

A Resolution of the Scientific and Cultural Facilities District  
Pertaining to Statutory Exclusion of Educational Institutions

WHEREAS, C.R.S. §§32-13-103(4), (7)(a) and (b)(I) exclude any educational institution from being eligible for SCFD funding as a cultural or scientific facility; and

WHEREAS, §§32-13-106 (2)(b) and (2)(k) authorize the SCFD Board of Directors to adopt and amend rules of procedure and determine the eligibility of organizations that apply to the district for moneys; and

WHEREAS, §32-13-106(2)(d) authorizes the Board of Directors to engage staff to assist the board in its duties; and

WHEREAS, the Board of Directors has examined the legislative history and legislative intent behind the creation of the Scientific and Cultural Facilities District through HB 87-1138 and desires to implement policy clarifying that legislative intent with respect to the exclusion of educational institutions; and

WHEREAS, the Board of Directors issued public notice of this proposed policymaking process and afforded an opportunity for public comment at its regular monthly board meetings in September and October;

THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE SCIENTIFIC AND CULTURAL FACILITIES DISTRICT AS FOLLOWS:

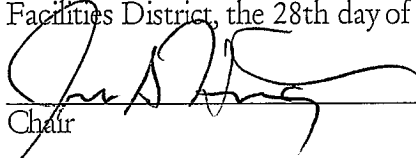
Section 1. Educational institution shall be defined as: any public or private preschool, elementary, or secondary school, or any institution of vocational, professional, or higher education; any educational foundation.


Section 2. Any organization that identifies itself as a school on IRS Form 990 will be considered an educational institution for purposes of this policy.

Section 3. The SCFD staff shall review an organization's mission statement, sources of revenue, program expenditures, activities and service to the public, IRS reporting documents, charitable solicitation records and other appropriate resources when determining eligibility under the provisions of this policy.

Section 4. Any organization that was eligible for funding prior to July 1, 2010 and that applies to receive SCFD funds on and after July 1, 2013, must be in compliance with this policy.

Introduced and approved at a regular meeting of the Board of Directors of the Scientific and Cultural Facilities District, the 28th day of October, 2010.

  
Chair

ATTEST:  
  
Secretary

