Phase II Donation Committee Members

Michelle Deerkop, Sammamish High School Activities Booster Club
Ellen Epstein, Bellevue & Sammamish High School Athletics Booster Clubs
Caryn Landau-Walter, Newport High School Activity Advisor
Liz Peterson, Interlake High School Activity/Athletic Director
Ruth Raskind, Bellevue Schools Foundation
Lisa Shank, Newport High School & Tyee Middle School Parent Teacher Student Association
Brendan Williams, Odle Middle School Activity Advisor
Eva Collins, Deputy Superintendent
John Harrison, Executive Director of Schools
Jeff Lowell, District Director of Athletics & Activities
Marie Telecky, Director of Finance & Budget

facilitation provided by
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Section 1: Overview of the Study Process

Committee Charge

The Bellevue School Board charged the Phase II Donations Policy Committee with using the information compiled by the Phase I Donations Policy Committee to recommend revisions to Board Policy 6114 and to Administrative Procedure 6114P. The charge also set forth clarifying questions to guide that revision work and to elicit the committee’s input regarding specific issues.

Committee Membership

The committee’s membership was designed to be as representative as possible while remaining small enough to complete the assignment efficiently. The committee’s membership brought together representatives of key stakeholder groups, and they were encouraged to keep in contact with those they represented. Its 10 members included three booster club or Parent Teacher Student Association representatives, a representative of the Bellevue Schools Foundation, and three school activity/athletics directors or advisors*. Collectively, these seven people represented the Bellevue, Interlake, Sammamish, Newport, Odle, and Tyee school communities.

Three central office administrators also served on the committee, supporting their work by providing leadership, coordination, and technical expertise: Executive Director of Schools John Harrison, District Director of Athletics and Activities Jeff Lowell, and Director of Finance and Budget Marie Telecky. The committee was formed and first convened by Deputy Superintendent Eva Collins.

Committee Meetings

The Donations Policy Committee met 10 times between June 6, 2017, and February 28, 2018. These meetings were facilitated and documented by Withycombe Scotten & Associates. A written summary of the deliberations was posted on the district website after each meeting.

Major Study Components

The committee began by developing a shared understanding of the process and outcomes of the Phase I Donations Committee and of the school board’s expectations. Over the course of five meetings, they considered and agreed upon recommended revisions to Policy 6114 and Procedure 6114P. They spent two meetings discussing the questions posed in the board charge, first reviewing their draft policy and procedure in that framework and then developing responses and recommendations related to specific questions. On February 28, the committee will meet to review their final recommendations and to submit their work to the Board Policy Subcommittee.

* Because their work schedules made consistent participation difficult for some school-based staff, Jeff Lowell reviewed the committee’s draft policy and procedure with school athletic directors at their February 2018 meeting.
Outreach

At several points in the process, the committee discussed the feasibility and advisability of stakeholder outreach activities. As their work continued, it became apparent that such activities would have value only when the committee had a draft policy and procedure to share. When those revisions were completed, there was a sense that public outreach activities should not precede sharing the committee’s work with the Board Policy Subcommittee. That sequence of considerations, combined with the functionally representative nature of the committee, led to a consensus that the committee should defer to the Board Policy Subcommittee on the question of additional stakeholder input.

Section 2: Responses to Questions Posed in School Board Charge

Financial and Organizational Requirements

- “What requirements should we place on organizations that donate to/partner with us to support athletics and activities programs?”
- “Should organizations provide regular financial reports to the BSD or just furnish such reports upon request? What information must be accessible to BSD – e.g., public inspection requirements?”

Response: The school district should not request financial reports from donors or prospective donors. The school district will have access to public information.

Considerations: Information about most donor organizations is available online, including the IRS website. The district is unlikely to require tax returns from individual donors, so it shouldn’t require such information from organizations. Other school districts do not impose such a requirement on donors. Although they can’t vote, school staff are involved in partner organizations as board members and advisors, so they know what these groups are doing. The district decides whether to accept a donation based on the information provided on the donation form; this is where it can exercise control; it doesn’t need financial reports.

- “Should BSD utilize a checklist of organizational requirements with which organizations must comply?”

Response: If the school district wishes to establish a checklist of organizational requirements for school support groups, it should do so outside the donations policy framework.

Considerations: There may be a variety of district interests regarding school partner and support organizations that cannot be fully or appropriately captured in the donations policy and procedure.

- “Should different requirements be placed on different types of organization (e.g., those that support only a particular BSD school, those that support a particular program in one school, those that support a particular program in multiple schools, those organizations that support both BSD students and other schools/students, temporary organizations to support a single event like a field trip, more long-term organizations, etc.)?”

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Response: The committee amended the response above as follows to address both questions: If the school district wishes to establish a checklist of organizational requirements for different kinds of school support groups, it should do so outside the donations policy framework.

**Purposes of Donations**

- “For what purposes can we accept in-kind and monetary donations?”

*General Response:* This question is addressed in the committee’s revised Procedure 6114P (paragraphs 2 and 3 of “Donations” and paragraph 4 of “Tangible Personal Property”), as well as its revised Policy 6114 (section A).

