

GEORGIA STATE UNIVERSITY FOUNDATION, INC.

Policy number/name: 2.1 Gift Acceptance Policy Title I, Principles and Definitions

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

The board of trustees of the foundation finds that the orderly and expeditious handling of gifts requires policy guidance from the board to protect the interests of donors, the university and the foundation. This policy provides for the acceptance, valuation and disposition of gifts to the foundation. It was developed as a resource for developing campaign reporting guidelines and foundation procedures.

Interpretive Note. The charter of the foundation was granted on January 13, 1958 and amended in 1969 and 1994. Several charter items specifically address gift acceptance and disposition. (DWB, 6/29/07)

II. Definitions

I. Policy, Guidelines and Procedures

The board of trustees has the sole authority to make foundation policy. It is the role of the president of the foundation to implement policy by establishing procedures. Procedures include defining staff roles and responsibilities. Policy may include guidelines, which are provisions that give the president and staff greater latitude in implementation than with policy statements.

II. Authorities

A. This policy relies on two external authorities:

2. *NCPG Guidelines*

This term is the short name for *NCPG Guidelines for Counting and Reporting Charitable Gifts, 2nd Edition*. *NCPG Guidelines* was authored and published by the National Committee on Planned Giving (Indianapolis, Ind., 2006). The foundation uses *NCPG Guidelines* primarily for “Internal Reporting.”

Interpretive Note. The mission of the National Committee on Planned Giving (NCPG) “is to increase the quality and quantity of charitable planned gifts by serving as the voice and professional resource for the gift planning community. An important means of accomplishing this mission is through NCPG’s educational programs.” NCPG’s offices are located at 233 McCrea Street, Suite 400, Indianapolis, Ind. 46225. The web site is ncpg.org. (DWB, 6/29/07)

3. *CASE Standards*

This term is the short name for *CASE Management and Reporting Standards, Third Edition*, and its successors. *CASE Standards* was authored and published by the Council for the Advancement and Support of Education (Washington, D.C., 2004). The foundation primarily uses *CASE Standards* in completing “External Reports.”

Interpretive Note. An international organization, CASE’s mission states that, “The Council advances and supports educational institutions by enhancing the effectiveness of the alumni relations, communications and fund-raising professionals who serve them.” CASE’s offices are located at 1307 New York Avenue NW, Suite 1000, Washington, DC 20005-4701. The web site is www.case.org. (DWB, 12/1/04)

III. U. S. tax law

This term is defined as the Internal Revenue Code and associated U. S. Treasury regulations.

Interpretive Note. Certain IRS forms and publications are used by donors and charities to comply with U. S. tax law. These include:

Form 8282, “Donee Information Return”

Form 8283, “Noncash Charitable Contributions”

Publication 526, *Charitable Contributions*
Publication 561, *Determining the Value of Donated Property*
Publication 1771, *Charitable Contributions: Substantiation & Disclosure Requirements*
Publication 4302, *A Charity's Guide to Vehicle Donations*
Publication 4303, *A Donor's Guide to Vehicle Donations*

These can be accessed at irs.gov. (DWB, 7/21/06)

IV. Acceptance

Except when this policy indicates otherwise, gift acceptance is delegated to the president of the foundation and his or her designees. Gifts not routinely encountered in the course of fund raising are subject to due diligence before determinations of acceptance or rejection will be made. In certain cases, this policy may require disclosure statements to donors.

The president of the foundation is authorized to seek legal counsel when appropriate and escalate acceptance issues to the executive committee or other body designated as the exceptional gift committee when policy issues are raised or when the best interests of the university or the foundation require it. Gifts of personal property valued at \$100,000 or more which require due diligence under this policy, whether tangible (gifts-n-kind) or intangible, constitute exceptional gifts and their acceptance is contingent on action by the executive committee or other body designated as the exceptional gift committee.

Interpretive Note. Gifts which confer naming rights for facilities or faculty positions (chairs and professorships) are also subject to board of regents and university policies. (DWB, 6/29/07)

Interpretive Note. See also Title V (Restrictions on Gifts -- Acceptance) on handling gifts with restrictions characterized as "special conditions" as referenced in Article V, Section 4, Part C of Bylaws as amended through April 17, 2006. (DWB, 12/31/07)

Interpretive Note. Gifts of real estate are subject to the Real Estate Property Acceptance Policy. (DWB, 1/18/08)

V. Valuation

Unless otherwise stated, gift valuation is governed by *NCPG Guidelines* except in "External Reporting" which requires the use of *CASE Standards*.

VI. Disposition.

Unless otherwise stated, it is the policy of the board of trustees to liquidate gifts immediately or as soon as practicable. Costs of liquidation will not affect the valuation of gifts.

VII. Interpretive Notes.

These provisions are annotations included for clarification and guidance. They should not be interpreted as policy and may be changed by staff as conditions warrant.

VIII. Internal Management Reporting (“Counting”).

Gifts will be reported at valuations defined by this policy. Unless otherwise stated, internal management reports will be prepared in accordance with *NCPG Guidelines*. Internal management reports are prepared for the guidance of the administration, volunteers and staff.

Interpretive Note. Valuations used in internal management reports may vary from valuations found in financial statements. Values in reports are for internal use and should not be used to substantiate donors’ tax deductions. The foundation refers donors to professional counsel for assistance in these matters. (DWB, 12/1/04, 6/29/07)

IX. External Reporting

This term refers to reports prepared for the annual *CASE Report of Educational Fund-Raising Campaigns (CASE Campaign Report)* and the *Voluntary Support of Education (VSE)*, an annual survey conducted by the Council for Aid to Education. *CASE Standards* govern these surveys.

X. Donor Recognition (“Credit”).

Values used in donor recognition are beyond the scope of this policy and may vary from valuations used in internal management reports. Separate policies and procedures shall be established for donor recognition.

XI. Gifts Not Included In Policy.

While this and related policies of the board of trustees are designed to be comprehensive, they cannot possibly anticipate all imaginable gift situations. Board of trustees' policy provides for gifts commonly encountered in the course of the foundation's fund-raising activity. Gift situations not covered by policy shall be handled by the president of the foundation, seeking advice from legal counsel, the board of trustees or the development committee when deemed necessary or appropriate. Gifts not included herein shall be handled in accordance with *NCPG Guidelines*.

XII. Oversight and Review

Policy oversight is a function of the board of trustees' general governance responsibilities. This policy is specifically part of the oversight purview of the development committee. The development committee shall review this policy periodically or whenever there are major revisions to *NCPG Guidelines*, *CASE Standards* or U. S. tax law as they apply to charitable giving and make recommendations to the board concerning revision of the policy if necessary.

XIII. 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)

XIV. Use of Legal Counsel

The Foundation and its representatives do not provide legal or tax advice. Donors shall be advised to consult attorneys or professional tax advisors. The foundation may consult with legal counsel in matters pertaining to the acceptance of gifts.

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

See III, Definitions above. Policy details are contained in the principles and definitions.

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 Gift Acceptance Policy Appendices

Foundation Procedures

2.1a Annual Programs Counting/Reporting Procedure

2.1b Donor Recognition Procedure

2.1c Soft Credit Procedure