

# 1001. Gift Acceptance Policy

## 1. Purpose

This gift acceptance policy serves as a guide to Mary E. Theler Community Center (Theler Center) directors and staff involved with accepting gifts, to outside advisors who assist in the fund-raising process, and to prospective donors who wish to make gifts to Theler Center.

## 2. Policy

The following gifts may be accepted without review by the Gift Review Committee if, in the opinion of a Board Director or the Operations Director, the gift complies with the provisions of this policy:

- cash or pledges;
- furniture or equipment in serviceable condition that supports Theler's mission or a Theler program;
- precious metals deemed readily liquidated.
- insurance policies and proceeds from insurance policies designating Theler Center as beneficiary.

Acceptance of other gifts is subject to the review of the Gift Acceptance Committee, which is designated to review and recommend approval of gifts as described in this policy and procedure to the Board of Directors.

Theler Center will not act as an executor (personal representative) for a donor's estate.

Checks shall be made payable to Mary E. Theler Community Center. In no event shall a check be made payable to an individual who represents Theler Center.

## 3. Gift Review Committee

The gift review committee consists of the Mary E. Theler Community Center Treasurer, the Operations Director (or a substitute appointed as needed by the Chair), and the Chair of Theler Center Board of Directors and, if available, one or more volunteers from the community.

The committee may meet as whenever deemed necessary by the Board or the Operations Director. The committee may obtain legal counsel if required.

The committee will review gifts for compliance with the Theler Center Gift Acceptance Policy. The committee may reject gifts that do not comply with the Policy, the guidance of this procedure or are from sources or for purposes that in the opinion of the majority of the committee members:

- conflict with Theler Center's mission or values;
- are detrimental to health or safety;
- produce or serve products or provide services not considered within the mainstream of community standards;
- are unethical or immoral;
- are illegal;
- expect, demand or require special treatment in return for their contributions.

Gifts requiring immediate action (e.g., gifts on December 31, or pending sale of property) may be exempted from full Gift Review Committee review if, in the judgment of the Board Chair, that gift may be accepted without significant reservations or in any way jeopardizing Theler Center's tax exempt status. The Board Chair will present this gift acceptance for ratification at the next meeting of the Gift Review Committee.

*"where community and nature walk hand-in-hand"*

## 4. Review Process

Mary E. Theler Community Center endorses the Model Standards of Practice for Charitable Gift Planner (See [http://www.ncpg.org/ethics\\_standards/model\\_stds.asp?section=7](http://www.ncpg.org/ethics_standards/model_stds.asp?section=7)).

Theler Center will not accept any gift that will result in an unreasonable encumbrance or which will cost more to adjudicate or administer than the value of the gift.

Acceptance of other gifts is subject to the review of the Gift Acceptance Committee:

- **Marketable securities.** Securities must be traded on a U.S. stock exchange and readily liquidated at a reasonable cost.
- **Marketable real estate.** The donor will be required to provide at his/her expense an independent appraisal and an environmental review (in most cases a Phase 1) as well as a description of the property. The Gift Review Committee will review these documents as well as consider any liabilities, restrictions or other conditions related to the gift.
- **Life insurance.** Theler Center will accept whole life insurance policies as gifts only when Theler Center is named as the owner and beneficiary of 100% of the policy. A paid-up or partially paid-up policy will be accepted at the policy's replacement cost, or net present value.
- **Interests in business entities** (i.e., closely held marketable securities, partnership interests). Issues to be considered are the vacation, long-term disposition, income production, business partnership, charitable intent, requirements or limitations, tax deductibility or other questions.
- **Charitable remainder trusts, charitable lead trusts, or charitable gift annuities.** Charitable trusts will be accepted if funded with assets other than cash or publicly traded securities and the benefit to Theler Center is greater than the transaction costs.
  - Theler Center may act as co-trustee on a charitable remainder trust when the trust names Theler Center as a beneficiary of 50% or more of the trust.
  - Theler Center may pay for the drafting of legal documents for a charitable remainder trust when Theler Center is named as a beneficiary of 50% or more of the trust, provided that the benefit to Theler Center will exceed the cost incurred. The donor's own counsel must review the documents at the donor's cost.
- **Retained life estate in a residence, ranch or farm.**
- **Bargain sales** or other arrangements where the donor receives payments from Theler Center.
- **Other property** which may be unusual or fall outside the type of gifts usually handled by Theler Center, including tangible personal property unrelated to Theler Center's charitable purpose.
- **Gifts with a purpose or restriction** that may fall outside the purposes, bylaws, mission and procedures of Theler Center.
- **Tangible personal property.** Gifts of jewelry, artwork, collections, equipment, and software may be accepted after approval by Gift Review Committee to be used by or sold for the benefit of Theler Center. The donor is responsible for obtaining an appraisal of the property at his/her expense. The appraisal shall be paid for by the donor. Property that requires special display facilities or security measures will generally not be accepted.
- **Bequests.** Assets transferred through bequest shall be liquidated and the proceeds made available for the intended purpose of the gift, unless granted an exemption by the Gifts Review Committee. Gifts that appear to require more cost than benefit shall be discouraged or may be rejected by Theler Center. Theler Center will accept restricted endowment gifts (dedicated to a specific purpose, for example, funds specifically for trail development or gymnasium construction), provided that restriction is consistent with Theler Center's mission, Theler Center can reasonably fulfill the restricted use and fulfillment does not require excessive resources. All endowment accounts will be managed for the long-term support of the intended purpose. However, if circumstances arise that the proposed purpose is no

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longer practical or invalid, the Board of Directors reserve the right to redirect use of the endowment to most closely represent the donor's original intent

### 5. Standard of Care

- Theler Center will provide acknowledgement of all gifts as follows:
  - immediate verbal acknowledgement by any director, staff or volunteer receiving a gift;
  - prompt written acknowledgement signed by the Administrative Coordinator for all gifts valued more than \$10;
  - additional written acknowledgement signed by the Operations Director for gifts valued \$100-499;
  - additional written acknowledgement signed by the Operations Director and Board Chair for gifts valued \$500-999 or where the nature of the gift, the donor or the circumstances warrant special attention;
  - additional written acknowledgement signed by all members of the Board for gifts valued over \$1000 or where the nature of the gift, the donor or the circumstances warrant special attention and for special donor campaigns.
- Theler Center will issue written confirmation of gifts consistent with IRS guidelines.
- All gift acceptance agreements shall be subject to approval of Theler Center legal counsel prior to final acceptance.
- Theler Center shall ensure that accounting and reporting procedures shall conform to IRS requirements and shall provide the donor and/or income beneficiaries with information required by the IRS.
- Theler Center (and appropriate directors) shall establish the investment objectives of all planned gift fund accounts and shall administer the planned gift program in a responsible and prudent manner.

Adopted: June 8, 2006

Effective: June 8, 2006

Revision A: December 11, 2007