- “Should organizations be able to provide core items (e.g., uniforms, transportation, and basic equipment) beyond what the school funds? If so, are there particular qualifications that need to be met?”

*Response:* School support organizations should be allowed to provide or fund core items for activity programs. Rather than “qualifications,” the board should specify key “considerations,” including whether such donations are essential to the program’s existence, whether they help to ensure a consistent standard of quality, and whether they contribute to the district’s ongoing commitment to equity.

*Considerations:* The district has defined and funded core items for athletic programs. This is less true for activity programs, in part because different schools offer different activities. If “core” means “necessary for the activity to occur,” there are programs that depend upon donors and parents to cover core items. The district’s policy is to encourage donors to give cash, so it can purchase goods and services that help to address district interests related to equity, standardization, and quality (the latter sometimes a matter of student health or safety). However, it’s important that parents who want specific programs for their children have an opportunity to help make them possible. The value of booster clubs is that they help students whose parents can’t afford to pay fees by providing alternative ways to support the program. If the district wishes to apply an equity lens to this issue, it should consider school size and demographics in the allocation of the resources it provides to support activities (e.g., funds for activity hours).

- “Should we consider requirements, beyond those in existing policies that should govern funds provided to attend optional trips to camps, competitions, etc.? If so, what particular guidelines should we provide?”

*Response:* The district should continue its policy of providing as many opportunities for students as possible. However the school board should establish criteria that apply to its decisions regarding student travel. Primary among those would be:
  - whether there is clear educational value,
  - the importance of the educational opportunity for the students, and
  - whether it is merit-based (e.g., students have earned an opportunity to compete at the next level).

Further, the district should monitor the pattern of travel opportunities across schools and encourage donors to contribute to a fund intended to support equitable access to this kind of educational opportunity.
Considerations: Policy 2320 states that trips and overnight travel are optional activities schools are not required to fund. When there’s a clear curriculum component or a group has earned its way to another level of competition, parents and boosters have done a good job of getting all students there. Other kinds of travel, such as a trip to Europe organized in response to a travel agency offer, can be problematic. A trip may be optional, but it may not feel like that to kids. The inequity is clear, but the solution is complicated. How do you balance the interests of kids whose parents can afford to pay for the trip with those of the kids whose parents can’t? How do you find a way to make it possible for everyone to go, rather than saying no to the trip? There’s also a larger picture to travel opportunities: patterns of participation across schools and by gender, for example.

- “What guidelines should be provided around organizations providing scholarship support? How can we provide clarity around role of District vs. role or organization in assessing need for and distributing funds for scholarship?”

Response: The Donations Policy Committee recommends that the Department of Athletics and Activities develop and publish guidelines regarding scholarship assistance to ensure full participation in co-curricular activities and field trips. Further, the district should revise Administrative Procedure 2320P Field Trips to require sponsoring organizations to articulate the educational value of a proposed trip at the beginning of the approval process.

Considerations: This question is understood to refer to the financial assistance organizations such as booster clubs provide to individual students so they can take part in co-curricular activities (those associated with a course or program in which students receive grades). It is district policy that, when cost is the sole barrier to participation, the sponsor must find a way to ensure inclusion. The Department of Athletics and Activities, which is responsible for field trips, currently provides needed clarification on a case-by-case basis.

The committee’s discussion pertained to assistance to students who have parental permission and who are otherwise qualified to participate. While much of the conversation focused on field trips and travel costs, this recommendation is also intended to cover other required expenses that may pose barriers to participation, such as the purchase of clothing or equipment.

- “How does volunteer work qualify as in-kind donations? How do requirements to which BSD must adhere affect the acceptance of volunteers?”

Response: Volunteer services are not considered in-kind donations; they do not meet the criteria set out in the committee’s revised Procedure 6114P.

Other Guidelines

- “Are there other guidelines that would be helpful to provide in policy or in procedures that would help ensure strong positive partnerships with our community who support our activities and athletics?”

Revisions to Policy 6100 The Donations Policy Committee recommends that the Board Policy Subcommittee consider revising Policy 6100 Revenue from Local, State, and Government Sources to include language relative to grants from all sources and to include explicit language that defines grants and clarifies the difference between donations and grants. Further, the committee
recommends that, once those revisions are completed, the Board Policy Subcommittee review, and align as necessary, Policies 6114 and 6100.

Considerations: Organizations such as the Bellevue Schools Foundation (BSF) and Parent Teacher Student Associations (PTSAs) often refer to their donations as grants, although these gifts are considered donations and must comply with Policy 6114. A clear definition of grants that includes the distinction between grants and donations would be an appropriate complement to this committee’s efforts to clarify the donations policy and procedure.

**Annual Recognition Event**  The Donations Policy Committee recommends that the district consider holding an annual event to recognize and celebrate the significant human and fiscal contributions of the partner organizations that support school programs and activities.

Considerations: The considerable efforts and financial support of organizations such as the BSF, PTSAs, and booster clubs provide a wide variety of enrichment and achievement opportunities districtwide. These volunteers merit recognition, and all Bellevue students will benefit if that recognition encourages their continued support.

