

**ACCEPTANCE OF GIFTS**

The Board of Education believes that education is a fundamental right. Every child has a right to an education that will prepare him or her to be a skilled and productive member of our society. The goal of the Board is to provide equitable and high quality educational opportunities for all students in Santa Monica-Malibu Unified School District.

The Board recognizes that students require a variety of learning opportunities, and it is the responsibility of the Board to identify and remove barriers that contribute to gaps in achievement for different groups of students. It is the intent of the Board that gifts accepted by the district provide equitable access to educational opportunities to meet the needs of all students.

The Board recognizes the community's desire to participate in promoting excellence in our schools through fundraising and gifts. In that regard, the Board of Education acknowledges and appreciates financial contributions made by parents, PTAs, businesses, and community members for the benefit of students in the Santa Monica-Malibu Unified School District.

The Board recognizes that there are differences among various communities in their ability to contribute additional funds for programs and services at their local schools and that these differences may perpetuate inequalities in educational opportunities between one district school and another. Therefore, to ensure program parity and equity across all schools and students in the district, the Board ~~is establishing~~ will to a centralized and collaborative fundraising model ~~that~~ will to enable the district to provide equity in program and personnel in all district schools while preserving flexibility at each school. ~~This model will be implemented in phases.~~ The Board designates the Santa Monica-Malibu Education Foundation (SMMEF) or its successor organization as the central fundraising entity for the Santa Monica schools district, and a nonprofit fundraising organization to be approved by the Superintendent or designee as the central fundraising entity for the Malibu schools. ~~Once this centralized model is implemented, the Education Foundation-These two entities~~ will be the only fundraising entities to raise funds ~~for the district~~ for the Santa Monica schools and Malibu schools, respectively.

The Superintendent will create ~~an~~ two separate Superintendent's Advisory Committees, one for Santa Monica and one for Malibu, that will to assist the superintendent/designee in determining which programs will be funded by centralized fundraising, within the parameters of this policy and regulation, and evaluating their effectiveness. study best practices and propose an implementation plan for this policy. ~~The Committee will work to devise a plan that actualizes the Board's goal of achieving program parity and equity for all schools and students in the district by increasing programming and resources at underserved schools, while preserving and sustaining programs of excellence that are important to a school community's learning goals. Consideration of 'best practices' should inform the evaluation of existing programs and development of a 'premium program' that the district will endeavor, through centralized fundraising, to offer at all schools. In addition, the Advisory Committee is tasked with developing a proposal for centralizing certain donations from the business/corporate community.~~

This policy was revised in November 2011 to reflect the shift to centralized fundraising with the Santa Monica-Malibu Education Foundation (SMMEF) serving as the single fundraising entity for the entire district to pay for personnel, programs, and professional development. This change to authorize two separate fundraising entities to raise monies for Santa Monica schools and Malibu schools separately model will be implemented in all elementary-SMMUSD schools beginning ~~no earlier than July 1, 2013~~ 2018, and no later than July 1, 2014.

Should the Board be required to make cuts to personnel, programs, or services as a result of budget reductions, only the Education Foundation two designated entities, on behalf of the district, may accept gifts by individuals, groups, and gifts to fund replacement of those personnel, programs, or services at Santa Monica and Malibu schools, respectively; moreover, sufficient funds must be raised to reinstate such personnel, programs, or services-professional development at all schools from which they were cut.

The Board will approve two separate a Memorandum of Understanding Master Agreements, one with each of the above-described entities, between the Santa Monica-Malibu Unified School District and the Santa Monica-Malibu Education Foundation formalizing this centralized fundraising relationship and clearly specifying the role of each entity. The Memorandum Master Agreements shall address, at a minimum: the role and governance structure of the Education Foundation entities, as it relates to serving as the central fundraising entities for the school district; transparency regarding reporting revenues and expenditures; accountability for meeting fundraising goals; the process and frequency of district review regarding the effectiveness of the Education Foundation entities and actions that the Board may take based on that review; and the frequency with which the Memorandum Master Agreements will be renewed between the district and the Education Foundation designated entities.

~~The Equity Fund will remain intact, and shall be administered pursuant to Administrative Regulation 3290, until implementation of centralized fundraising begins.~~

Before accepting a gift made to the district directly ~~or~~ to either of the designated entities, the Board shall consider whether the gift:

1. Has a purpose consistent with the district's vision and philosophy.
2. Begins a program which the Board would be unable to continue when the donated funds are exhausted.
3. Entails undesirable or excessive costs.
4. Implies endorsement of any business or product.

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

All gifts, grants and bequests to the district shall become district property. At the Superintendent or designee's discretion, a gift may be used at a particular school.

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35160 Powers and duties

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

41038 Applicability of other provisions of chapter

Management Resources:

WEB SITES

California Consortium of Education Foundations: <http://www.cceflink.org>

**Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**

**adopted: January 23, 1984 Santa Monica, California**

**revised: May 15, 2008; May 7, 2009; November 29, 2011**