



# SAN PASQUAL BAND OF MISSION INDIANS

## TRIBAL GOVERNMENT DONATIONS POLICY

### I. PURPOSE

To define the Tribe's donations policy that pertains to Donations made from monies received from the Donations percentage allocation from the Casino's Tribal Revenue Allocation Plan.

### II. POLICIES

A. This policy supersedes all previous Tribal charitable contribution and donation policies.

B. For the purpose of this policy, donations shall be defined as:

#### 1. DONATIONS FOR THE BENEFIT OF THE PUBLIC

##### a. Donations for the Benefit of the Public

- i. Shall be defined as donations to charitable organizations, non-profit organizations, foundations and other organizations and/or entities that rely primarily on donations to support their ongoing operation.
- ii. Specific donations to any one organization are limited to \$5,000 in any calendar year.

#### 2. DONATIONS FOR FUNERALS

##### a. Funeral Donations

- i. Are donations to the family of a deceased individual for funeral expenses on account of the death of a Tribal member or the child (including a stepchild living with and raised by the Tribal member), spouse, grandchild or great-grandchild of a Tribal member.
- ii. Donations for funeral expenses shall be limited to \$2,500 per individual death.
- iii. Hardship Donation requests from direct descendants or other Tribes on account of death of a spouse or shall be limited to \$500 per individual death.

#### 3. DONATIONS FOR EDUCATION AND SPORTS PROGRAM ASSISTANCE

Donations may be given to Tribal members and Tribal lineal descendants, for qualified education and sports program assistance. Donations are limited to \$750 per Tribal member or lineal descendant. Requests for Education or Sports assistance shall not exceed \$750 in any one calendar year. Donations

for fitness activities shall be paid only one month at a time, until the \$750 limit is reached.

- a. **Education assistance** shall be defined as financial assistance for tuition, books or other related costs associated with the pursuit of grammar school, Jr. High and high-school, college or university degree, certification, vocational training, or desire to improve one's knowledge, or skills.
  - i. Education assistance shall include computers, laptops\tablets, and IPADs or similar electronic devices.<sup>1</sup> Assistance requests for these types of electronic devices must be supported by receipts or proof of purchase.
  - ii. Also included in the definition of education assistance are dance lessons, music lessons voice lessons and foreign language classes when these activities are offered by a skilled or professional coach or instructor conducted in a formal, organized manner, such as a school, business, community or civic organization or other governmental unit or Tribe.
  - iii. Food is not an eligible expense under this donations assistance policy.
  - iv. Home school assistance is approved for such items as supplies, dues, subscriptions, and books. The Tribe will not help with internet connectivity or reimburse for furniture.
  - v. Early childhood education at an accredited facility will qualify if reasonable and directly related to program expenses.
  - vi. Daycare is not an approved expense and does not qualified for reimbursement under this donations assistance policy.
  - vii. The Business Committee reserves the right to suspend future assistance to an individual applicant. Grounds for suspension occurs when a complaint or allegation arises concerning the individual applicant, and evidence is provided that shows the applicant has abused the intent of this policy.
    - a) Violations of policy include but are not limited to the following:
      - Resale of any item(s) acquired with education assistance funds within three (3) years.
      - Return of any item(s) acquired with education assistance funds to the vendor in exchange for a cash refund and the funds are not promptly returned to the Tribe.
    - b. Persons who have been found and determined to have violated this policy, will no longer be eligible for education assistance in the future.
    - c. This action may be appealed to the Business Committee within 10 days of being notified of a written decision to terminate future education funding.
- ix. There is no age limit to receiving education assistance.
- b. **Sports assistance** shall be defined as financial assistance for participation in organized fitness activities, community sports activities (e.g.,

Little League Baseball, Youth Soccer, tennis tournaments or instruction, Pop Warner Football, Basketball leagues or any other organized competitive sports activity). Fitness activities shall include fitness trainers and coaches as part of a program and exclude gym fees and health club memberships. Reimbursement will be on a per month basis not to exceed \$750 in any one calendar year. Fees paid for seasonal sports are limited to no more than 4 months of consecutive participation. Donations for qualified sports programs are limited to Tribal members and Tribal lineal descendants up to 26 years of age.