**Booster Clubs/Support Organizations Policy**  The Donations Policy Committee recommends that the Board Policy Subcommittee consider creating a separate, new policy to specifically address special-interest school support organizations. (See next section for draft policy and procedure.)

Considerations: Over the course of their deliberations, this committee identified a variety of issues that merit attention but do not belong in the donations policy or procedure. They concluded that these matters would be most appropriately addressed in a separate policy and administrative procedure. The attached draft policy and procedure are based on those of the Lake Washington School District, which were based on models provided by the Washington State School Directors Association. The committee anticipates that these guidelines will apply to both ongoing organizations and single-event groups and that there will be a transition period during which the district implements communications, outreach, and training strategies.
Section 3: Draft Policy and Procedure for Booster Clubs and Support Organizations

Booster Clubs - Support Organizations Policy

The Bellevue School District (“District”) recognizes the formation of Booster Clubs and/or special interest support organizations (“Booster Clubs and Support Organizations”) in support of specific District sponsored athletics or activities programs conducted within a school or the District. All Booster Clubs and Support Organizations must receive the approval of the school principal in order to be officially recognized as a Booster Club associated with the school.

The Superintendent will develop procedures for this policy, as necessary.

Adopted:
XXX

CROSS REFS.:
XXXXP - Booster Clubs
6114 - Donations
XXXX - Relations with Parent Organizations
4260 - Community Use of School Facilities
Booster Clubs - Support Organization Procedure

Booster Clubs and Support Organizations may promote the education, general welfare and morale of students by assisting in the financing of District sponsored student body activities, in order to augment but not conflict with the educational programs and legal requirements of the school and District.

1. **Operation and IRS Tax Exemption Status**
   a. Booster Clubs and Support Organizations must operate at no cost to the school or District.
   b. Booster Clubs and Support Organizations should obtain 501(c) (3) status with the IRS and operate in accordance with State laws governing non-profit organizations pursuant to RCW 24.03, including the filing of articles of incorporation and bylaws with the Secretary of State.

2. **Requirement of School Approval Prior to Giving In-Kind Donations**
   a. Prior to presenting a school or the District with any donation (including but not limited to, financial support, sporting equipment, uniforms, or sporting events/trips, etc.), Booster Clubs and Support Organizations must communicate with the school principal or principal’s designee to determine whether the proposed donation is appropriate and whether it can or will be accepted.
      i. This prior communication is intended to help enable the Booster Clubs and Support Organizations to allow the District the opportunity to procure equipment or supplies, honoring the specific purpose of a Booster Club or Support Organizations’ donation.

3. **Booster Club and Support Organizations Donations Requiring Prior Approval by the School Board**
   a. The school and District shall have the sole authority and discretion to accept or reject a donation in accordance with its policies and procedures as well as State and Federal laws.
   b. All donations subject to the thresholds identified in 6114P: Donations shall require designated approvals in order to be accepted.

4. **Failure to Obtain Prior Approval for Donations**
   a. Should a Booster Club or Support Organization fail to obtain prior approval for donations, the District, if appropriate, may take any of the following actions.
      i. The Booster Club or Support Organizations will be informed of the District’s policy and procedures for accepting donations;
         1. The school or District may also communicate with the Booster Club or Support Organization to discuss the possibility of re-allocation of the subject donation to provide for equity among programs in accordance with Title IX of the Education Amendments Of 1972, 20 U.S.C. A§ 1681 et. seq.;
      ii. The donation may be refunded or returned to the Booster Club or Support Organization; or
      iii. If an employee knowingly accepts any donation without prior approval, the District, in accordance with the employee’s employment contract, may take disciplinary action against the employee.

5. **Recording and Tracking Booster Club Donations**
   a. Schools must monitor and record all donations from Booster Clubs.
b. Information to be recorded should include at minimum: the dollar amount (if cash) or monetary value (if in-kind), the specific purpose, and the group to whom the donation is intended.

6. **Allocating Booster Club Donations**
   a. Once accepted from the Booster Club or Support Organization, it is the District’s intent to honor the specific purpose of the Booster Club or Support Organization donation by allocating such donation to the corresponding program.
      i. However, prior to accepting a donation the District reserves the right to communicate with the Booster Club or Support Organization to discuss the possibility of re-allocation of the subject donation to provide for equity among programs in accordance with Title IX of the Education Amendments Of 1972, 20 U.S.C. A§ 1681 et. seq.;

7. **Booster Club Fundraisers and/or Events**
   a. Advertisements/flyers for events or fundraisers must state clearly that it is a Booster Club or Support Organization event or fundraiser. Advertisements/flyers for events or fundraisers must also be submitted to the District’s Communications Department to determine compliance with school board policy 4060 and administrative procedure 4060P.
   b. In order to qualify for Category 1 facility use, as outlined in Administrative Procedure 4260.1P, Booster Clubs or Support Organization must:
      i. Have non-profit 501(c)(3) status;
      ii. Covered their events under the Booster Club’s or Support Organization insurance policy;
      iii. Advertise the event as a Booster Club or Support Organization event; and
      iv. Ensure all monetary fees paid by participants in conjunction with the event go directly to the Booster Club or Support Organization.
Section 4: Draft Revision of Donations Policy 6114

