DONATIONS MANAGEMENT FOR DISTRICT OF COLUMBIA PUBLIC SCHOOLS

Prepared by Cesar A. Vence, Senior Donations Manager, 11/13/13

OPGS' MISSION

To enhance the capacity of District government agencies, community and faith-based organizations, nonprofits to identify, apply, and secure resources that advance the Mayor's top public policy priorities

CORE FUNCTIONS

1. Grant and Resource Development Support
2. Executive Leadership and Organizational Development
3. Donations Solicitation Oversight and Management
4. Collaboration and Partnership Building

DONATIONS BACKGROUND

The District of Columbia offers a unique and state of the art donations process, which allows District agencies, including DCPS, to solicit and accept donations from outside sources.

Furthermore, the process ensures that these donations are accounted for and adhere to the ethics laws of the City.

BENEFITS

❑Protects the Mayor, the Cabinet, and employees from potential conflicts of interest and supports the District's ethics guidelines

❑Augments the City's in-kind and financial resources, which support programs and services

❑Allows the District of Columbia Executive Branch to solicit, accept, and use donations from diverse donor sources

❑Encourages more philanthropic community support for the Mayor's top public policies

❑Promotes greater accountability and transparency in the District Government and compliance with the Anti-Deficiency Act

❑Ensures donors that their contributions are used for an authorized purpose of the requesting agency

❑Financial donations rollover from one Fiscal Year to another

DONATIONS POLICIES AND PROCEDURES

❑ **Agencies may not solicit, accept, or use donated funds, services or property without prior approval by OPGS**

❑ Donations must be used for an authorized purpose of the agency

❑ Financial donations must be deposited in the Private Donation Funds 8450 (ACFO approves Budget Authority-Funds carry over)

❑ Donations ≠ contracts or grants

❑ No quid pro quo can exist

❑ Donations = bona fide contributions

DONATION APPROVAL PROCESS

- ❑ Submit Application to Approve Donations (AAD) octo.quickbase.com
- ❑ Receive Legal Sufficiency from OAG
- ❑ Solicit the donor
- ❑ Complete Donation Agreement
- ❑ Accept Donation
- ❑ OPGS Publishes Quarterly Donations Report, Prepares and Sends Donor Thank You letter

- ❑ *process can take up to 15 business days

UNSOLICITED DONATIONS UNDER $500.00

❑ A donation that is not asked for.

❑ A donation that is given or done voluntarily.

❑ Donation under $500.00 (both in-kind and financial).

❑ Unsolicited financial donations under $500.00 can be deposited in the SAF Account.

❑ Copy of Drop-Off Form must be completed, donor must sign form.

❑ Drop-Off Form and when applicable, copy of the check, must be forwarded to the donations manager.

DROP-OFF DONATIONS ONLY

Government of the District of Columbia
Mayor Vincent C. Gray
District of Columbia Public Schools (DCPS)

DONOR CONTACT INFORMATION

Name (Print): _____ Date: _____

Organization: _____

Address: _____

City/State _____ Zip: _____

Telephone: _____ Fax: _____ Email: _____

DONATION(s) DESCRIPTION

A: Type of Donation(s) (please check one):   B: Actual or Estimated Value (not to exceed $500.00):

☐ Financial ☐ In-Kind ☐ Other $ _____

Other: _____

C: Brief Description of Donation(s) including intended use. (Please attach relevant documentation)

_____

_____

DONOR AGREEMENT (Please read and sign below)

1.   I hereby agree to make a bona fide donation to the Government of the District of Columbia for the purpose of benefiting students served by the District of Columbia Public Schools (DCPS). The donor is giving the donation freely without any expectation of special treatment from the District of Columbia government or any part thereof.

2.   The donation is being made on the condition that the agency agrees to use the donation for the particular purpose stated in this agreement. If the agency does not use the full balance of the financial donation, I, the donor, give my express consent and authorization to the agency to use the remaining balance in the same or subsequent fiscal years for the same or similar authorized purpose, as reviewed and approved by the D.C. Ethics Officer. Otherwise, the Government of the District of Columbia will mail a refund check to the donor in the amount of any remaining balance.

