

GEORGIA STATE UNIVERSITY FOUNDATION, INC.

Policy number/name: 2.6 Gift Acceptance Policies Appendices
2.6.1 Model Standards of Practice for Charitable Gift
Planners

Issuing date: 6/4/2008 **Effective date:** 6/4/2008

Policy approved by: Board of Trustees

Governance oversight by: Development Committee

I. Revision history

Adopted 12/2/2004

Triennial Review and Amendment completed 6/4/ 2008

II. Purpose of the policy/Policy statement

From Gift Acceptance Policy Title I, Principles and Definitions:

I. Ethics

The foundation shall conduct its planned giving program in accordance with the “Model Standards of Practice for Charitable Gift Planners” (Appendix 1) of the National Committee on Planned Giving (NCPG), the American Council on Gift Annuities (ACGA) and the “The Donor Bill of Rights” (Appendix 2) developed by the American Association of Fund-Raising Counsel (AAFRC), Association for Healthcare Philanthropy (AHP), Council for Advancement and Support of Education (CASE) and the Association of Fundraising Professionals (AFP).

Interpretive Note. The University System of Georgia “Guiding Principles for Cooperative Organizations” states that it “is the responsibility of each institution to support the institution [university] at all times in a cooperative, ethical and collaborative manner...” (item 2) and each “Cooperative Organization shall develop policies and procedures to establish ethical standards to ensure that no conflict of interest occurs between its members and employees and the activities of the

cooperative organization and the institution. (Item 9)" (DWB, 6/29/07)

II. Definitions

See Gift Acceptance Policy Title I, Principles and Definitions

III. Applicability

The policy applies to all gift and pledges to the foundation.

IV. Exceptions

The policy generally does apply to gifts directly to the university or gifts to other cooperative organizations. The "exception to the exception" is tangible gifts of personal property (gifts-in-kind) to the university.

V. Detailed policy statement

MODEL STANDARDS OF PRACTICE FOR CHARITABLE GIFT PLANNERS

PREAMBLE

The purpose of this statement is to encourage responsible gift planning by urging the adoption of the following Standards of Practice by all individuals who work in the charitable gift planning process, gift planning officers, fund raising consultants, attorneys, accountants, financial planners, life insurance agents and other financial services professionals (collectively referred to hereafter as "Gift Planners") and by the institutions that these persons represent.

This statement recognizes that the solicitation, planning and administration of a charitable gift is a complex process involving philanthropic, personal, financial and tax considerations, and as such often involves professionals from various disciplines whose goals should include working together to structure a gift that achieves a fair and proper balance between the interests of the donor and the purposes of the charitable institution.

I. PRIMACY OF PHILANTHROPIC MOTIVATION

The principal basis for making a charitable gift should be a desire on the part of the donor to support the work of charitable institutions.

II. EXPLANATION OF TAX IMPLICATIONS

Congress has provided tax incentives for charitable giving, and the emphasis in this statement on philanthropic motivation in no way minimizes the necessity and appropriateness of a full and accurate explanation by the Gift Planner of those incentives and their implications.

III. FULL DISCLOSURE

It is essential to the gift planning process that the role and relationships of all parties involved, including how and by whom each is compensated, be fully disclosed to the donor. A Gift Planner shall not act or purport to act as a representative of any charity without the express knowledge and approval of the charity, and shall not, while employed by the charity, act or purport to act as a representative of the donor, without the express consent of both the charity and the donor.

IV. COMPENSATION

Compensation paid to Gift Planners shall be reasonable and proportionate to the services provided. Payment of finders' fees, commissions or other fees by a donee organization to an independent Gift Planner as a condition for the delivery of a gift is never appropriate. Such payments lead to abusive practices and may violate certain state and federal regulations.

Likewise, commission-based compensation for Gift Planners who are employed by a charitable institution is never appropriate.

V. COMPETENCE AND PROFESSIONALISM

The Gift Planner should strive to achieve and maintain a high degree of competence in his or her chosen area, and shall advise donors only in areas in which he or she is professionally qualified. It is a hallmark of professionalism for Gift Planners that they realize when they have reached the limits of their knowledge and expertise, and as a result, should include other professionals in the process. Such relationships should be characterized by courtesy, tact and mutual respect.

VI. CONSULTATION WITH INDEPENDENT ADVISORS

A Gift Planner acting on behalf of a charity shall in all cases strongly encourage the donor to discuss the proposed gift with competent independent legal and tax advisers of the donor's choice.

VII. CONSULTATION WITH CHARITIES

Although Gift Planners frequently and properly counsel donors concerning

specific charitable gifts without the prior knowledge or approval of the donee organization, the Gift Planners, in order to insure that the gift will accomplish the donor's objectives, should encourage the donor, early in the gift planning process, to discuss the proposed gift with the charity to whom the gift is to be made. In cases where the donor desires anonymity, the Gift Planners shall endeavor, on behalf of the undisclosed donor, to obtain the charity's input in the gift planning process.

VIII. DESCRIPTION AND REPRESENTATION OF GIFT

The Gift Planner shall make every effort to assure that the donor receives a full description and an accurate representation of all aspects of any proposed charitable gift plan. The consequences for the charity, the donor and, where applicable, the donor's family, should be apparent, and the assumptions underlying any financial illustrations should be realistic.

IX. FULL COMPLIANCE

A Gift Planner shall fully comply with and shall encourage other parties in the gift planning process to fully comply with both the letter and spirit of all applicable federal and state laws and regulations.

X. PUBLIC TRUST

Gift Planners shall, in all dealings with donors, institutions and other professionals, act with fairness, honesty, integrity and openness. Except for compensation received for services, the terms of which have been disclosed to the donor, they shall have no vested interest that could result in personal gain.

Adopted and subscribed to by the National Committee on Planned Giving (NCPG) and the American Council on Gift Annuities (ACGA), May 7, 1991. Revised April 1999.

Source: <http://www.ncpg.org/stds.html>. Accessed 23 July 2001.

HELP

People to contact

Position Title

Director, Gifts and Records Management

Vice President for Development/President of the Foundation

Assistant Vice President for Development/Chief Financial Officer of the
Foundation
Associate Vice President for Development (Development Resources)

Additional information and helpful resources

NCPG Counting Guidelines, 2nd Edition
CASE Management and Reporting Standards, 3rd Edition

Foundation policies

- 2.1 Gift Acceptance Policy Title I, Principles and Definitions
- 2.2 Gift Acceptance Policy Title II, Outright Gifts
- 2.3 Gift Acceptance Policy Title III, Pledges
- 2.4 Gift Acceptance Policy Title IV, Planned Gifts
- 2.5 Gift Acceptance Policy Title V, Restrictions on Gifts
- 2.6.1 Donor Bill of Rights