The Bellevue School District gratefully accepts donations, which will assist in the education of students from individuals and organizations. The following provisions apply to all donations:

A. Donations may be used only for purposes consistent with School Board policies and the accompanying procedures, federal and state laws/regulations, and other regulatory agencies, including the Washington Interscholastic Activities Association (‘WIAA’);

B. The Superintendent or his/her designee maintains the authority to accept or reject the offer of any donation (either monetary or goods). Prior to dispersal of any donation (either monetary or goods), specific authorization must be obtained from the Superintendent or his/her designee;

C. The Superintendent or his/her designee may make an advanced commitment to use donated funds in a particular manner. However, generally the District will only contract for or otherwise obligate itself for expenditures after the donated funds are received;

D. Items donated to the District become the property of the District to use and dispose of as directed by policies and procedures of the District; and

E. The Superintendent or his/her designee will not accept donations from individuals or groups affiliated with one school or program for the direct purpose of hiring or employing additional certificated staff to provide services primarily to that same program.

The Superintendent will establish procedures that ensure compliance with this policy. These procedures will indicate employees who are authorized to receive donations and specify steps to be followed to assure that there is District awareness of the value and purpose of donations.

Cross Reference: Board Policy 2320 Field Trips

Board Policy 3515
Board Policy 4237
Board Policy 6102

Student Incentives
Contests, Advertising and Promotions
District Fundraising

Legal References: RCW 28A.320.030 Gifts, conveyances, etc., for scholarship and student aid purposes, receipt and administration
Donations to the Bellevue School District may be in the form of cash and cash equivalents or in the form of tangible personal property (equipment and material). Donations may be restricted or unrestricted. Donations may benefit students either individually (e.g., via a scholarship fund in the Private-Purpose Trust Fund) or in general. These factors determine how the District will account for and authorize the donation.

All donations may be used only for purposes consistent with School Board policies and accompanying procedures and where applicable, federal and state laws/regulations and the rules of other regulatory agencies (as an example, the ‘WIAA’). In addition, care must be taken to avoid authorizing inappropriate donations, donations that carry with them unsuitable conditions, or donations that may obligate the District to future General Fund expenditures.

Any donation that does not align with these listed guidelines will be returned to the donor.

If donations are designated for a specific purpose, the District will follow the restrictions placed on the donation by the donor to the degree possible. All donations will become District property and will be accepted without obligation relative to ultimate use and/or disposal. For guidance regarding donations appropriately accounted for in the Private-Purpose Trust fund, refer to the section of this procedure titled Donations to Benefit Students Individually.

Should advance-funded designated donations, have a balance remaining after fulfilling the donor’s intent, the District will utilize the remaining funds for similar educational purposes or, if the donor stipulates, will return the remaining balance.

**Cash and Cash Equivalents:**

Prior to dispersal, donations must follow the approval schedule below:

<table>
<thead>
<tr>
<th>Amount</th>
<th>Approval Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Less than $1,000</td>
<td>Deemed approved by the school or department through the deposit of funds or inventory of equipment/materials.</td>
</tr>
<tr>
<td>$1,000 and above</td>
<td>Signed approval form by the school principal for donations to a school or the District department supervisor for donations to a central district program.</td>
</tr>
<tr>
<td>$10,000 and above</td>
<td>Add: Signed approval of a member of the District Equity and Inclusion Leadership Team (DEILT or Superintendent’s Cabinet).</td>
</tr>
<tr>
<td>$25,000 and above</td>
<td>Add: Signed approval of a Superintendent.</td>
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</tbody>
</table>

All donations of cash and cash equivalents will be recorded in the 25000 series of accounts in the records of the District and, if the donation is $1,000 and above, it must be reflected on the Donation Agreement Form for Cash and Cash Equivalents (Procedure 6114P – Exhibit A). E-mail approval may be attained from a member of the DEILT or a Superintendent in lieu of required signatures on the Donation Agreement Form for Cash and Cash Equivalents. For 6114P: Exhibit A to be valid, attach a copy of the e-mail approval.
Matching funds and monetary donations received online must be approved. Prior to the dispersal of matching funds and monetary donations received online approval must follow the schedule above. Matching funds and donations received online that do not align with District policy will be returned to the donor.

Donations of stock will be liquidated upon receipt.

Per District policy 6114, donations will not fund certificated staff. Donations intended to fund District classified personnel shall satisfy all the following criteria:

- Responsibilities of personnel funded by donations shall be consistent with the District’s philosophy and mission.
- The School District will hire and evaluate District classified personnel and the donations must comply with District policy 6114, procedures, legal parameters, and labor agreements.
- No donation will be directed by any donor to benefit specific employees.
- The addition of the personnel will not create a program or position which the District assumes when the funding is exhausted. The program or position ends when the funding ends.
- Donations to fund personnel shall only be for positions that enrich the District’s programs. These donations:
  - Do not replace the basic responsibilities/job descriptions of individual staff members, and
  - Benefit students in general rather than as individuals, and
  - Do not impact class size ratios in buildings/programs.

