

**DISTRICT CODE: 954
GIFTS TO THE SCHOOLS**

Policy reflects Minnesota statute and aligns with other District 270 policies.

I. PURPOSE

In accordance with the enabling provisions of Minnesota Statutes, the Board may accept, and at times may actually seek, bequests or gifts of money or property granted for the purposes of enhancing or extending curricular, extra curricular, and co-curricular programs and the overall operation of the schools. At its discretion, the Board may accept bequests or gifts of money or property for purposes deemed to be suitable and to utilize such money or property to support curricular, co-curricular and extra-curricular programs and to enhance and extend the general operation of the schools for the benefit of pupils and citizens.

II. GENERAL STATEMENT OF POLICY

The Board will act as trustee of any trust resulting from gifts and will maintain and apply at its discretion the principal and interest proceeds for the benefit of pupils and citizens. The purpose of the gift must be consistent with the District's mission, goals, objectives and policies and with the principle of equal opportunity and affirmative action.

III. ACCEPTANCE OF GIFTS

- A. Each bequest, gift, grant, or devise shall be listed on the agenda of a regularly scheduled Board meeting and the disposition detailed in the minutes of such meeting. ~~Gifts in excess of \$25 must be accompanied by the Gift Acceptance Form.~~
- B. Donors may specify restrictions upon the use of gifts. If the Board determines the gift and the specified conditions to be acceptable, the conditions will be honored throughout the effective life of the gift or until the donor permits removal of the restrictions.
- C. If the donor requires specific financial reporting ~~procedures~~ to ensure that the gift is used for allowed expenditures or within a specific period of time, contact Business Services for proper procedures *prior to acceptance.*
- D. Acceptance of a gift offered to one of the District's schools will neither indicate nor require that all schools of the same level are to be similarly benefited, equipped, or

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provided. It is desired, however, that gifts will not create unreasonable inequities between schools of the same level.

- E. Initiation, acceptance, and disposition of gifts must be in accordance with the procedures, terms, conditions, and limitations established by Administrative Rules and Regulations attendant to this policy.
- F. Gifts donated to provide funding for field trips and special events must be approved by Business Services prior to acceptance of gifts. Several factors must be considered prior to making this determination.

IV. GIFT-GIVING REQUIREMENTS

- A. Bequests and gifts of money or property to the district may be made by individual persons or families or by any profit-making or non-profitmaking business, organization, association, or club.
- B. When any person who in his/her own behalf or in behalf of any of the entities described in (A) above intends to offer a gift, a letter of intent shall be directed to a building principal and to the Superintendent of Schools, or designee, who shall forward the letter to the Board of Education along with his/her own recommendation for disposition.

V. CONDITIONS OF ACCEPTANCE

Receipt, acceptance and disposition of gifts must conform to the following guidelines and criteria: The Board may choose to accept or reject the gift at its discretion. General conditions which must prevail for acceptance are determined by the Board and include, but are not limited to the following:

- A. The Board formally accepts the gift at a Board meeting after ensuring the gift's alignment with the District's mission and objectives and provisions noted in statute or law.
- B. The gift must not add unnecessarily or unreasonably to other costs. The gift shall not add to staff load without Board approval.
- C. Gifts shall not be accepted if there are excessive costs of maintenance or installation.
- D. Gifts of equipment must meet accepted standards of quality, performance and safety.
- E. Gifts of printed materials must be recognized by expert persons as having educational utility and value.
- F. Gifts of property of estimated value must be recognized by expert persons as having real value commensurate with the value estimated.

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VI. GENERAL TERMS OF UNDERSTANDING

- A. All gifts, grants and bequests become School District property to be used at the discretion of the Board.
- B. If a check is payable to a PTO, PTA or booster club (BC), the check must be deposited into the PTO/PTA/BC account, and the PTO/PTA/BC would follow their procedures for gift acceptance. These gifts should not be accepted by the Board as they are not donations to the district.
- ~~C. Any gifts greater than \$25 presented to the School District must be accompanied by the Gift Acceptance Form for official action and recognition by the Board.~~
- D. All gifts will be reviewed by the Superintendent prior to being approved by the Board of Education.
- E. Grants are not considered gifts. A grant is sought by the district or a school within the district. All grants must be accepted separately by working with the Business Services Office.

