

PALM BEACH STATE COLLEGE FOUNDATION
GIFT ACCEPTANCE POLICY
August 2012

GENERAL CAVEATS

- *All items must meet IRS criteria for meeting mission of college or related use standards*
- *All gifts are accepted in good faith as to source of funds and are to be applied to the college's charitable need as described by the donor*
- *As a general rule all items will be liquidated as quickly as possible with respect to financial benefit*

FOUNDATION PURPOSE

1. The Foundation was established according to the non-profit corporation statute of the State of Florida. It has been granted the status of a tax-exempt 501(c)(3) organization under provisions of the IRS Code, thus making it eligible to accept gifts on behalf of the College. Palm Beach State College Foundation is not a private foundation within the meaning of section 509(a) of the Code because it is an organization described in sections 509(a)(1) and 170(b)(1)(A)(vi), as a foundation supporting public education.
2. Palm Beach State College Foundation recognizes gifts and grants from diverse sources are essential to assist the College in achieving its goals of growth and development and in pursuing its continuing quest for excellence.
3. The Palm Beach State College Foundation Executive Director, President, and Foundation Board are responsible for identifying priorities for external support and planning and coordinating the Foundation's search for gifts, including the identification, cultivation, and solicitation of gifts and investment from individual, corporate, and foundation prospects.
4. Fund raising is conducted to provide scholarships that recognize need and merit; enhance the Teaching and learning environment; provide support for academic excellence through program, faculty, and research support; and to meet capital needs of the College.
5. The Foundation seeks investment in the form of gifts, grants, bequests, non-cash gifts, and other forms of financial support from the private sector, foundations as well as grants from various governmental sources.
6. Fund raising on behalf of the College is conducted by the Foundation in collaboration with college staff and, from time to time, may incorporate specific fund raising campaign initiatives. The College and the Foundation both perform essential tasks, activities, and services to accomplish the private sector fund raising responsibility.
7. Cash gifts to the College from the Foundation, an affiliated organization serving as a Direct Support Org-DSO) are accepted by the Executive Director and District Board of Trustees without prior review so long as all are within the terms of the Affiliation Agreement.

8. Among the forms of investment the Foundation seeks are:
 - a. Cash: Gifts by check or credit card or on-line or other electronic means
 - b. Matching Gifts: Cash gifts that are matched by an individual's employer/state programs, etc.
 - c. Non-Cash Gifts. May include real and personal property, valuable collections, rare books, art, automobiles, etc.
 - d. Appreciated Securities
 - e. Real Estate*
 - f. Bequests by Will
 - g. Charitable Remainder Trusts, Lead Trusts, Gift Annuities and other Planned Gifts
 - h. Retirement Plan Designations

9. Items specifically not accepted at this time are:
 - a. Life Insurance **
 - b. Autos-unless for the sole purpose of training in automotive programs
 - c. International Wire Transfers or money from undetermined fund sources

*Not accepting time-share properties ** may be accepted under certain circumstances

GIFT ACCEPTANCE GUIDELINES

1. Acceptance of gifts, non-cash gifts, personal property, and real estate is subject to the following conditions.
 - a. All items must have clear title and provenance.
 - b. Gifts of Real Property – All activities involving acceptance of a gift or bequest of real property shall be consolidated in the Vice President of Administration and Business Services Office. All gifts of real property must be inspected by the Vice President of Administration and Business Services (or designee) prior to acceptance by the Gift Acceptance Committee.
 - c. Restricted and Unrestricted Cash Gifts – Executive Director may give acceptance in all amounts.
 - d. Restricted and Unrestricted Non-Cash Gifts – Executive Director may give acceptance of less than \$250,000.
 - e. The Library Director is authorized to accept directly minor gifts of books, but all other gifts, e.g. book collections, equipment, or other items \$1,000 or greater, must be accepted under previously stated provisions of this document.
 - f. Upon acceptance of any gift to the College or the Foundation, the Foundation Office will formally acknowledge the gift and provide a written receipt that includes designated IRS language. Receipts for non-cash gifts cannot include a value but do recognize the gift. The Foundation Executive Director and Gift Acceptance Committee will ensure appropriate and timely acknowledgement of all gifts.
 - g. The Foundation will not assume any responsibility or liability for gifts in the form of loaned equipment or exhibits, and prospective lenders must be so informed.
 - h. Professional services (accounting, legal, training, etc.) provided gratis to the College or Foundation do not generally meet the IRS definition of a charitable gift.

