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**SUBJECT: Donations, Gifts & Sponsorships Policy**

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**I. Board Policy**

In accordance with state administrative rule the Summit Academy Board of Trustees establishes procedures governing the acceptance, valuations, and recognition of all types of donations, gifts, and sponsorships at its schools. The Board delegates to the Administration responsibility for implementing the policy according to the established guidelines.

**II. Guidelines****A. Donations, Gifts, and Sponsorships**

- a. All funds, property, or goods donated become public funds and the property of Summit Academy and shall be used for the purpose for which they were donated and in accordance with State and Summit Academy policies. Donations, gifts, and sponsorships shall not be directed at specific employees, individual students, vendors, or brand name goods or services.
- b. Summit Academy will comply with all applicable state and federal laws; the State procurement code (Utah Code 63G-6a); State Board of Education rules, including construction and improvements; IRS Publication 526 “Charitable Contributions”; and other applicable IRS regulations.
- c. The collection of funds or assets associated with donations, gifts, or sponsorships will comply with Summit cash receipting policies. The expenditure of funds associated with donations, gifts, or sponsorships will comply with Summit cash disbursement policies.
- d. Donations, whether in-kind, cash, or otherwise, shall be complete transfers of ownership, rights, privileges, and/or title in or to the donated goods or services and become exclusive property of Summit Academy upon delivery.
- e. Summit employees must comply with procurement policies and procedures, including complying with obtaining competitive quotes; bid splitting; and no accepting gifts, gratuities, or kickbacks from vendors or other interested parties.
- f. If donations or gifts are offered in exchange for advertising or other services, an objective valuation will be performed and a charitable receipt will be issued by the business administrator.
- g. Donations, gifts, and sponsorships given by vendors to specific programs (e.g., drama, sports teams) or employees shall be evaluated for compliance with Utah Code 63G-6a-2304.5, “Gratuities, Kickbacks, Unlawful use of position or influence.” As required by state law, donations will only be accepted where there is no expectation or promise, expressed or implied, of remuneration or any undue influence or special consideration. Employees are not permitted to accept personal payment or gratuities in any form from a vendor or potential vendor as a precondition for purchase of any product or service.

- h. Donations and gifts over \$250 will be provided with an acknowledgment of the contribution for IRS purposes. The acknowledgment will be in the form of a receipt issued by the business administrator. These receipts will be generated from the information provided on the “Donations, Gifts, and Sponsorships” form.

### **III. Types of Donations, Gifts, and Sponsorships**

#### **A. Products**

Summit Academy may accept donated products which carry the donor company’s name, trademark, logo or limited advertising on the product (e.g., cups, T-shirts, hats, instructional materials, furniture, office equipment, etc.). These items shall be valued at fair market value at the time of the contribution. Advertising or other services offered in exchange for the donation or gift may alter the contribution amount.

#### **B. Cash Donations**

1. Cash donations are welcomed and may be accepted from private individuals, companies, organizations, clubs, foundations, and other appropriate entities. All cash donations will be received in compliance with Summit’s cash receiving policies.
2. Cash donations may be used to fund or enhance programs, facilities, equipment, supplies, services, etc.
3. Cash donations may not be used to hire regular classroom teachers. Classroom assistants, coaching assistants, or specialists of any kinds, including individuals who may hold educator licenses, may be hired using the funds received. Donations to fund such positions shall be made to a program or department and not directly to individuals and employment will be processed through Human Resources.
4. Cash donations shall not be used to augment an employee’s remuneration beyond the remunerations associated with the salary schedule of the employee’s position.

#### **C. Donor and Business Partner Recognition**

1. Donor and business partner recognitions may be placed on equipment, furniture, and other donated gifts that are not considered capital or fixed assets. Non-permanent recognitions may be placed on buildings or structures with written approval from the Board of Trustees.
2. Principals may authorize banners, flyers, posters, signs, or other notices recognizing a donor or school business partner. Such materials shall feature the school-business partnership and not promote or endorse the business named.

#### **D. Equipment, Supplies, or Goods**

Individual schools may accept donated equipment, supplies, or goods for use in the schools or school programs. These items shall be valued at the fair market value at the time of the contribution. If advertising or other services are offered in exchange for the donation or gift, this may alter the valuation amount.

### **IV. Approval and Acceptance of Donations, Gifts, and Sponsorships**

- A. Donations, gifts, and sponsorships valued at more than \$250 must be documented on the Summit Academy Contribution form. This form must be completed prior to the acceptance of money or goods, and must be retained in accounting records. A copy of the completed form will be sent to the business administrator, and a receipt for charitable contribution purposes will be issued to the donor.
- B. Approval levels are as follows:
  - 1. Money, goods, supplies, or in-kind donations, gifts, or sponsorships valued at \$250-\$10,000 must be documented on the Summit Academy Contribution form and approved by the principal or applicable department or division supervisor prior to acceptance.
  - 2. Money, goods, supplies or in-kind donations, gifts, or sponsorships valued at \$10,000-\$50,000 must be documented on the Summit Academy Contribution form and approved by the business administrator and director prior to acceptance.
  - 3. Money, goods, supplies or in-kind donations, gifts, or sponsorships valued at more than \$50,000 must be documented on the Summit Academy Contribution form and be approved by the Board of Trustees prior to acceptance.

**V. Capital Donations or Gifts/Large Donations or Gift Projects**

- A. All donations or gifts for construction, maintenance, facilities renovation or improvement, and other capital equipment purchases must be approved in writing by the business administrator, the director, and the Board of Trustees. Prior to the initiation of a large capital drive or specific fundraising drive, the following will be provided to the business administrator for evaluation and recommendation to the director.
  - a. Prospective construction, maintenance or renovation plans and estimated costs
  - b. Proposed naming opportunities
  - c. Proposed donation or gift timeline
  - d. Loans or financing agreements
  - e. Maintenance or upkeep requirements and costs
  - f. Assurances of compliance with Title IX
- B. The director will make a recommendation to the Board of Trustees. The board reserves the right to tentatively approve plans, pending donations, gifts, equity, or other conditions.
- C. All physical facilities are owned and operated by Summit Academy. No part of any school facility or capital equipment may be named for a donor without the express written consent of the Board of Trustees.
- D. Summit Academy shall only grant naming opportunities that are consistent with the mission and educational objectives of the school. Decisions regarding naming opportunities are within the sole discretion of the Board of Trustees.

**VI. Advertising**

- A. To avoid disruption of students' instructional activities, schools shall not be used for distribution of partisan, religious, or commercial advertisements, flyers, bulletins, newspapers, etc.; nor shall such items be placed on vehicles parked on school grounds.

- B. Principals may permit the school distribution of flyers, bulletins, newspapers, etc. with information regarding nonprofit community youth programs such as Boy Scouts of America, Girls Scouts of America, county and municipal programs, and little league-type recreation programs.
- C. Students and employees of Summit Academy, including teachers and administrators, shall not act as agents for commercial agents during school hours or contract time.
- D. School employees' participation in a private, but education-related, activity must be separate and distinguishable from the employees' public employment. They may purchase advertising space to promote private or non-school-sponsored events in the same manner as the general public. Their employment and experience may be used to demonstrate qualifications. The advertisement must clearly state that the activity is not school sponsored. See R277-107 for specific direction.