3.   To the best of the Donor's knowledge, the donor is not aware of any transactions pending before any agency or the District government involving the Donor, nor any litigation pending against the government involving the Donor.

Donor's Signature: _____ Date: _____

RECEIVED BY: (To be completed by an authorized District Government Official)

_____   _____   _____
DCPS Official (Print)   **Signature**   **Date**

_____   _____   _____
**OPGS Official Name (Print)**   **Signature**   **Date**

THE FUND TO ADVANCE WASHINTON, DC

❏ [The online donations](#) page will create a vehicle where the public can financially support initiatives that support the Mayor's top policy priorities.

❏ Through the online donation page, individuals, foundations, and corporations will be able to make online donations to support different projects throughout the City.

❏ In addition to facilitating and expediting the donations process, the online donations page will encourage the public engagement.

ACCOUNTABILITY AND TRANSPARENCY

- ❑ Donations will be individually reviewed by the City's Donations Manager and the City's Ethics Counselor.

- ❑ Donations found not legally sufficient will be returned to the Donor.

- ❑ OPGS will publish a quarterly report on its website of all of the donations received through the online donations page.

- ❑ In addition, at the end of each quarter OPGS will send out thank you letters, as well as a quarterly donations newsletter.

LEGAL SUFFICIENCY
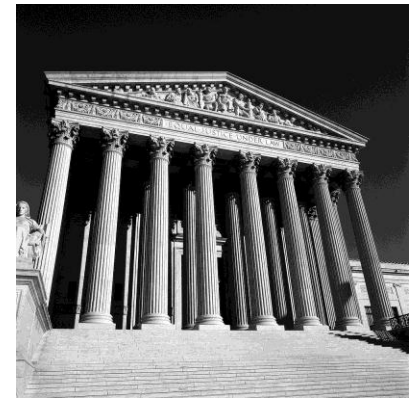
❑ A review by the OAG to identify potential legal impediments , including violations of our government ethics rules, and to determine if the agency has legal authority to use the donation

❑ Common problems involve possible conflicts of interest and apparent advertising—quid pro quo—and endorsement concerns

❑ A review to determine if the proposed donation is consistent with the agency's authorized purpose or duty

❑ No authority = No acceptance of donation

DONATION AGREEMENT

❑ An agreement between donor and District government

❑ Verifies that donation is bona fide and donated freely without expecting special treatment by the government

❑ Confirms that all parties agree to the Rules of Conduct Governing Donations

❑ Required to accept all authorized donations made to the District government

AAD#

DONATION AGREEMENT
BETWEEN THE DISTRICT OF COLUMBIA GOVERNMENT
AND ——————

1. _____ ("Donor") agrees to make a donation to _____(name of D.C. Government agency) of _____ (insert amount if funds, description of in-kind donation, property or other) to be used for the following purpose. The donation is being given freely without any expectation of special treatment by the government.

2. The donation will be used to augment its (identify what part of the agency budget will be augmented by the donation) _____. The donation is for an authorized purpose because it is consistent with the functions and purposes of the agency.

3. The donation is being made on the condition that the agency agrees to use the donation for the particular purpose stated in this agreement. If the agency does not use the full balance of the financial donation, I, the donor, give my express consent and authorization to the agency to use the remaining balance in the same or subsequent fiscal years for the same or similar authorized purpose, as reviewed and approved by the D.C. Ethics Officer. Otherwise, the Government of the District of Columbia will mail a refund check to the donor in the amount of any remaining balance. (State any other conditions that may apply).

☐ Yes, with my consent all remaining funds may be applied toward another D.C. Government program with a similar purpose in this fiscal year or subsequent years.

☐ No, please refund all remaining funds to the donor.

☐ Not Applicable

Please check the appropriate box.

4. The donor has read and agrees to be bound by the Rules of Conduct regarding Donations set forth in Mayor's Memorandum 2010-2, dated October 15, 2010.

5. To the best of the Donor's knowledge, the donor is not aware of any transactions pending before any agency or the District government involving the Donor, nor any litigation pending against the government involving the Donor.