- i. The Foundation utilizes guidelines stated in IRS Publication 561 (Revised April 2007).
2. Named and Endowed Accounts
 - a. The minimum cash investment required to establish an endowed scholarship is \$25,000
 - b. The minimum cash investment required to establish an endowed chair is \$50,000
 - c. Permanent naming opportunity gifts range from \$20,000 to multi-millions

NON-CASH GIFT ACCEPTANCE PROCEDURES

1. It is recognized that personnel across the College *may be* approached with offers of non-cash gifts. There may be instances when the acceptance of a particular gift would be inappropriate. Following is the process that must be adhered to in accepting non-cash gifts:
 - a. Donations being considered for the benefit of Palm Beach State College are to be processed through the Palm Beach State College Foundation Office. The Palm Beach State College Foundation Executive Director and the Gift Acceptance Committee are responsible for the review and compliance of gift and procedural standards. Approved gifts will require the following signatures:
 - 1) Foundation Executive Director
 - 2) Vice President of Administration and Business Services
 - b. Any College employee or officer must receive administrative approval of non-cash gifts PRIOR to acceptance. A review process must take place to include, as appropriate (dependent on gift type), agreement of need and acceptability by program manager and/or Campus Provost, review by risk management for potential hazards and purchasing for product standards and inventory processing.
 - c. The *Palm Beach State College Foundation Non-Cash Gift Form* should be completed and submitted for approval PRIOR to the formal acceptance of any donation. The original form should be presented to each approving authority in the sequence indicated to ensure appropriate approval processing.
 - d. If gift value exceeds **\$5,000.00**, then one independent appraisal using IRS Form # 8283, Section B must accompany the Non-Cash Gift form when presented for approval. This appraisal can not be conducted by the donor or College personnel who have participated in the processing of the Non-Cash Gift Form or any board member or organization associated with board member. Donors are responsible for the expense and subsequent completion and filing of IRS Form 8283, section B through the IRS. In special cases, a second appraisal may be required and is the responsibility of the Foundation.
 - e. The original documents must be completed and returned to the Foundation Office with an explanation of the benefit and how it meets our mission which the College will derive by accepting the proposed gift.
 - f. Based upon the evaluation process, the Foundation Executive Director and Gift Acceptance Committee will advise appropriate College personnel of the acceptance or rejection of the proposed gift.
 - g. Upon approval of the donation, the Property Records Coordinator (Purchasing Department) will determine if the gift is eligible for inventory and then assigned and affix a property number to the donated item when applicable.

GIFTS DECLINED

1. Palm Beach State College Foundation, Inc. does not accept gifts, grants, or contracts that include without limitation, the following:
 - a. Undue restrictions on employment, fellowship, utilization of facilities and equipment, and *control of funds*;
 - b. Undue external influence, over employment, curricula, goals, objectives, rules, procedures, and the utilization of results derived from research and development activities;
 - c. Activation or establishment of institutes, consortia, programs, and other groups or organizations that would circumvent ordinary constraints and controls of the College;
 - d. Provisions that do not meet the established policy benchmarks for endowment and/or fund handling along with attendant donor recognition;
 - e. Provisions which could result in a conflict of interest for staff, volunteers or donors.
2. Acting on appropriate administrative recommendation, the Foundation Executive Director and Gift Acceptance Committee may decline a gift, if the acceptance of said gift would not be in the best interest of the College or does not meet the IRS mission condition or is not in accordance with IRS and GASB definitions of a gift.
3. The Foundation reserves the right to refuse a gift due to concerns it may impugn the good standing and reputation of the College or Foundation.
4. Questions concerning this policy should be directed to the Foundation Executive Director and Gift Acceptance Committee Chair.