



ADMINISTRATIVE PROCEDURE

CATEGORY: **Community Relations**

SUBJECT: **Acceptance of Gifts**

A. PURPOSE AND SCOPE

1. To outline administrative procedures governing acceptance of gifts offered to any school or division, or to the school district. Included are gifts a donor has in his/her possession or intends to purchase, and/or gifts from groups such as student bodies, the P.T.A., and partners in education.

B. LEGAL AND POLICY BASIS

1. **Reference:** Board policy: B-1175, D-3000, D-3800, D-5000, D-6000, D-7600, F-1100, F-1500, F-5000, F-5800, G-4000. H-8600, I-1200, I-1210, K-5000, K-6000, K-6500.
2. **District employees** shall not (a) receive any gift of any value if receipt of the gift gives the impression of seeking partiality, favoritism, or improper influence; or (b) receive gifts, presents, or articles of value from students or classes, or give such gifts; or (c) receive gifts from any vendor doing, or attempting to do, business with the school district. For allowable gifts, there is a limit of \$100 cumulative from a single source in a calendar year.

C. GENERAL

1. **Originating Office.** Suggestions or questions concerning this procedure should be directed to the Materiel Control Department, Office of the Controller, Finance Division.
2. **Definition. Equipment:** Physical property other than land, buildings, or improvement to either of these that costs \$500* and above and has *all* three characteristics listed below:
 - a. Nonconsumable, with normal service life in excess of two years.
 - b. Retains original shape and appearance with use.
 - c. Not easily broken, damaged, or lost in normal use, and more economical to repair than to replace.
3. **Acceptance of Gifts**
 - a. **Approvals.** A "Request for Acceptance of Gift" form (attachment [E.1.]) should be approved *prior to acceptance of a gift* by the school or the district. Donor should be notified, prior to purchase or donation of the gift, as to whether or not acceptance was approved. (Ordinarily, donor pays the sales tax.)

- (1) If installation, construction, and/or rearrangement of existing facilities are involved, the district Physical Plant Operations and Facilities Planning and Construction Departments, must be consulted prior to acceptance to ensure compliance with building and safety codes.
 - (2) Approval is required of principal or department head who will receive the gift and initiate acceptance procedure, operating division involved, and the Materiel Control Department.
 - (3) The Instructional Support Services Department must be consulted if audiovisual materials, books, or major items of library equipment are involved.
 - (4) The Information Technology Department must be consulted if computer equipment is involved.
 - (5) The Visual and Performing Arts Department must be consulted if artwork, murals, or sculptures are involved.
 - (6) The Transportation Services Department must be consulted if vehicles are involved.
- b. **Criteria for acceptance.** The district will assume responsibility for maintenance if:
- (1) Gifts are new.
 - (2) Gifts are of a type that appears on approved equipment standards list and are within the standard allowance.
 - (3) Gifts are of direct or closely related instructional value.
 - (4) Gifts of vehicles for transporting students meet state school bus standards. (For further information, check with the district Transportation Services Department, Business Services Division, Administrative/Operational Support.)
 - (5) Gifts of artwork, murals, or sculptures have the required waiver signed by the artist (attachment 1 B).
4. **Gifts from student bodies** are also governed by the criteria outlined in C.3.a. and C.3.b.

- a. **Equipment constructed by the district.** Agreements may be entered into between a student body and the district for purchase of some types of equipment not regularly available from outside manufacturers. The district, however, is not obligated to enter into any such agreement.
 - b. **Ownership.** All student body property is under the management and ownership of the district. Once purchased, a piece of equipment becomes property of the district, and shall be handled as all other district property.
 - c. **Payment.** In any cooperative transaction, student body *must* pay in advance the cost of equipment to be purchased.
 - d. **District procurement services** are recommended when equipment items are being purchased.
 - e. **Physical Plant Operations services** are recommended when an item is to be constructed or installed by the district.
5. **Replacement Formula.** Gifts given to a school become district property. If identical or similar to items on standardized lists and within formula allowances, such gifts shall be considered part of the regular formula when replacement is necessary. Gifts of used furniture will not be replaced by the district.
6. **Transfer of Gift Item.** Normally, it is the intent of donor that a gift remains at school to which the gift is made.

D. IMPLEMENTATION

1. **Donor or representative** contacts principal or department head and supplies necessary information about the gift.
2. **Principal or department head** prepares "Request for Acceptance of Gift"(attachment [E.1]) ; forwards original to Materiel Control Department.
3. **Materiel Control Department**
 - a. **Reviews request**
 - (1) *If construction, installation, utilities, or maintenance is involved*, secures approval from the Director of Project Management (Facilities Planning and Construction Department), Facilities Planning Manager (Physical Plant Operations Department), Business Services Division.
 - (2) Submits completed request to the Materiel Control Manager for signature.

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REVISED: **4-02-12**

- b. **Files copy** of approved request form (attachment [E.1]); adds to equipment inventory list, if appropriate.
- 4. **Gifts of Equipment Constructed by District for Student Bodies.** Student body representative:
 - a. Secures approval of principal; acquires estimate of construction costs and practicability of project from district Physical Plant Operations, and Facilities Planning and Construction Departments.
 - b. Principal/administrator completes "Request for Acceptance of Gift" (attachment [E.1]) in duplicate and forwards original to Materiel Control Department via principal for action as set forth in D.3.
 - c. If approval is received, principal/administrator prepares a "Request for Maintenance Service" (E.3), with principal's approval, for normal processing.

E. FORMS AND AUXILIARY REFERENCES

- 1. Request for Acceptance of Gift (attachment 1 A)
- 2. Artist Waiver for artwork, mural or sculpture (attachment 1 B)
- 3. Maintenance Service Request, <http://pposervices.sandi.net>.

F. REPORTS AND RECORDS

G. APPROVED BY



General Counsel, Legal Services
As to form and legality

H. ISSUED BY



Chief of Staff