



3000 - Finance

580 - Donations, Gifts and Incentives

1. Gifts & Donations

1.1. *Gift & Donations Made to Providence Hall Charter School (PHCS)*

- 1.1.1. The Executive Director may approve gifts and donations providing the item(s) (monetary, gifts, goods, materials, equipment, or services) are in acceptable condition, legal to possess by a public school, safe, unencumbered, free of liens or claims, usable by Providence Hall Charter School (PHCS), are generally not restricted in their use, or are not restricted for use by a specific PHCS employee.
- 1.1.2. Gifts and donations for the purpose of compensating specific employees or positions may not be accepted, rather they may be accepted without specific purposes delineated.
- 1.1.3. Gifts and donations received by PHCS become public funds and may not be returned or expended except within the law as applicable to the appropriate use of public funds.
- 1.1.4. Gifts and donations to PHCS must be general in nature and may not be restricted such that they cannot be used for various purposes, except when those purposes are to a specific program, such as the PE program, science department, or art program, etc. Gifts and donations intended to benefit a specific student may not be accepted and as defined in law could be considered a bribe.
- 1.1.5. The value of a gift or donation to PHCS may not be assessed or assigned a monetary value by PHCS and provided to the donor either verbally or in writing. The value and tax deductibility of a donation or gift made by an individual or company is to be determined by the donor and their tax advisor, not PHCS.
- 1.1.6. The donor may provide and PHCS may sign a Form 8283 Noncash Charitable Contributions form (available from the IRS) upon request. If a product or service is given in return for a donation or gift that is clearly defined, such as a \$250 advertising slot in the yearbook, that value can be disclosed by providing PHCS' advertising rates to the donor for them to assign a value.
- 1.1.7. Actions to name buildings, teams, fields, schools, departments, etc. are solely within the power of the Board of Trustees (Board) and shall not be authorized when unreasonable or restrictive encumbrances exist, and limitations put upon PHCS by a donor would limit or hamper PHCS to achieve its mission and comply with all regulations. This authority may not be delegated by the Board.
- 1.1.8. Donors may be recognized through print materials, announcements, and other advertising as determined by the Executive Director. Donors shall be provided equitable recognition for like donations provided to PHCS.
- 1.1.9. All policies and procedures of PHCS are applicable to donations, including Cash Receipt and Disbursement policies and procedures, and all other internal controls.

1.2. *Gifts & Donations Received by Employees*

1.2.1. Employees shall

- 1.2.1.1. Report annually to their supervisor/building administrator all gifts received in their official conduct of PHCS business;
- 1.2.1.2. For any gifts that cannot be accepted, employees may return the gift, pay the giver its market value, or donate the gift to the PHCS or to an education-related non-profit entity. If the gift is perishable or not



practical to return, employees may share the gift with coworkers or donate it to charity.

1.2.2. Employees shall not

1.2.2.1. Accept a gift or other compensation that might be intended to influence or reward the employee in the performance of official business; or

1.2.2.2. Accept gifts other than allowed by this policy, even though Utah Code allows for certain non-monetary gifts under \$50.

1.2.2.3. For purposes of this policy, gifts do not include:

1.2.2.3.1. gift cards of \$25 or less;

1.2.2.3.2. food, refreshments, or meals of limited value;

1.2.2.3.3. items or mementos of nominal value such as pens or pencils;

1.2.2.3.4. rewards and prizes open to the general public or all public employees;

1.2.2.3.5. plaques or mementos recognizing service;

1.2.2.3.6. gifts from extended family members or personal friends;

1.2.2.3.7. small efforts of common courtesy or other services of nominal monetary value such as meeting refreshments, pens/pencils, computer mouse pads, or post-it notes with logos; or

1.2.2.3.8. funeral flowers or memorials.

1.3. This policy does not prohibit a group fund (i.e., the opportunity for employees to personally contribute to an employee fund to purchase birthday gifts, funeral flowers, etc.). Such a fund should be completely separate from taxpayer dollars and PHCS accounting functions.

2. Incentives

2.1. PHCS employees or approved volunteers (including Board members) shall ensure that incentives of any kind to any party are not bribes, or quid-pro-quo (this-for-that) arrangements.

2.2. Enrollment, employment, or doing business with PHCS shall never be contingent upon incentives (gifts, etc.) from PHCS to other parties or to PHCS from other parties.

2.3. A few examples of prohibited activities include:

2.3.1. A parent making a donation to PHCS if PHCS enrolls their child.

2.3.2. PHCS gives a free iPad to any student that enrolls before October 1.

2.3.3. A vendor giving a free trip to Hawaii to the Executive Director when PHCS signs a service agreement.

2.3.4. The parent organization president receives a free case of hot dogs personally from a vendor because PHCS placed an order with them.

2.3.5. A parent making a donation to a teacher (or simply a cash payment) for an "A" grade for their student.

2.4. ***Incentives (Cash and Noncash) Awarded to Employees from PHCS***

2.4.1. Incentive awards given to employees from PHCS are discretionary, not an entitlement, and are subject to the availability of PHCS funds.

2.4.2. All incentive awards given to employees given by PHCS shall be administered in compliance with R477-6-7.

2.4.3. PHCS may not give individual employee incentive awards greater than \$4,000 per pay period and \$8,000 in a fiscal year, except when approved by Utah Division of Human Resource Management (DHRM) and the governor.

2.4.4. Any cash and cash equivalent employee incentive awards and employee bonuses shall be subject to payroll taxes.

2.4.5. Cash Incentive Awards Given to Employees from PHCS

2.4.5.1. Cash incentives and bonuses may be awarded to an employee or group of employees that demonstrates exceptional effort or accomplishment



- beyond what is normally expected on the job for a unique event, over a sustained period of time, and must follow all requirements of R477-6-7(2)(A)(ii) and (iii).
- 2.4.5.2. Cash incentives awarded to employees by PHCS must be approved in writing by the Executive Director using the approved PHCS form.
 - 2.4.5.3. When an employee cash incentive award is approved, the approver shall notify the employee recipient of the award and provide a copy to the Business Office.
 - 2.4.5.4. PHCS may award a cash bonus as an incentive to acquire or retain an employee with job skills that are critical to PHCS and difficult to recruit in the market.
 - 2.4.5.4.1. All market-based bonuses awarded to employees by PHCS shall be approved by the DHRM, and must follow all requirements of R477-6-7(4)(a) and (b).
 - 2.4.6. Noncash Incentives Awards Given to Employees from PHCS
 - 2.4.6.1. Individual noncash incentive awards given to employees by PHCS may not exceed a value of \$50 per occurrence and \$200 in a fiscal year.
 - 2.4.6.2. Noncash incentive awards granted to employees by PHCS may include cash equivalents such as gift certificates or tickets for admission.
 - 2.4.6.3. Cash equivalent incentive awards granted to employees by PHCS shall be subject to payroll taxes and shall follow standards and procedures established by the Department of Government Operations, Division of Finance.