

EDUCATIONAL TECHNOLOGY FOUNDATIONS AND PUBLIC SCHOOL FOUNDATIONS

The Essex County School Board may establish educational technology foundations for the express purpose of implementing a public/private partnership to expand access to and improve the quality of educational technology in the Essex County Public Schools Division.¹ The Essex County School Board may also establish public school foundations for the express purpose of implementing a public/private partnership to implement public school improvement projects approved by the Essex County School Board. Such foundations may be established directly by the Essex County School Board or by the Essex County School Board and other organizations or persons, on behalf of the Essex County School Board by a third party, or through a contract with a corporation as defined by Va. Code § 2.2-212.2:2. The foundations may be established as a cooperative regional effort with other school boards.

I. Requirements

Upon establishing or contracting with a corporation, whether or not other organizations, school boards, or persons are involved, the Essex County School Board shall:

- Review and approve the articles of incorporation and bylaws
- Establish a system of accounting to protect public funds
- Establish agreement that, upon dissolution of the corporation, any assets remaining after payment of just debts shall be transferred to and become the property of the Essex County School Board or, if a regional effort, the procedure by which the property may be divided among the school boards
- Require, in any instance in which the Essex County School Board advances, contributes or loans funds to the corporation, that such contract shall provide for the posting of a bond with surety by the officers of the corporation conditioned to protect the rights of the Essex County School Board
- Establish terms for the allocation of any profits or revenues between the Essex County School Board and the corporation
- Take such other steps as may be necessary to comply with applicable law

II. Funding

FOOTNOTE IS FOR REFERENCE ONLY AND SHOULD BE REMOVED FROM THE FINAL POLICY

¹ School boards may establish an Educational Technology Foundation, a Public School Foundation, both types of foundations or no foundation. If the Essex County School Board chooses to establish one type of Foundation but not the other, it should amend the policy as necessary to reflect that choice.

The Essex County School Board may (i) advance, contribute or loan funds to such foundations, and (ii) establish an escrow fund for the purpose of funding various educational technology projects.

III. Procurement

In making purchases through its public school foundation or purchasing educational technology through its educational technology foundation, the Essex County School Board is exempt from the Virginia Public Procurement Act, except, relative to such purchases, the Essex County School Board shall comply with the provisions of Va. Code §§ 2.2-4311 and 2.2-4367 through 2.2-4377.

Adopted: April 8, 2019

Legal Ref: Code of Virginia, §§ 2.2-4311, 2.2-4343, 2.2-4367 through 2.2-4377, 22.1-212.2:2.

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| Cross Refs.: | JRCA | School Providers' Use of Personal Information |
| | KA | Goals for School-Community Relations |
| | KH | Public Gifts to the Schools |
| | KM | Relations with Community Organizations |
| | KQ | Commercial, Promotional and Corporate Sponsorships and Partnerships |