San Bernardino County Superintendent of Schools
Policy 3290

Gifts and Donations

The San Bernardino County Superintendent of Schools or designee may accept gifts from the public on behalf of and in the name of the San Bernardino County Superintendent of Schools and shall, whenever possible, honor the preference of the donor. Prior to the acceptance of any material gift or donation exceeding $50 in value, the Director of Business Support Services shall make a preliminary determination as to whether the item(s) meets the San Bernardino County Superintendent of Schools acceptance criteria. Any staff member desiring to make a request of a donation of a gift of goods or services from an outside agency, business, or individual, must first have approval of the request from his/her supervisor and the Director of Business Support Services. Accepted gifts and donations become the property of the San Bernardino County Superintendent of Schools. (Education Code Section §41032 (a))

Any gift or bequest of money shall be invested pursuant to Education Code Section 41031 and Section 41032(b) and shall be placed in a designated fund in the county treasury. If the gift or bequest of money is required to be used for specific purposes according to the terms of the gift or bequest, the money shall be placed in a separate account.

Any gift of land, accepted by the San Bernardino County Board of Education, with the understanding that it will be used for school purposes and is subsequently found unusable, may be reconveyed to the donor without consideration to the San Bernardino County Superintendent of Schools, provided that failure to do so shall not affect the rights of any bona fide purchaser or encumbrancer of the land. (Education Code Section 41032(c)).

Preliminary Acceptance Criteria for Material Gifts and Donations:

1. The gift would not violate the principle of equal opportunity for all students at a given grade level or would not create significant inequities among similar grade levels.

2. The gift would not imply the endorsement of any particular business or product, or any specific political or religious point of view.

3. The gift would not restrict or otherwise limit the educational program and would have a purpose consistent with the goals of the education program.

4. The gift would not be inappropriate, or harmful to the welfare of students, contain hazardous materials, nor result in excessive maintenance, installation or unacceptable continuing costs.

5. The gift of a book(s) must be from titles that appear on the approved list of a recognized professional library agency/association and be deemed by the San Bernardino County Superintendent of Schools or designee(s) to be acceptable and of educational value.

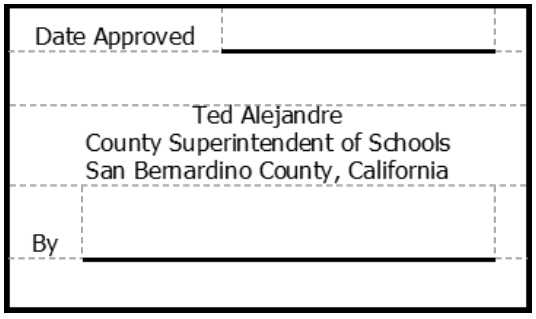
6. The gift is in “like-new” condition. Items determined to be obsolete in the opinion of the

Superintendent's designees will not be accepted.

Cash Donations:

1. All monetary donations shall be reviewed by the Chief Business Officer, or designee, to determine the appropriateness of the donation and determine any obligations that may be incurred.

2. The designated use of any cash donation must be in accordance with the California Education Code and the policies of the San Bernardino County Superintendent of Schools. Such donations may be earmarked for classroom use if the donor so desires.

The Superintendent, or designee, will acknowledge all gifts in excess of $50 by a thank you letter to the donor, and include the IRS statement "Federal and state law permits tax deductions for individual and corporate charitable contributions made to the Office of the San Bernardino County Superintendent of Schools." Internal Revenue code places the responsibility for the value upon the donor, rather than the agency receiving the gift.

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