VII. GIFT ACCEPTANCE CRITERIA

- A. Have a purpose consistent with those of the school.
- B. Offered by a donor acceptable to the Board.
- C. Will not begin a program which the Board would be unable and unwilling to take over when gift or grant funds are exhausted.
- D. Would not bring undesirable or hidden costs to the school system.
- E. Place no restrictions on the School District.
- F. Will not be inappropriate or harmful to the best education of all pupils as determined by the Board.
- G. Will not imply endorsement of any business or product.
- H. Will not be in conflict with any provision of the school code or public law.
- I. Will not cause an unreasonable imbalance among schools of the same level.

Adopted: July 7, 1986

Revised: June 19, 2003, November 2004, April 15, 2015, October 23, 2018

Regulations begin on next page.

**DISTRICT CODE: 954 - REGULATIONS
HANDLING “GIFTS IN KIND”**

(To be approved at the earliest date possible; prior to accepting any gift.)

Under certain conditions, it is possible to encourage larger gifts by suggesting they be made in terms of goods or services.

The donor may claim as a tax deduction any gift of inventory based on the donor’s cost (not today’s fair market value at retail) provided the item, if sold, would have generated income as contrasted with capital gains. (Examples: Livestock, crops, building materials, merchandise, etc.)

Although donors may not claim a tax deduction for services, they may claim incidental expenses incurred, such as meals, travel expenses, parking, supplies, etc. However, gifts of services (landscape planning, architectural, engineering, painting, clean up, etc.) can be accepted if they save on expense related to the development project.

A gift of building materials and services has value when it complies with the following:

1. It must be usable—
 - a. the architect needs to agree that it is an item that can be included in the plans
 - b. the quality must meet specifications
 - c. the general contractor must be willing to use it.
2. It must have recognizable dollar value.
3. It influences the contracting of bids, which reflects back on #1 c above.

The Campaign Steering Committee, or other designated body, must approve each “gift in kind,” verify it as consistent with policies adopted by the board of directors, and authorize its inclusion in campaign production. If the gift is related to a building project, it should be approved by a building committee or similar group.

**DISTRICT CODE: 954 - REGULATIONS
HANDLING PROPERTY AND SECURITIES**

1. All securities received will be disposed of the same day received or the next trading day. This may be done through the donor's own agents, shareholder services or one determined by the Board.
2. All transfer costs are considered shrinkage on pledges unless instructed otherwise by the donor, and the donor will be given credit for full market value of the securities.
3. A complete record of all securities will be maintained by the business office. This record will include:
 - a. name of donor
 - b. date gift received
 - c. number of shares
 - d. market value on date off receipt
 - e. name of stock
 - f. certificate number
 - g. net sale value
 - h. name of transfer agent
4. Gifts of real estate and/or other property (inventory, art objects, automobiles, etc.) will be counted in the campaign process. An impartial appraisal will be obtained when the gift is received to determine the dollar value to be reported. Gifts of building materials and/or services need to be approved. They must have recognizable value and be of need. Where particular specifications need to be met, it will be the decision of the appropriate contractor to accept.
5. To expedite the receipt and transfer of securities and property, the correct legal name of this organization will be used and will be supplied to all necessary workers for reference.
6. The finance director is authorized to carry out this policy.

HANDLING DESIGNATED GIFTS

“Designated gifts” are those which a donor gives with the stipulation that certain conditions must be met if the gift is to be included. Such gifts must be considered carefully before acceptance, as unanticipated and burdensome problems may arise which may be far more detrimental to the project (and the organization) than the gift is advantageous.

Acceptance of designated gifts should be based upon the following principles:

- A. The gift will enhance the agreed-upon project for which funds are being raised.
- B. Acceptance of a designated gift will not increase the originally anticipated cost of the project by:
 - 1. Increasing overall project costs, or
 - 2. Increasing ongoing operational costs.