**Tangible Personal Property (Equipment and Materials)**

For donations of tangible personal property (equipment and materials) to a particular school or to the District as a whole, the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) must be completed and sent to the Deputy Superintendent of Finance and Operations’ Office with the appropriate departmental and/or school approval included.

For example, the Technology Department reviews and approves/denies donations of computers and computer-related equipment; the Facilities Department reviews and approves/denies donations of playground equipment; and the Curriculum Department reviews and approves/denies donations of books and teaching-related material. In all cases, where a particular school is directly impacted, the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) will also be sent to the principal for review and approval/denial.

In approving the donation of equipment and material, reviewers will take note of the donation’s suitability and durability and any possible health or safety hazards. If the equipment and/or materials are found to be unsuitable, the principal or department representative will indicate the reason(s) in writing. If found to be acceptable, and if the item(s) needs to be installed, the benefiting department or school will submit a work order for appropriate installation.

Donations of tangible personal property must satisfy the following criteria:

- The purpose or use is consistent with philosophy and programs of the District.
• The District will assume only a minimum financial obligation for installation, maintenance, and operation.
• The equipment will be free from health and/or safety hazards.
• The equipment will be free from a direct or implied commercial endorsement except as outlined in Procedure 6102P – District Fundraising Activities: Contests, Advertising, and Promotions.
• Pass-through donations of tickets or other similar items (such as school supplies, reading aids, baseball tickets, etc.) must be appropriate for students and enhance the District’s mission and programs. (Note: nominal classroom supplies provided by parents are considered to be outside the scope of this procedure.)
  o Administrative Procedure 3515P: Student Incentives provides guidance regarding student awards, prize values, donations and defines de Minimis values for such items.

Note: Donations of tangible personal property become valid only when all appropriate approvals are received.

Note: The Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) states that the District shall not make any attestations as to the fair market value of a donation of tangible personal property. Establishing a deductible value for tax purposes is solely the responsibility of the donor and his/her tax advisor.

All donations become the property of the District. The District will make reasonable efforts to accommodate the intended purpose and use of the donation but reserves the right to utilize, relocate, and/or dispose of the donation, as it deems appropriate.

**Donations to Benefit Students Individually**

Any donation intended to benefit students individually must be recorded in the Private-Purpose Trust Fund of the District, and the Board must formally agree to honor the intent of the donor. Often such donations become a scholarship or student support fund for the purchase of services or goods that would be a gift of public funds if purchased with General Fund money.

The Business Office will work with the donor to draft the appropriate Private-Purpose Trust Fund documents to send to the School Board for approval. Any accounts or funds set up within the Private-Purpose Trust Fund must address:

• Whether the fund is expendable, (principal and interest can be disbursed) or non-expendable (only the interest can be disbursed).
• The configuration of any decision-making group involved in deciding how the funds are to be spent (e.g., a scholarship committee).
• In no case may a donor designate the recipient of the donation except as a member of the decision-making group involved in deciding how to spend the funds.
• The criteria upon which to base the disbursement decision.
• The types of items that are allowable purchases.
• Provision for any changes in scope over time (e.g., increase in scholarship award amounts).
• How to close out the account (e.g., when the account reaches a specific threshold) and what is to be done with any remaining funds.

On an annual basis, the Business Office shall review each Private-Purpose Trust Fund agreement with the school or department engaged in fund management to ensure each school or department maintains the terms of each agreement.

Rejection of Donations

• Any rejected donation of cash, cash equivalents, or tangible personal property valued at less than $1,000 will be documented by the Principal of the school or District department supervisor through a written statement to the prospective donor. The statement must include the amount of the donation, the reason for the rejection, and if applicable any remedy that would allow the school or District department to accept the prospective donation. The statement must be forwarded to the Deputy Superintendent of Finance and Operations’ Office for copying and retention.

• If the prospective donation is $1,000 or above, the rejection must be reflected on the appropriate form (either the Donation Agreement Form for Cash and Cash Equivalents (Procedure 6114P – Exhibit A) or the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B)). In addition, the Principal of the school or District department supervisor will attach a written statement to the form. The statement must include the reason for the rejection, and if applicable, any remedy that would allow the school or District department to accept the prospective donation. The form and statement must be forwarded to the Deputy Superintendent of Finance and Operations’ Office for copying and retention.

Disposition of Donation Agreement Forms

The Deputy Superintendent of Finance and Operations’ Office produces copies of the Donation Agreement Form for Cash and Cash Equivalents (Procedure 6114P – Exhibit A) and the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) after receipt of all required approvals or denials. Copies are provided to the donor, the Business Office, and the school or district department receiving the donation within thirty (30) business days of final determination. The Deputy Superintendent of Finance and Operations’ Office retains the original copy of each form.

Notification of all donations (cash/cash equivalents/tangible personal property) that are $10,000 and greater will be provided to the Board on the Consent Agenda.
Appendix A

Donation Policy Committee Charge Clarification

(September 13, 2017)
Last fall, the Board formed a Donation Policy Review Committee to increase clarity and articulate expectations regarding donations from outside organizations and community members. The intent was to provide an opportunity for the District to receive community feedback regarding how donations are received by schools for their athletic and activity programs and what revisions may be necessary to Board Policy 6114 and Administrative Procedure 6114P (Donations) to ensure clarity and make expectations explicit.