#### 4. DONATIONS FOR CHARITABLE AND/OR EDUCATIONAL TRIPS ASSISTANCE

- a. Educational Trip assistance shall be defined as financial assistance for domestic trips of short duration (less than 15 days) which further the knowledge, skills or cultural/civic awareness of a Tribal or lineal member. These trips must be organized through an educational institution to include elementary, junior high, high school, charter schools, and colleges
- b. Only travel and lodging expenses will be considered when determining the donation amount. Food is not eligible for donation assistance. Admission fees to museums and parks and heritage sites will be considered on a case by case basis.
- a. The Annual 8<sup>th</sup> Grade Washington, D.C. trip will be paid up to \$2,500.<sup>2</sup>

### III. PROCEDURES

#### A. REQUESTS FOR DONATIONS

1. Requests for **education and sports** donations must be accompanied by an fully completed application. (Enclosure 1)
2. Requests for charitable **donations** must be accompanied by a letter from the charitable organization describing the organization and its purpose, how the donation will be used, and who or what will benefit from the donation.
3. Requests for **Educational Trip** assistance will be accompanied with a letter from the educational organization describing the Trip, its educational benefits, and costs.

#### B. DISBURSEMENT OF FUNDS

Funds shall be dispersed directly to the organization, vendor, or entity, rather than to the individual requesting the donation unless the individual has paid the donation and provided proof payment to the Business Committee No reimbursement will be made if the Business Committee is not fully satisfied that the donation has in fact been paid to a qualifying vendor or entity.

#### C. MISUSE OF FUNDS

Donation funds not used for their intended purpose will be collected from the beneficiary or other responsible tribal member or lineal and reimbursed to the

Tribe in accordance with the San Pasqual Band of Mission Indians Collection Policy.

D. FINANCE DEPARTMENT

The Finance Department shall compile all requests and obtain the execution of all forms and shall make all disbursements. Due to the volume of requests, the Finance Department may approve requests for donations up to \$750. The Business Committee may agree on an individual or group of individuals who are required co-signers on these donations; otherwise, the standard check signing policy will apply.

E. EXCEPTIONS TO THIS POLICY

No exceptions to this Policy shall be permitted unless approved by a majority vote of the Business Committee at a duly called meeting with a proper quorum, which shall be duly noted in the notes of such meeting.

F. OVER-BUDGET EXPENDITURE RESOLUTIONS

1. If the total Donations expenditures are over-budget at any point in time and the over budgeted expenditures do not have an identified source of alternative funding, then Donations in the subsequent periods must be adjusted/reduced to meet budget targets.

2. Allocation.

- a. To assure that Donations meet budget, donation requests after the period in which an over-budget condition is identified shall be accumulated for one month and shall be allocated among the applicants at the end of the month.
- b. The allocation may be done so that the Donations budget will balance by the end of the year, or it may be done so that the Donations budget will balance at the end of the next accounting period (month).
- c. In allocating donations, Tribal members shall have first priority and shall receive 100% of the donation requested if the combined donation requests from Tribal members do not exceed the amount available for expenditure for that period (month).
- d. If the donation requests from Tribal members exceed the amount available for expenditure, then the donation disbursements shall be equitably allocated among the Tribal members and the requests on behalf of Tribal lineal descendants shall not be funded.
- e. If there are available funds after Tribal member requests have been funded, the remaining available donation disbursements shall be equitably allocated among the requests on behalf of Tribal lineal descendants.

