

GIFTS FROM THE PUBLIC

I. GIFTS TO DISTRICT OFFICERS OR EMPLOYEES

No District officer or employee shall directly or indirectly receive any gift having a value in excess of the limitation established by General Municipal Law § 805 (currently \$75 or more), whether in the form of money, services, loans, travel, entertainment, hospitality, etc., under circumstances in which it could reasonably be inferred that the gift was intended to influence the performance of his/her duties. However, the Board of Education welcomes the writing of letters or notes to staff members expressing gratitude or appreciation.

Nothing herein should be construed as prohibiting the traditional exchange of holiday gifts, provided discretion is used to ensure that gifts of value are not accepted by staff employees or officers. Gifts from children that are principally sentimental in nature and of insignificant financial value may be accepted in the spirit in which they are given.

II. GIFTS TO A SCHOOL OR TO THE SCHOOL DISTRICT

Only the Board of Education may accept for the school district any gifts of money, property or goods, except that the Superintendent may accept on behalf of the Board any such gifts of less than \$1500 in value.

The Board reserves and authorizes the Superintendent to reserve the right to refuse to accept any gift which does not contribute toward the achievement of the District's goals or the ownership of which would tend to deplete the resources of the District.

Any gift accepted by the Board or the Superintendent shall become the property of the District, and may not be returned without the approval of the Board. Gifts are subject to the same controls and regulations as other properties of the District.

It shall be the policy of the District to accept a gift, provided it is made within the statutory authority granted to school districts and has received the approval of the Board of Education.

In granting or withholding its consent, the Board will review the following factors:

1. The terms of the gift must identify:
 - a. the subject of the gift;
 - b. the purpose of the gift;
 - c. the beneficiary or beneficiaries, if any;
 - d. all conditions or restrictions that may apply.
2. The gift must not benefit a particular or named individual or individuals, except for an award to an individual student. In granting an award to an individual student, all students shall have an equal opportunity to qualify for it in conformance with federal and state law.

3. If the gift is in trust, the obligation of the investment and reinvestment of the principal shall be clearly specified and the application of the income or investment proceeds shall be clearly set forth.
4. No gift or trust will be accepted by the Board unless:
 - a. it is in support of and a benefit to all or to a particular public school in the district,
or
 - b. it is for a purpose for which the school district could legally expend its own funds,
or
 - c. it is for the purpose of awarding scholarships to students graduating from the district.

Any gift rejected by the Board shall be returned to the donor or his/her estate within 60 days together with a statement indicating the reasons for the rejection of such gift.

Ref: General Municipal Law §805-a
Education Law §1709(12)

Cross-ref: *Code of Ethics* (2160)

Adopted August 20, 1998; Amended July 29, 2013 pursuant to Resolution No. 2013-14:
77; Amended September 25, 2018 pursuant to Resolution No. 2018-19: 312.