6. The District of Columbia government acknowledges that systems are in place for the donation to be accepted by the government and the use of the donation may be properly tracked as required by the Section 115 of the District of Columbia Appropriations Act, 2003, Pub. L.108-7.

Signature of the Parties:

_____   Date: _____
Name:
Title:
Authorized official representing the Donor

_____   Date _____
Agency Representative
Agency name

_____   Date: _____
Office of Partnerships and Grant Services
on behalf of the District of Columbia Government

FINANCIAL DONATIONS

❑ All financial donations must be deposited in the 8450 Private Donations Fund.

❑ Unsolicited Donations under $500.00 ONLY exception.

❑ All checks **must be made out to the DC Treasury, unless donation is unsolicited and under $500.00.**

❑ In order to process the check, an executed Donation Agreement is required.

❑ No Donation Agreement = No Spending.

PROCESSING OF CHECKS

❑ Send copy of check and Donation Agreement to Donations Manager at cesar.vence@dc.gov

❑ Donations Manager will notify school when check is ready for processing

❑ Once notified that check is ready for processing, forward check to:

> District of Columbia Public Schools
> Office of the Chief Financial Officer
> Attention: Accounting Dept. – 11th Floor
> 1200 1st Street, NE
> Washington, DC 20002

WIRE TRANSFERS

❑ The recipient agency may accept a financial donation via a wire transfer between the donor and the D.C. Treasury

Bank Name: Wells Fargo

ABA Number: 054001220

Account Name: DC Government

Account Number: 2000043154623 – BANK ID 23W
**Reference**: "Contribution for ----"

DONATIONS VS. GRANTS

❑ A *grant* is an award of funds or other resources from a public or private entity, such as the federal government or a non-profit foundation.   In order to receive a grant, an agency generally must submit a proposal that has specific objectives and outcomes; in addition, there are generally various terms and conditions in the award agreement. Authority to expend grant funds must be included in an agency's approved budget.

❑ The term "*donation*" is broadly defined to include the voluntary contribution of funds, services, and property.

FOREIGN DONATIONS

❑ All requests for donations made by, or solicited from, foreign governments, and (when known) by or from foreign private sources, must first be directed to the Office of the Secretary for review and preapproval before going through OPGS' approval process.

NON-COMPLIANCE CONSEQUENCES
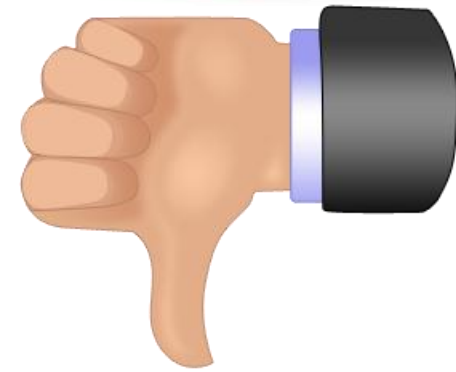
❑ Failure of a District government employee to follow the Rules of Conduct Governing Donations may lead to negative media coverage and potential embarrassment to the Mayor's Administration

❑ Failure of a District government employee to follow the Rules of Conduct Governing Donations may subject the employee to adverse personnel action (see 6 DCMR B1803.1(a)(5))

❑ Failure of a District government employee to follow the donation requirements may adversely affect the confidence of the public in the integrity of government (*see* 6 DCMR B1803.1(a)(6))

Summary

- ❏ Submit Application to Approve Donations (AAD) **octo.quickbase.com**

- ❏ Receive Legal Sufficiency

- ❏ Solicit the Donation

- ❏ Complete Donation Agreement

- ❏ Accept Donation

- ❏ Process Check

Key Contacts for the Donations Process

Name	Title	Agency	Phone Number
Cesar A. Vence	Donations Manager	OPGS	727-7996
Lafayette Barnes	Director	OPGS	727-8901
Marcel Guy	Donations Assistant	OPGS	727-7977
David Hyden	Assistant Attorney General/ Acting Ethics Counselor	OAG	724-6152
Tanya Francis	Accountant	OCFO	442-5244

Please visit OPGS' website at www.opgs.dc.gov or email cesar.vence@dc.gov for more details.

To obtain a copy of the Donations Handbook, please go to eom.in.dc.gov