shall be considered by the Board at its next regularly scheduled Board meeting following the date the donation was offered and Donation Agreement was executed by Donor.

The principal, department head, or extracurricular sponsor shall work with the appropriate member of the Superintendent's Staff to submit an agenda item for Board approval.

**REFUSAL OF
DONATION**

The Board, the Superintendent, the appropriate principal, the program director, the department head, or extracurricular sponsor shall reserve the right to refuse any donation offered to the District, at any time and for any reason, as deemed appropriate by the Board and/or the Superintendent.

**DONOR
RECOGNITION**

Recognition of the donor for the donation may be made at the school, department, or program level. Formal recognition may be made by the Board or the administration. Groups that make a number of donations throughout the school year may receive formal recognition at the end of the year. Appropriate plaques, markers, or other means of identifying the donor may be used.

OWNERSHIP

Once donation is accepted by the District, it shall become the sole property of the District. The donation must be unconditional, the property may be transferred or used wherever the Superintendent or designee finds useful, and, if a device, it may be sold or replaced without notice to the donor.

Technology devices that are donated must be coordinated through the department of technology and information systems.

**VEHICLE
DONATIONS**

Before a vehicle can be accepted as a donated asset, a complete analysis must be conducted to determine if the vehicle is operational and will pass state inspection. All costs (i.e., repairs, maintenance, inspections, insurance, and the like) must be given careful consideration prior to determining if ownership is fully justified.

The following shall apply for vehicle donations:

- 1. The official title of ownership must be transferred to the District and placed in the possession of the property management department.**
- 2. Vehicles with a free and clear title shall be considered.**

**REAL PROPERTY
DONATIONS**

Prior to accepting any real property donations, the principal or department head must notify the District's Assistant Superintendent for Facilities, Construction, and Student Services. The Assistant Superintendent for Facilities, Construction, and Student Services must be notified to:

- 1. Determine if the District has a need for the property;**
- 2. Determine if there will be any cost to the District for demolition, and the like;**
- 3. Request Board approval to obtain a survey and environmental studies;**
- 4. Accept the donation if the property title is free and clear of encumbrances;**
- 5. Notify the principal or department head that the donation was accepted; and**
- 6. Prepare conveyance documents and purchase a title policy.**

**CONSTRUCTION
AND FACILITY
SERVICES**

Any donation that requires a physical change to the building (i.e., electrical wiring, telephone installation, and the like) or grounds (i.e., temporary structures, outdoor buildings, and the like), must have the prior review and approval of the Superintendent of Schools or his designee prior to acceptance.

**PLAYGROUND
EQUIPMENT**

Used playground equipment is not approved for District playgrounds and shall not be accepted. New playground equipment that meets the District's specifications may be accepted by the District.

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UNIVERSITY
INTERSCHOLASTIC
LEAGUE (UIL)
DONATIONS

Booster groups or individuals may donate money or merchandise to a school for UIL-related academics, athletics, and fine arts activities with the prior approval of the campus principal. Such donations are often made to cover the cost of commercial transportation and out-of-town meals. It is a violation of UIL rules for booster groups to pay for such costs directly.

In-kind donations must follow UIL rules.