3. Unfunded Requests

- a. Unfunded requests shall be carried over and added to the pool of donation requests in the following month and thereafter, but shall not be carried beyond the calendar year, when a new budget shall be applied, and donation requests begin again.
- b. Unfunded Donations requests at the end of the year may be funded from sources other than the amount allocated to Donations under the Tribal Revenue Allocation Plan. However, if they are not funded from another source, these requests shall lapse in their entirety and shall not be carried over to the new budget calendar year

<sup>1</sup> Revision 2 allows for inclusion of computers and other devices.

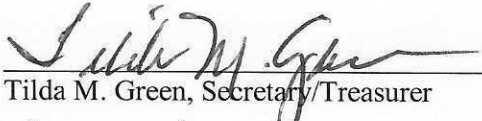
<sup>2</sup> Revision 1 changed amount up to \$2,500.

## BUSINESS COMMITTEE APPROVAL

This Tribal Government Donations Policy is hereby adopted and approved by the San Pasqual Band of Mission Indians of Business Committee on February 6, 2020 and shall be updated and amended when appropriate at the discretion of the Business Committee to assist in administration of the San Pasqual Donations Fund.

  
Stephen W. Cope, Chairman

  
Justin Quis Quis, Vice Chairman

  
Tilda M. Green, Secretary/Treasurer

  
David L. Toler, Councilman

  
Joe Chavez, Councilman

**San Pasqual Band of Diegueño Mission Indians of California**

Check One:  **Education**  **Sports Donation Request**

Tribal Member Name: \_\_\_\_\_ Enrollment # \_\_\_\_\_

Beneficiary: \_\_\_\_\_ (indicate lineal relationship of  
tribe member to beneficiary): \_\_\_\_\_ DOB: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Purpose of

Donation: \_\_\_\_\_

Name of Program

Provider: \_\_\_\_\_

Amount of Donation Request: \$ \_\_\_\_\_

Amount cannot exceed \$750.00 per calendar year.

Has the beneficiary received more than the stated maximum amounts in the past 12 months? \_\_\_\_\_

**Education Donation: APPLICANTS NO AGE LIMIT.**

**PROOF OF EDUCATION PARTICIPATION WHEN REQUESTING REIMBURSEMENT.**

**Terms:** Application may be made by tribal members only or the Business Committee or SPBMI Tribal Administration in lieu of a living tribal member. Applicant certifies by his/her signature below that the sports donation shall be used for the individual(s) and for the purpose(s) indicated. If, after audit or inquiry, it is determined that such is not the case, the applicant agrees to reimburse the tribe for the amount of the donations made under this request, which shall be paid via voluntary per capita withholding in the next per capita disbursement. Applicant makes an irrevocable assignment of per capita in the amount of donations made under this request, which shall be executed via voluntary per capita withholding as stated in the preceding sentence. The irrevocable assignment shall be withdrawn if the donation is used for the individual(s) and for the purpose(s) indicated.

**Sports Donation: APPLICANTS 26 YEARS OF AGE OR YOUNGER MAY APPLY.**

**PROOF OF SPORT PARTICIPATION WHEN REQUESTING REIMBURSEMENT.**

Sports donations shall only be made as financial assistance for participation in organized sports fees paid for seasonal sports (no more than 4 months of consecutive participation) may be paid for the entire season in one request. Non-seasonal sports fees may be paid on a monthly basis. *Gym and all other fitness membership fees shall be excluded from the sports donation program until further notice.*

**Reimbursement request must be within ninety (90) days of original receipt. If paid by bank cards, prepaid cards, or check, copies of bank statements must be attached to verify transaction has cleared.**

Reimbursement may be made upon receipt, and proof of payment (which shall include separate verification by the finance department of the fact of payment and qualification for donation prior to disbursement). Please allow 7 to 10 business days after the date of your properly completed donation request.

Signature: (individual taking custody of check): \_\_\_\_\_

Tribal Member Signature: \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Telephone: (Tribal Member): (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

Name: (requesting individual): \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Telephone: (requesting individual): (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_ Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_