

POLICY

Churchville-Chili Central School District

2023

5230

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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 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 commercial 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 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 of Education will not formally consider the acceptance of gifts or grants until and unless it receives the offer in writing from the donor/grantor or their attorney/financial advisor. Donation form 5230F has been designed for this purpose and may be found on our website. Any such gifts or grants donated to the Board and accepted on behalf of the School District must be by official action and resolution passed by Board majority. The Board would prefer the gift or grant to be a general offer rather than a specific one. Consequently, the Board would suggest 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 by the Board. Form 5230F has a signature line at the bottom on which the administrator can inform the board of his/her desire and approval to accept this gift and its designated usage. 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.

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 under the appropriate account in the bank designated by the Board of Education.

All gifts, grants and/or bequests shall become School District property.

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

Adopted: 7/10/2001

Revised 7/28/09, 2/26/2019

Reviewed by Superintendent & Assistant Superintendent for Business Services with no recommended changes on 6/14/2023. BOE agreed & approved at their 8/8/2023 meeting.