

Gift and Donation Policy

Purpose and Authority

The Newark Public Library ('Library') accepts gifts and donations in support of its mission to provide educational, informational, and cultural services to the community. This policy is established in accordance with the New York Education Law, particularly section 257 which grants libraries the authority to accept gifts, grants, devices, and bequests for library purposes.

General Principles

1. All gifts and donations must advance the Library's mission and strategic goals.
2. The Library reserves the right to decline any gift or donation that does not serve its mission or community interests.
3. All donations become the property of the Library upon acceptance, unless otherwise specified in a written agreement.
4. The Library will acknowledge all gifts.

Monetary Donations

General Policy

The Library accepts monetary donations to support its operations, programs, and services. Unless otherwise agreed upon in writing between the donor and the Library prior to the donation, all monetary gifts will be used at the sole discretion of the Library Board of Trustees to further the Library's mission and strategic objectives. Donors who wish to make a tax-deductible gift through the Friends group can do so directly.

Cash Handling and Processing

- All cash donations must be immediately documented with a receipt and deposited according to the Library's cash handling procedures.
- All monetary donations will be recorded in the Library's accounting system with proper documentation and following all fiscal control policies and procedures.

Investment and Management

- Donated funds will be managed in accordance with General Municipal Law §11 and other applicable investment regulations.
- For donations constituting a "true trust," special handling and investment restrictions may apply as determined by legal counsel.

Conditional Monetary Gifts

Conditional monetary gifts may be accepted in accordance with Education Law §257, provided that:

- The conditions are clearly defined in a written agreement.
- The Library Board of Trustees approves the acceptance by majority vote.
- If the gift requires ongoing annual appropriations, approval by the Board of Regents may be required.
- All conditions must be legally enforceable and not conflict with the Library's mission or policies.

Physical Item Donations

General Requirements

- All physical items must be formally accepted by Library staff before being considered a donation.
- All items must be in good condition (clean, undamaged, free of mold, stains and significant writing), otherwise they will be disposed of.
- No items may be left at the Library without prior acceptance.

- Items that do not help the Library meet its mission or strategic goals will not be accepted.
- The Library may dispose of donated items at its discretion while in compliance with all applicable laws.
- The Library does not accept encyclopedias, or textbooks, outdated materials, or materials that are unhealthy or dangerous to handle, materials in antiquated formats, such as VHS, cassette tapes, and CDs.

Pantry Items Donations

Acceptance Criteria

- Nonperishable food items (unexpired)
- New Hygiene products
- Fresh produce not requiring refrigeration

Unacceptable

- Contraceptives
- Expired or open products
- Broken seals on cans or packaging
- Medication
- Alcoholic beverages

Library Materials and Collections

Acceptance Criteria

- Donated materials must align with the Library's Collection Development Policy.
- Materials must be in acceptable condition.
- The Library will evaluate materials based on community need, relevance, and condition.

Memorial Donations

- The library will gratefully accept memorial donations in the forms of cash, check, or physical material that meets the library standard set forth in the Collection Development Policy.
- The library may add a digital and physical bookplate, if requested.

Business & Service Donations

- The library will gratefully accept donations of goods and services from businesses.
 - For businesses providing onsite services, proof of insurance will be required.
- The library may acknowledge donations from businesses through social outlets and physical displays.

Intellectual Property and Rights

- Donors must provide clear title to all donated materials.
- Deed of gift forms will be used to clarify ownership transfer and rights.
- Copyright and privacy concerns will be addressed, particularly for materials intended for digitization or online access.
- Donors must disclose any known intellectual property restrictions.

Processing and Disposition

- The Library will catalog and process accepted materials according to professional standards.
- Materials not added to the collection may be disposed of through sale, donation to other institutions, or recycling.
- Disposal of materials will comply with the library's Disposal and Sales of Surplus or Donated Item Policy.

Property Donations (Land/Buildings)

Pre-Acceptance Requirements

Property donations require extensive due diligence and must include:

- Investigation and verification of clear title
- Professional survey and environmental inspection
- Review of zoning restrictions and land use regulations
- Consultation with real estate attorney and Library legal counsel
- Assessment of ongoing maintenance and operational costs

Approval Process

- All property donations require Board of Trustees approval by majority vote.
- Proper deed recording and title transfer procedures must be completed.
- Insurance coverage must be updated immediately upon acceptance.
- Budget provisions for ongoing care and maintenance must be established.

Equipment and Furniture

- Equipment donations must meet current technology standards and safety requirements.
- Furniture must comply with accessibility standards and fit the Library's space planning needs.
- Installation and maintenance costs will be evaluated before acceptance.

Facility Use Donations

When facility use is donated or provided at reduced rates:

- Written agreements must outline all terms, rules, and responsibilities.
- Insurance requirements and liability provisions must be clearly specified.
- Indemnification and hold harmless clauses must be included.
- All arrangements must comply with the Library's Facility Use Policy and avoid prohibited inurement or aid.

Donor Recognition and Privacy

- Donors may request anonymity, which will be respected.
- Donor information will be kept confidential unless disclosure is required by law or authorized by the donor.

Rejection and Return

The Library reserves the right to:

- Decline any gift that does not serve its mission or community interests.
- Return items that are found to have legal, ethical, or practical problems after initial acceptance.
- Refuse gifts with conditions that are unreasonable or impossible to fulfill.

Record Keeping

Gifts and donations may be documented with:

- Donor information and contact details
- Description and estimated value of the gift
- Date of acceptance and any conditions
- Acknowledgment and thank you correspondence
- Disposition records for items not retained

Adopted by the Newark Public Library Board of Trustees on November 13, 2025