



AUTHORIZING THE USE OF COLLEGE RESOURCES BY NON-COLLEGE ENTITIES

I. INTRODUCTION

A gift is a voluntary transfer of money, goods or services without any compensation or consideration. Article VIII of the New York State Constitution prohibits a municipality from giving or loaning its funds, services or property to a private individual, corporation or association. Although municipalities may not give funds to a private entity, they may contract with such entities to provide specific services that constitute a proper municipal purpose.

Suffolk County Community College adheres to this law because it is funded, in large part, by public monies. The College is mindful, therefore, that while part of its mission is to promote the social and economic development of the community it serves, it may not give or loan its funds, services or property to private individuals or outside entities unless it is for a lawful College purpose, and for a fair and reasonable compensation or other just consideration.

This policy provides guidance for the College's provision of services or resources to private individuals or outside entities.

II. REQUESTS BY MEMBERS OF THE BOARD OF TRUSTEES

- A. Any member of the Board of Trustees who wishes to request the services of College employees and/or the use of College resources or facilities for the benefit of a private individual or outside entity shall make such request, in writing, to the Chairperson of the Board of the Trustees, the College President and the College General Counsel.
- B. If, after evaluation of such request by the College's Office of Legal Affairs as provided in paragraph IV(A), herein, a written agreement is warranted, the request may only be authorized and approved by the College's Board of Trustees.

III. REQUESTS BY COLLEGE EMPLOYEES

- A. Any employee of Suffolk County Community College who wishes to request the services of College employees and/or the use of College resources for the benefit of a private individual or outside entity shall make such request, in writing, to the College General Counsel, who, after evaluation as provided in paragraph IV(A) herein, may authorize and approve such request.
- B. Any employee who wishes to request the use of College facilities shall submit an *Application for Use of Facilities* to the College's Office of Special Events and Programs.

IV. EVALUATION OF REQUESTS AND CONTRACTUAL REQUIREMENTS

- A. The College's Office of Legal Affairs shall evaluate all such requests to ensure compliance with the mission of the College, and with the all College policies and New York State law, including, but not limited to, the New York State Constitution, General Municipal Law and Public Officers Law, as well as any applicable Federal laws, rule and regulations.
- B. If deemed warranted by the Office of Legal Affairs, a commitment to engage the services of College employees and/or the use of College resources or facilities shall be reflected in a written agreement, signed by both the College President or his designee and an authorized signatory of the private individual or outside entity. Such agreement shall set forth all necessary terms and conditions, including a provision for fair and reasonable compensation or other just consideration.
- C. The College reserves the right to decline any request for the services of College employees and/or the use of College resources or facilities which is not in keeping with the mission and goals of a public, non-partisan educational institution.

Board of Trustees
August 18, 2016