

Adopted: MSBA/MASA Model Policy 706

Revised: 2022 (Originated 1995)

## **706 Acceptance of Gifts**

***[Note: The provisions of this policy substantially reflect statutory requirements.]***

### **I. PURPOSE**

It is the policy of the BrightWorks, the service cooperative, to provide guidelines for the acceptance of gifts by the BrightWorks board.

### **II. GENERAL STATEMENT OF POLICY**

It is the policy of this service cooperative to accept gifts only in compliance with state law.

### **III. ACCEPTANCE OF GIFTS GENERALLY**

The BrightWorks board may receive, for the benefit of the service cooperative, bequests, donations or gifts for any proper purpose. The BrightWorks board shall have the sole authority to determine whether any gift or any precondition, condition, or limitation on use included in a proposed gift furthers the interests of or benefits the service cooperative and whether it should be accepted or rejected.

### **IV. GIFTS OF REAL OR PERSONAL PROPERTY**

The BrightWorks board may accept a gift, grant or devise of real or personal property only by the adoption of a resolution approved by two-thirds of its members. The resolution must fully describe any conditions placed on the gift. The real or personal property so accepted may not be used for religious or sectarian purposes.

***[Note: This voting requirement and gift use provision is specified by Minnesota Statutes section 465.03.]***

### **V. ADMINISTRATION IN ACCORDANCE WITH TERMS**

If the BrightWorks board agrees to accept a bequest, donation, gift, grant or devise which contains preconditions, conditions or limitations on use, the BrightWorks board shall administer it in accordance with those terms. Once accepted, a gift shall be the property of the service cooperative unless otherwise provided in the agreed upon terms.



***Legal References:*** Minn. Stat. § 123B.02, Subd. 6 (General Powers of Independent School Boards)  
Minn. Stat. § 465.03 (Gifts to Municipalities)

***Cross References:*** None