Phase One

A broad-based representative Policy Review Committee made recommendations to the Board in the spring of 2017 and considered the following in their recommendations:

- Alignment of partner organization donations with BSD policies and other relevant laws and operating constraints (e.g., collective bargaining agreements) that govern student athletics and activities.
- Extent of access to partner organizations’ records and finances such that BSD can ensure compliance with laws and policies.
- Alignment of donations to ensure compliance with Title IX and other relevant legislation and policies.

Phase Two

The Board accepted the original committee’s recommendation and formed a second committee to build upon work of the original committee to fulfill the Board’s original mandate. The new committee met in June of 2017 and asked Committee Lead Eva Collins to seek clarification from the Board’s Policy Committee about its charge for them.

Eva met with the Policy Committee in the summer and confirmed that the charge is to use the information compiled by the original committee to answer the questions below. The Policy Committee confirmed that complete responses to these questions should guide the second committee as they draft recommended revisions to Policy 6114 and to Administrative Procedure 6114P.

1. What requirements should we place on organizations that donate to/partner with us to support athletics and activities programs?
   - Should organizations provide regular financial reports to the BSD or just furnish such reports upon request? What information must be accessible to BSD – e.g., public inspection requirements?
   - Should BSD utilize a checklist of organizational requirements with which organizations must comply?
   - Should different requirements be placed on different types of organization (e.g., those that support only a particular BSD school, those that support a particular program in one school, those that support a particular program in multiple schools, those organizations that support both BSD students and other schools/students, temporary organizations to support a single event like a field trip, more long-term organizations, etc.)

2. For what purposes can we accept in-kind and monetary donations?
Should organizations be able to provide core items (e.g., uniforms, transportation, and basic equipment) beyond what the school funds? If so, are there particular qualifications that need to be met?

Should we consider requirements, beyond those in existing policies that should govern funds provided to attend optional trips to camps, competitions, etc.? If so, what particular guidelines should we provide?

What guidelines should be provided around organizations providing scholarship support? How can we provide clarity around role of District vs. role or organization in assessing need for and distributing funds for scholarship?

How does volunteer work qualify as in-kind donations? How do requirements to which BSD must adhere affect the acceptance of volunteers?

3. Are there other guidelines that would be helpful to provide in policy or in procedures that would help ensure strong positive partnerships with our community who support our activities and athletics?

The Donations Committee met on September 6 and discussed the Board’s charge focuses on athletic and activities donations and the fact that there are donors (Bellevue Schools Foundation and PTSA) that contribute significantly or fund to extra-curricular programs. John Harrison agreed ask for clarification at the next Board Policy Committee meeting. At the September 12, 2017 Board Policy Committee meeting, the committee clarified that although the focus is donations for athletics and activities, the recommendations the Donations Committee eventually makes will likely be applicable to donations for other purposes. The Board Policy Committee also clarified that they would consider recommendations from the Donations Committee that are not specific to athletics and activities.
Appendix B

Working Drafts of Revisions to Policy 6114 & Procedure 6114P
The Bellevue School District gratefully accepts donations, which will assist in the education of students from PTSA's, P-FO's, and other citizens and non-governmental agencies. Individuals and organizations which will assist in the education of students. The following provisions apply to all donations:

A. Donations may be used only for purposes consistent with School Board policies and the accompanying procedures, federal and state laws/regulations, and other regulatory agencies, including the Washington Interscholastic Activities Association ('WIAA') and with School Board policies/procedures;

B. The Superintendent or his/her designee maintains the authority to accept or reject the offer of any donation (either monetary or goods). Prior to dispersal of any donation (either monetary or goods), specific authorization must be obtained from the Superintendent or his/her designee prior to the receipt of any donation;

C. The District-Superintendent or his/her designee may make an advanced commitment to individual(s) or groups to use donated funds in a particular manner. However, generally the District will only contract for or otherwise obligate itself for expenditures after the donated funds are received from the individual(s) or donating group;

D. Items donated to the District become the property of the District to use and dispose of as directed by policies and procedures of the District; and

E. The District-Superintendent or his/her designee does not accept donations from individuals or groups affiliated with one school or program for the direct purpose of hiring or employing additional certificated staff to provide services primarily to that same program.

The Superintendent will establish procedures that ensure compliance with this policy. These procedures will indicating which employees who are authorized to receive donations and specifying steps to be followed to assure that there is District awareness of the quantity-value and purpose of various donations.

Cross Reference: Board Policy 2320 Field Trips
Board Policy 3515 Student Incentives
Board Policy 4237 Contests, Advertising and Promotions
Board Policy 6102 District Fundraising

Legal References: RCW 28A.320.030 Gifts, conveyances, etc., for scholarship and student aid purposes, receipt and administration
Gifts and Donations

Gifts and donations to the Bellevue School District may be in the form of cash and cash equivalents or in the form of tangible personal property (equipment and material). They may be restricted or unrestricted, and they may benefit students either individually (e.g., via a scholarship fund in the Private-Purpose Trust Fund) or in general. These factors determine how the District will account for and authorize the gifts and donations and how such gifts and donations are authorized.

