

**EXPANDING ELIGIBILITY FOR ABBIE W. DEANE SCHOLARSHIPS  
FUNDED BY THE WILL OF CHARLOTTE A. HEDGE**

**Talking Points (11/12/24)**

**Introduction**

- A small team of people from the Town, Brookline High School, and the Brookline Community Foundation Scholarship Committee has been working over the past 6 months to expand eligibility to receive financial assistance from the Abbie Deane Fund to qualified female BHS students who need financial help with college expenses.
- Established in 1923 upon the death of the donor, Charlotte A. Hedge, by a \$3,000 bequest to the Town of Brookline, this Fund currently has a value of over \$3.2 million and is restricted in the donor's will to graduates attending Radcliffe or Simmons College.
- We seek the approval of the School Committee and the Select Board to petition the Supreme Judicial Court to modify these restrictions, thereby making the funds available to any female BHS student regardless of the college she will be attending, consistent with other conditions recommended by the Town Counsel's Office.

**Why this is important**

- In May 2024, a total of \$507,000 in scholarships was awarded to 129 BHS graduates, \$313,000 managed by the Town and \$194,000 managed by the Brookline Community Foundation. Most of these scholarships are for the first year of college only.
- The BCF-managed funds include a \$90,000 ARPA grant for annual scholarships for Steps to Success students that will end in 2026.
- Broadening the Abbie Deane Fund to all financially needy female students would help replace the ARPA Steps to Success funds and make it possible to give more students multi-year awards.
- The annual interest from the Abbie Deane Fund would provide significant additional scholarship support to BHS graduates. In the fiscal year ending on June 30, 2024, for example, the Abbie Deane Fund earned \$233,000.

**Underutilization of the Abbie Deane Fund**

- In her will, drafted in 1914, Charlotte Hedge, a longtime Brookline resident, made a \$3,000 bequest to the Town to establish the Abbie Deane Fund to provide scholarships to BHS graduates attending Radcliffe College or Simmons College. Abbie Deane was a beloved teacher at BHS beginning in 1861, and who died in 1888. Charlotte's will stated that the first award could be made when the Fund earned "an income at the rate of \$200 a year." The first award was made in 1941.

- Restricting the Abbie Deane Fund scholarships to Radcliffe or Simmons has caused this fund to be underutilized for many decades, resulting in its value of over \$3.2 million today.
- In 1999, Radcliffe merged financially with Harvard, which meets the full financial need of all admitted students. Because BHS scholarships are awarded based on unmet financial need, this means that currently only Simmons students have received Abbie Deane scholarships in recent years.
- Between 2018 and 2024 only 15 students – all attending Simmons University - have received scholarships from the Deane Fund, totaling \$113,000, leaving over \$3 million on the table.

### **Process for lifting the Abby W. Deane Fund restrictions**

- We have secured a copy of Charlotte Hedge's original will, filed at her death in June 1923, from the Norfolk County Probate Court.
- We also have discussed lifting the restrictions with Scott Butchart, the scholarship coordinator at BHS, Lincoln Heineman, the Town's Finance Director, and Susan Harris, Associate Town Counsel. All agree that doing so would better serve BHS graduates in need of financial help with college expenses and indicated a willingness to help with this effort.
- We are asking for your approval to pursue this course of action.
- With your support and the Select Board's approval of this litigation (as required) the Town Counsel's office will request the assent of the Massachusetts Attorney General's Nonprofit Organizations/Public Charities Division to a petition to the MA Supreme Judicial Court applying *cy pres*, to modify the existing restrictions on the use of the Abby W. Deane Scholarship Fund. *Cy pres* is a legal doctrine that permits the modification of a charitable bequest terms to avoid waste, while staying as close as possible to the donor's original intention.
- Massachusetts law requires the Attorney General be a party to a *cy pres* petition.
- Once the assent of the Attorney General is secured for the Town's petition, Town Counsel's Office will file the petition with the Supreme Judicial Court.

### **Why Now?**

In 2026 the ARPA grant that provides \$90,000 per year to Steps to Success students and other financial needy students will end. Without the ARPA money, about \$100,000 would be available annually from the BCF managed funds along with the BHS/Town managed funds that provided \$313,000 in scholarships in 2024.

If the Abbie Deane Fund, is granted legal permission to award scholarships to female BHS graduates attending any college, we estimate that more than \$100,000 of additional annual

income will become available. This will more than cover the loss of the annual \$90,000 ARPA grant funded scholarships.

If nothing is done, the Abbie Dean Fund value will continue to grow. The few female graduates attending Simmons each year will still receive scholarships, and the unused portion of the annual income of the Fund will be reinvested. The major beneficiaries of that decision will continue to be the Fund investment managers who receive an annual fee, rather than the deserving BHS women graduates who need financial assistance.