

HAWAII ADMINISTRATIVE RULES

TITLE 8

DEPARTMENT OF EDUCATION

SUBTITLE 3

PUBLIC LIBRARIES

CHAPTER 209

DONATIONS TO PUBLIC LIBRARIES

§8-209-1 Applicability. This chapter governs the receipt of cash and non-cash donations from individuals or organizations to the public libraries. [Eff 8/7/93; comp 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: HRS §§312-1, 312-2)

§8-209-2 REPEALED. [R 05/24/2010]

§8-209-3 Non-cash donations. (a) The system shall receive all non-cash donations (e.g., books, tapes, equipment) from individuals and organizations for use by the public libraries.

(b) Non-cash donations may be made at any public library in the system.

(c) Donors shall be issued an acknowledgment for donated items upon request. The acknowledgment form, substantially similar to the form which is located at the end of this chapter as Exhibit 1, entitled "Gift Acknowledgment", dated 1996, and made a part of this section, shall indicate the type of donation and not the value.

(d) Non-cash donations may be added to the collection of a specific public library. However, the donated item may be available for use at any public library in the system. [Eff 8/7/93; am and Comp 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: HRS §§312-1, 312-2)

§8-209-4 Cash donations. (a) The system shall receive all cash donations from individuals and organizations for use by the public libraries.

(b) Cash donations may be made at any public library in the system.

(c) For cash donations of \$100 or more donors shall receive an authorization form, substantially similar to the form which is located at the end of this chapter as Exhibit 2, entitled "Cash Gift Authorization", dated 2007, and made a part of this section. Donors shall indicate any restrictions to the cash gift on the form. [Eff 8/7/93; am and comp 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: HRS §§312-1, 312-2)

§8-209-5 Approval by state librarian. All cash and non-cash donations over \$500 shall be approved by the state librarian before being accepted by the system. [Eff 8/7/93; am 1/2/96; comp 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: HRS §§312-1, 312-2)

§8-209-6 Trust funds. All restricted cash donations over \$10,000 will be submitted to the department of accounting and general services to be established as a separate trust fund or deposited and expended in any manner authorized by law. [Eff 8/7/93; comp 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: HRS §§312-1, 312-2)

§8-209-7 Right to determine use of non-cash donations. (a) The system shall evaluate all non-cash donations for inclusion in the public libraries' collections.

(b) Items shall be evaluated for suitability based upon:

- (1) Condition of the item;
- (2) Age of the item; and
- (3) Applicability of the item.

(c) Items not added to the collection may be donated to the friends of the library of Hawaii or any affiliate chapter. [Eff 8/7/93; comp 05/24/2010] (Auth: HRS §§296-19, 312-1) (Imp: HRS §§312-1, 312-2)

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DEPARTMENT OF EDUCATION

Amendments to and compilation of chapters 8-201.1, 8-201.2, 8-205, 8-206.1, 8-206.2, 8-207 and 8-209, Hawaii Administrative Rules, on the Summary Page dated April 15, 2010, were adopted on April 15, 2010, following a public hearing held on March 18, 2010 after public notice was given in The Honolulu Star Bulletin, Hawaii Tribune-Herald, West Hawaii Today, The Maui News, and The Garden Island on February 12, 2010.

The amendments and compilation shall take effect ten days after filing with the Office of the Lieutenant Governor.

GARRETT TOGUCHI

Chairperson
Board of Education

LINDA LINGLE

Governor
State of Hawaii

Dated: _____

Filed

APPROVED AS TO FORM:

Deputy Attorney General

[Standard 8-209 amended EXHIBIT 1 Gift Acknowledgment.pdf](#)

[Standard 8-209 amended EXHIBIT 2 Cash Gift Auth.pdf](#)