All gifts and donations may be used only for purposes consistent with School Board policies and accompanying procedures and where applicable, federal and state laws/regulations and the rules of other regulatory agencies (as an example, the “WIAA”). Donations must be used for purposes consistent with federal and state laws and regulations and with School Board policies and procedures. In addition, care must be taken to avoid authorizing inappropriate donations that are inappropriate, donations that carry with them unsuitable conditions, or donations that shall may obligate the District to future General Fund expenditures from the General Fund which are out of proportion to the value of the gift.

Any gift that does not align with these listed guidelines will be returned to the donor.

If gifts and donations, other than those appropriately accounted for in the Private-Purpose Trust fund (see below), are designated for a specific purpose, the District will follow the restrictions placed on the gift by the donor to the degree possible. All gifts and donations will become District property and will be accepted without obligation relative to ultimate use and/or disposal. For guidance regarding donations appropriately accounted for in the Private-Purpose Trust fund, refer to the section of this procedure titled Donations to Benefit Students Individually.

Should advance-funded designated gifts and donations, such as those from PTSA’s and other similar groups, have a balance remaining after fulfilling the donor’s intent, the District will utilize the remaining funds for similar educational purposes or, if the donor stipulates, will return the remaining balance should the donor so stipulate.

Note that receipts for government-funded programs (grants) are not considered gifts.

Cash and Cash Equivalents:

Any gift or donation in the form of cash or cash equivalents of $1,000 or more must have the approval of the principal when gifts are for a school or of the District department supervisor when gifts are for a central District program. Additional approvals Prior to dispersal, donations must follow the approval schedule below:
Less than $1 - $999,000 Deemed approved by the school or department as a result through the depositing of the funds or inventory of equipment/materials.

$1,000 and above Signed approval form by the school principal for donations to a school or the District department supervisor for donations to a central district program.
$10,000—$24,999 above: Add: Signed approval of a member of the District Equity and Inclusion Leadership Team (DLT/DEILT or Superintendent’s Cabinet).

$25,000 and above: Add: Signed approval of the Superintendent.

Gifts and donations of cash and cash equivalents must be pre-funded within $10,000 of the total obligation before the District will obligate any spending.

All gifts and donations of cash and cash equivalents will be recorded in the 25000 series of accounts in the records of the District and, if the gift/donation is $1,000 and above, it must be reflected on the Donation Agreement Form for Cash and Cash Equivalents (Procedure 6114P – Exhibit A). E-mail approval may be attained from a member of the DLTEILT or the Superintendent in lieu of required signatures on the Donation Agreement Form for Cash and Cash Equivalents. For 6114P: Exhibit A to be valid, attach a copy of the e-mail approval to this form to be valid. E-mail approval may be attained from a member of the DLTEILT or the Superintendent in lieu of required signatures on the Donation Agreement Form for Cash and Cash Equivalents. For 6114P: Exhibit A to be valid, attach a copy of the e-mail approval to this form to be valid.

Matching funds and monetary gifts received online will be exempt from preapproval; however, after the fact approval must follow the schedule above. Matching funds and gifts received online that do not align with District policy will be returned to the donor.

Matching funds and monetary donations received online must be approved. Prior to the dispersal of matching funds and monetary donations received online approval must follow the schedule above. Matching funds and donations received online that do not align with District policy will be returned to the donor.

Gift/donations of stock will be liquidated upon receipt.

Per District policy 6114, gifts/donations may will not be used to fund certificated staff. Donations that are intended to fund District classified personnel shall satisfy all the following criteria:

- Responsibilities of personnel funded by donations shall be consistent with the District’s philosophy and mission.
- The School District will The funding, hiring, and evaluation of District classified personnel will be done through the School District and the donations must comply with District policy 6114, procedures, legal parameters, and labor agreements.
- In no case shall a donation will be directed by the donor to benefit specific employees.
- The addition of the personnel will not create a program or position which the District assumes when the funding is exhausted. The program or position ends when the funding ends.
- Responsibilities of personnel funded by gifts shall be consistent with the District’s philosophy and mission.
• **Gift Donations** to fund personnel shall only be for positions that enrich the District’s programs. These donations:
  - Do not replace the basic responsibilities/job descriptions of individual staff members, and
  - Benefit students in general rather than as individuals, and
  - Do not impact class size ratios in buildings/programs.

Notification of all gifts and donations of cash and cash equivalents that are $10,000 and greater will be provided to the Board.

**Tangible Personal Property (Equipment and Materials)**

Commented [LJ/R1]: For the tangible personal property section - should there be any language regarding equity.
Michelle D
For gifts or donations of tangible personal property (equipment and materials) to a particular school or to the District as a whole, the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) must be completed and sent to the Deputy Superintendent’s Office with the appropriate departmental and/or school approval included.

For example, the Technology Department reviews and approves/denies gifts of computers and computer-related equipment; the Facilities Department reviews and approves/denies gifts of playground equipment; and the Curriculum Department reviews and approves/denies gifts of books and teaching-related material. In all cases, where a particular school is directly impacted, the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) form will also be sent to the principal for review and approval/denial.

