Working Agreement between _____ Foundation and _____ School District

Effective: _____ Review by: _____

1. Who we are

The Foundation is an independent nonprofit corporation with its own board. The District is governed by the _____ school board / committee. Neither controls the other.

2. How grants and gifts are proposed

1. Teachers or staff submit ideas through _____ with the principal's sign-off.
2. The superintendent (or designee) confirms the idea fits district plans and can be sustained: _____
3. The Foundation board decides whether to fund, and tells the District in writing.

3. Accepting gifts

- Gifts to the District are accepted as the District's policy and the law require (often by a vote of the school board in a public meeting): _____
- Equipment and materials bought for the District become District property on delivery.
- Gifts with donor conditions are described in writing before the District accepts them.

4. Money

- The Foundation pays vendors directly / reimburses the District within _____ days of receipts.
- Unspent funds at the end of a project: _____

5. Names, logos and fundraising

- The Foundation may use the District's name and school logos only for: _____
- The District will not imply that the Foundation is part of the District, and the Foundation will not imply that it speaks for the District.
- Student names or photos are used only with the District's approval and permission required under its policies.

6. Communication

Liaisons: Foundation _____; District _____. They meet at least _____ times a year. Each side reports to its own board.

7. Ending the agreement

Either side may end this agreement with _____ days' written notice. Commitments already approved will be completed.

For the Foundation: _____ For the District: _____ Date: _____

State notes

- **Maine:** A school foundation is usually a Title 13-B nonprofit, not a public body — but the school board that accepts its gifts is, and acts in public meetings under FOAA. Annual report to the Secretary of State is due June 1.
- **New Hampshire:** A charitable school foundation must keep at least 5 unrelated voting directors and register with the Charitable Trusts Unit (RSA 292:6-a; RSA 7). The school board is a public body under RSA 91-A.
- **Massachusetts:** A school foundation is usually a chapter 180 corporation that files Form PC with the Attorney General. The school committee is a public body under the Open Meeting Law. Ask the district's counsel how gifts to the district must be accepted.

Sources

- Maine SOS: Annual reports for business and nonprofit entities are due June 1 — https://www.maine.gov/sos/news/annual-reports-business-and-nonprofit-entities-are-due-june-1-1
- Your Right to Know: Maine's Freedom of Access Act — https://www.maine.gov/foaa/
- RSA 292:6-a (charitable nonprofit boards: at least 5 unrelated voting members; no employee as chair) — https://www.gc.nh.gov/rsa/html/XXVII/292/292-6-a.htm
- NH DOJ Charitable Trusts Unit: CTU Forms (NHCT-11 registration, NHCT-12 annual report) — https://www.doj.nh.gov/bureaus/charitable-trusts/ctu-forms
- RSA 91-A:2 (meetings open to the public; notice; minutes) — https://www.gc.nh.gov/rsa/html/VI/91-A/91-A-2.htm
- M.G.L. c. 12, § 8F (public charity annual report; fees; audit and review thresholds) — https://www.mass.gov/info-details/mass-general-laws-c12-ss-8f
- MA AGO: The Open Meeting Law — https://www.mass.gov/the-open-meeting-law

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