

Board Office Use: Legislative File Info.	
File ID Number	14-1813
Introduction Date	8/27/14
Enactment Number	14-1605
Enactment Date	8-27-14



OAKLAND UNIFIED  
SCHOOL DISTRICT

Community Schools, Thriving Students

# Memo

**To** Board of Education  
**From** Jacqueline Minor, General Counsel  
**Board Meeting Date** August 27, 2014  
**Subject** Amendments to Board Policy BP 3290

**Action Requested** **Approval by the Board of Education of modifications in Board Policy 3290**

**Background** Staff is recommending approval of changes in Board Policy 3290 to streamline acceptance of grants and donations.

**Discussion** The following changes are being recommended to Board Policy 3290:  
 BP 3290 is being amended to streamline acceptance of gifts, grants and bequests. Currently any gift, donation or grant over \$5,000 must first be accepted by the Board before it can be expended or loaded into a school site or department budget. Under the amendment, the Superintendent can accept on behalf of the District, and once a year, the Superintendent must provide a full accounting in a report to the Board of all gifts, grants, donations and bequests received during the fiscal year.

**Recommendation** **Approval by the Board of Education of modifications in Board Policy 3290**

**Fiscal Impact** N/A

**Attachments**

- Redline of Board Policy 3290

# OAKLAND UNIFIED SCHOOL DISTRICT

## Board Policy

BP 3290

### Business and Noninstructional Operations

#### Gifts, Grants and Bequests

The Governing Board may accept any bequest, grant or gift of money, service or property on behalf of the district. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.

(cf. 0410 - Nondiscrimination in District Programs and Activities)

Before accepting a gift, 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
5. Technology grant awards and donations must be evaluated and approved by the Technology Services Department before grant submission and donation acceptance.

(cf. 1325 - Advertising and Promotion)

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.

(cf. 6161.1 - Selection and Evaluation of Instructional Materials)

All gifts, grants and bequests shall become district property. Donors are encouraged to donate all gifts to the district rather than to a particular school. At the Superintendent or designee's discretion, a gift may be used where it is most needed, unless specifically earmarked by the donor.

~~The Chief Financial Officer/Associate Superintendent, Business Services or designee, consistent with the Board's acceptance of gift conditions stated herein, may accept any bequest or gift of money or property on behalf of the district valued at \$5,000 or less. The CFO/Associate Superintendent shall make a quarterly ratification report to the Board of all such bequests, gifts or money or property accepted under the authority granted herein.~~

The Superintendent or designee shall annually provide a report to the Board indicating the gifts, grants donations and/or bequests received on behalf of the District in the preceding fiscal year. The report shall include a statement of account and expenditure of all gifts of money and an inventory of all gifts of physical assets.

Any agreement or memorandum of understanding with any foundation or non-profit must be approved or ratified by the Board of Education unless the Board has provided in Board Policy 3312.

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35161 Powers and duties generally

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

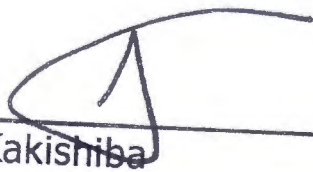
41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

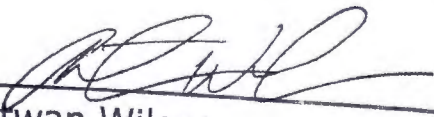
41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

| 7/14/04; 4/27/06A; 8/27/14A

  
8/28/14  
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David Kakishiba  
President, Board of Education

  
8/28/14  
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Antwan Wilson  
Secretary, Board of Education

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Bv: