

HEBER ELEMENTARY SCHOOL DISTRICT

Board Policy No. 3001: GIFTS, DONATIONS, BEQUESTS AND DEVISES

- A. The Governing Board may accept on behalf of, and in the name of the District, gifts, donations, bequests and devises that are made to the District or to or for the benefit of any school of the District. The gifts, donations, bequests, and devises may be made subject to conditions or restrictions that the Board may prescribe. The Board shall determine whether acceptance of any such gift, donation, bequest or devise is in the best interests of the District, and that any restrictions or conditions placed on the gift by the donor are not determined by the Board to be unacceptable.

- B. If a gift of land has been accepted by the Board upon condition or agreement that it be devoted to school purposes of the District, and the Board subsequently determines that the land cannot feasibly be used utilized for any school purpose of the District, the Board, in its discretion, may cause it to be reconveyed to the donor without consideration to the District provided that failure to do so shall not affect the rights of any bona fide purchaser or encumbrancer of the land. This paragraph applies regardless of whether the condition or agreement to devote the land to school purposes is written or oral, and whether the terms thereof are recited in any transfer instrument executed in connection with the conveyance of the gift.

Legal Reference:
Education Code section 41032

Date Policy Adopted By The Board: October 9, 2003