In approving the gift or donation of equipment and material, reviewers will take note of its suitability and durability and any possible health or safety hazards. If the equipment and/or materials are found to be unsuitable, the principal or department representative will indicate the reason(s) in writing. If found to be acceptable, and if the item(s) needs to be installed, the benefiting department or school will submit a work order for appropriate installation.

Gifts of tangible personal property must satisfy the following criteria:

- The purpose or use is consistent with philosophy and programs of the District.
- The District will assume only a minimum financial obligation for installation, maintenance, and operation.
- The equipment will be free from health and/or safety hazards.
- The equipment will be free from a direct or implied commercial endorsement except as outlined in Procedure 6102P – District Fundraising Activities: Contests, Advertising, and Promotions.
- Pass-through gifts of tickets or other similar items (such as school supplies, reading aids, baseball tickets, etc.) must be appropriate for students and enhance the District’s mission and programs. (Note: nominal classroom supplies provided by parents are considered to be outside the scope of this procedure.)
  - Administrative Procedure 3515P: Student Incentives provides guidance regarding student awards, prize values, donations and defines De Minimis values for such items.

Note: that no gifts of tangible personal property will be considered valid until all appropriate approvals have been received.
Note: also that the District The **Donation Acknowledgment Form for Tangible Personal Property** (Procedure 6114P – Exhibit B) states that the District shall not make any attestations as to the fair market value of a gift donation of tangible personal property. Establishing a deductible value for tax purposes is solely the responsibility of the donor and his/her tax advisor.

All donations become the property of the District. The District will make reasonable efforts to accommodate the intended purpose and use of the donation but reserves the right to utilize, relocate, and/or dispose of the donation, as it deems appropriate. All donations become the property of the District.

Notification of substantial gifts of tangible personal property may be reported to the Board.

**Formatted:** Font: Bold

Commented [LJ(R2):

Tangible personal property... Last sentence says substantial donations...may be reported to the board. I think it should be changed to will be reported to the board.

Michelle D
Gifts and Donations to Benefit Students Individually

Should donors wish to make any donation intended to benefit students individually, such donations must be recorded in the Private-Purpose Trust Fund of the District, and the Board must formally agree to honor the intent of the donor. Often such donations become a scholarship fund or a student support fund for the purchase of services or goods that would be a gift of public funds if purchased with General Fund money.

The Business Office will work with the donor to draft the appropriate Private-Purpose Trust Fund documents that will be sent to the School Board for approval. Any accounts or funds set up within the Private-Purpose Trust Fund must address:

- Whether the fund is expendable, (principal and interest can be disbursed) or non–expendable (only the interest can be disbursed).
- The configuration of any decision-making group involved in deciding how the funds are to be spent (e.g., a scholarship committee).
- In no case may a donor designate the recipient of the donation except as a member of the decision-making group involved in deciding how to spend the funds.
- The criteria upon which the disbursement decision shall be based.
- The types of items that are allowable to be purchased.
- Provision for any changes in scope over time (e.g., increase in scholarship award amounts).
- How to close out the account (e.g., when the account reaches a specific threshold) and what is to be done with any remaining funds.

On an annual basis, the Business Office shall review each Private-Purpose Trust Fund agreement with the school or department engaged in fund management to ensure each school or department maintains the fund so that each will be managed according to the terms of each agreement.

Rejection of Donations

- Any rejected donation of cash, cash equivalents, or tangible personal property valued at less than $1,000 will be documented by the Principal of the school or District department supervisor through a written statement to the prospective donor. The statement must include the amount of the donation, the reason for the rejection, and if applicable any remedy that would allow the school or District department to accept the prospective donation. The statement must be forwarded to the Deputy Superintendent of Finance and Operations’ Office for copying and retention.

- If the prospective donation is $1,000 or above, the rejection must be reflected on the appropriate form (either the Donation Agreement Form for Cash and Cash Equivalents (Procedure 6114P – Exhibit A) or the Donation Acknowledgment Form).
for Tangible Personal Property (Procedure 6114P – Exhibit B)). In addition, the Principal of the school or District department supervisor will attach a written statement to the form. The statement must include the reason for the rejection, and if applicable, any remedy that would allow the school or District department to accept the prospective donation. The form and statement must be forwarded to the Deputy Superintendent of Finance and Operations’ Office for copying and retention.

Disposition of Donation Agreement Forms

The Deputy Superintendent of Finance and Operations’ Office produces copies of the Donation Agreement Form for Cash and Cash Equivalents (Procedure 6114P – Exhibit A) and the Donation Acknowledgment Form for Tangible Personal Property (Procedure 6114P – Exhibit B) shall be produced by the Deputy Superintendent’s Office after receipt of all required approvals have been received or denials. Copies are to be provided to the donor, to the Business Office, and to the school or district department receiving the donation within thirty (30) business days of final determination. The Deputy Superintendent of Finance and Operations’ Office retains the original copy of each the form shall be retained by the Deputy Superintendent’s Office.

Notification of all donations (cash/cash equivalents/tangible personal property) that are $10,000 and greater will be provided to the Board on the Consent Agenda.

Date: 9.16.2017