

Polk State College District Board of Trustees Rule

Rule Number	Subject	Rule Making Authority	Statutory Reference	SBE Rule Reference	Effective Date
6Hx21 2.22	Polk State College Foundation, Inc.		FS 1004.70	6A-14.0247	8/27/18

The Polk State College District Board of Trustees has adopted the following policies regarding the Polk State College Foundation, Inc.

1. The Polk State College Foundation, Inc. (Foundation) is a separately incorporated body whose sole operating purpose is to provide Polk State College with resources for the advancement of the College, its students and faculty, and other constituencies, in fulfillment of the College's mission. The Foundation shall at all times manage and maintain its programs, functions, and undertakings in compliance with applicable Florida law, including Section 1004.70 of *Florida Statutes*, and adapt accordingly to changes in the law.
2. The College and the Foundation shall enter into an Operating Agreement for the purpose of defining the functions and operations of the Foundation. The Agreement shall state the goods, services, and facilities to be provided to the Foundation by the College and delineate the processes by which the two entities shall operate cooperatively for the benefit of the College, its students, and staff.
3. Polk State College recognizes the unique and special relationship between the Foundation and the College, and wishes to encourage Foundation activities that benefit the College. This relationship shall not confer special privileges onto other internal or external groups or persons associated with the Foundation.
4. Each year, prior to the commencement of the Foundation's fiscal year, the Foundation shall submit a proposed Plan of Work that must be approved by the Polk State College District Board of Trustees (DBOT). Any significant or material changes to the approved Plan of Work shall be reported to the DBOT, and approval shall be obtained if deemed appropriate by the Trustees. The Foundation's Plan of Work shall:
 - a. Outline the anticipated operations, functions, and activities of the Foundation for the coming year.
 - b. Provide a proposed budget.
 - c. List the College employees working either full time or part time in the operation of the Foundation, as well as indicate the office space and facilities provided by the College for the Foundation's use.
 - d. List College-related individuals who work on events, campaigns, and other functions that are undertaken by the Foundation.

- e. Include a certification by the Foundation that its operations during the previous year were in compliance with the requirements of this DBOT Rule and the Foundation's Operating Agreement with the College.
5. In consideration of the Foundation's activities and operations undertaken for the benefit of the College and its students, and pursuant to the Plan of Work approved by the Polk State College District Board of Trustees, the College shall provide the Foundation with the following resources:
 - a. Such staff as the College deems appropriate for the Foundation's operations.
 - b. Suitable offices and facilities for the Foundation's staff and activities.
 - c. Equipment, materials, services, and benefits as deemed to be reasonably required for Foundation operations.
 - d. Facilities and services of the College as deemed appropriate for Foundation operations, including for its special events and functions.
6. The Chair of the Polk State College District Board of Trustees shall appoint a representative to the Polk State College Foundation Board of Directors and its Executive Committee.
7. An independent auditor's report and financial statements shall be submitted annually to the Polk State College District Board of Trustees for review. In addition, the independent auditor shall report to the Board annually that the *Federal Income Tax Form 990* has been filed in a timely manner and is available for review.
8. During annual reporting, the Foundation shall inform the District Board of Trustees of the maintenance of its tax-exempt status (i.e., 501(c)(3) classification). This status shall not be revoked.

History

Adopted: July 25, 1983

Revised: July 25, 1988; April 19, 1995; February 26, 2001; October 26, 2009; and August 27, 2018