

CR404: Gift Acceptance Policy

Policy Title:	Gift Acceptance Policy
Policy Number:	CR404
Owner:	Senior Vice-President, Strategy, Communications & Advancement
Approved by:	Board of Governors
Effective Date:	March 1, 2022
Reference:	AFP Donor Bill of Rights College Naming Policy Prospect Clearance Policy
Links to Other Policy:	Endowment Management Policy Contracts and Signing Policy Intellectual Property Policy

St. Lawrence College is committed to making our resources fully accessible to all persons. This document will be made available in alternative format upon request.

BACKGROUND

Definitions:

Bequest: A gift of cash or personal property through a will to a particular beneficiary, also often referred to as a “legacy.”

Charitable registration number: A charitable registration number is a program account number assigned to a charity by the Canada Revenue Agency (CRA) when it is registered. St. Lawrence College’s charitable registration number in Canada is 10802 7202 RR0001.

Endowment / Endowed Funds: Funds comprised of contributions to the College where the donor/contributor has stipulated that the College hold the principal in perpetuity and expend only the net investment return. The expendable funds may or may not be subject to restriction on how the funds are to be spent.

Fair Market Value: Per CRA, fair market value is “normally the highest price, expressed in dollars, that property would bring in an open and unrestricted market, between a

willing buyer and a willing seller who are both knowledgeable, informed, and prudent, and who are acting independently of each other.”

Gift/Donation: A Gift or Donation “is a voluntary transfer of money or property for which the donor expects and receives nothing of value in return” (Canada Revenue Agency).

Gift Acceptance: The acquisition of Gifts, eligible or non-eligible for an official charitable tax receipt, to further the College’s mission and priorities.

Gifts-in-Kind: Gifts-in-Kind, also known as non-cash gifts, are gifts of property or services. Gifts of Property cover items such as artwork, equipment, supplies, real estate, securities, and cultural and ecological property and are eligible for a charitable donation receipt, under CRA guidelines. Gifts of services are ineligible for a charitable donation receipt as dictated by CRA.

Gifts (restricted/designated): Designated gifts will be used for the purposes for which the donor has specified in support of the College’s mission and priorities.

Gifts (unrestricted/undesignated): Undesignated gifts are gifts for which the donor has not specified a direction for the funds within the College. The funds will be used to support the College’s mission and priorities in ways that the College decides will best serve its priorities.

Major Gifts: Gifts to the College with a value greater than \$25,000.

Pledged Gift: A gift promised to the College that is to be fulfilled fulfilled in the future and could be fulfilled over a number of years.

Sponsorship: A financial arrangement between St. Lawrence College and an individual or organization in which the College receives consideration in exchange for providing the sponsor with market exposure and/or a favoured product or corporate profile. Sponsorships are not eligible for a charitable donation receipt.

Purpose:

St. Lawrence College welcomes donations that enable the College to achieve its mission, vision and values, and to enhance programs and services for students. This Policy is

intended to guide the employees, volunteers, and Board of Governors members of St. Lawrence College on matters of gift acceptance.

The Alumni and Development Office is responsible for soliciting, receiving, recording, receipting, acknowledging and recognizing donations which assist the College in achieving its philanthropic goals and in support of the College's strategic plan. Only the Alumni and Development Office may issue official charitable receipts for the eligible amounts of all charitable gifts received by St. Lawrence College consistent with the requirements of the Canada Income Tax Act, Canada Revenue Agency guidelines, and in accordance with procedures established by the College.

Scope:

This Policy is established to govern the acceptance of all Gifts made to St. Lawrence College and any of its affiliated organizations whether such Gifts are considered outright or pledged. Gifts or incentives offered to individuals are covered under the Conflict of Interest policy.

POLICY STATEMENTS

1. St. Lawrence College has the right to decline any Gift.
2. Any potential Gifts or commitments should be discussed with Alumni and Development - prior to discussing with donors - to ensure prospect clearance, Gift suitability, and adherence to CRA and other guidelines and policies.
3. **Types of Gifts**
 - a. The following Gifts are deemed eligible to be accepted by St. Lawrence College:
 - i. cash or cash equivalents (cash, cheques, credit card payments, electronic funds transfers, payroll deductions)
 - ii. Gifts-in-kind (artwork, equipment, supplies, real estate, securities, and cultural and ecological property)
 - iii. real estate
 - iv. bequests
 - v. life insurance
 - vi. publicly-traded securities, on recognized exchanges

- vii. Registered Retirement Savings Plans (RRSPs) and Registered Retired Income Funds (RRIFs)
- viii. other gift types deemed appropriate by the College.

4. Acceptance of Gifts

- a. A Gift may be accepted by the College if it meets the following conditions. The Gift will:
 - i. further the mission and objectives of St. Lawrence College;
 - ii. not in any way limit or impose conditions on academic freedom or intellectual property;
 - iii. comply with federal, provincial or municipal law, the Ontario Human Rights Code, and St. Lawrence College's Policies.
- b. The Gift may not be accepted if:
 - i. an appropriate fair market value cannot be agreed upon;
 - ii. the Gift will result in unwarranted or unmanageable expense to the College now or in the future;
 - iii. the Gift does not comply with the Canada Income Tax Act and Canada Revenue Agency guidelines;
 - iv. the Gift requires the College to provide special consideration for admission to the College for the donor or designate, or improperly benefits any individual, or requires that St. Lawrence College deviate from its normal hiring, promotion, or contracting procedures.
 - v. the Gift exposes the College to liability or unacceptable risk or jeopardizes the College's charitable status;
 - vi. the donor applies unacceptable restrictions or conditions on the Gift;
 - vii. the Gift will be difficult to administer;
 - viii. the Gift could be perceived to have potentially come from illegal activities;
 - ix. the Gift could reasonably compromise the College's public image, reputation or commitment to its mission and values.
- c. All Gifts received must be processed through the Alumni and Development Office. If any Gift is received by a member of the College,

the Alumni and Development Office must be immediately informed in writing with all information related to the Gift. All charitable receipting will be done in accordance with Canada Revenue Agency guidelines.

- d. When an offer of a charitable gift is judged by the Alumni and Development Office to be potentially contrary to the College's best interests, contentious or unusual, the Director of Development & Alumni Relations will provide a report and recommendation to the College Executive Team through the Senior Vice-President, Strategy, Communications & Advancement. The final decision to accept or decline any such gift rests with the College's Board of Governors.

5. Gifts-in-Kind

- a. The Alumni and Development Office must be informed/consulted at first indication of any gift-in-kind donations being solicited or offered.
- b. When gifts-in-kind are given to the College, with the intent of the donor receiving a tax receipt, it will be the responsibility of the College (through Alumni and Development) to ensure that an appropriate valuation of the Gift is obtained.
- c. Gift-in-kind tax receipts require valuation documents indicating the fair market value of the item. Fair market value (FMV) can be determined by independent appraisal;
 - i. Gifts-in-kind with individual items valued at \$1,000 or less require a written appraisal, which may be performed by a qualified employee of the College.
 - ii. Gifts-in-kind with individual items valued at greater than \$1,000 require a written appraisal by an independent appraiser and/or one of the other fair market value techniques. The cost of the appraisal will normally be the responsibility of the receiving department.
 - iii. Gifts-in-kind with individual items valued at greater than \$25,000 normally require two independent appraisals.
- d. Under direction from the Alumni and Development Office, the donor, and any partners involved from the College will complete and sign a Gift-In-Kind donation agreement form.

- e. A Gift-in-Kind will be accepted, and receipted if appropriate/desired, when the following conditions have been met:
 - i. The benefitting department/area and Financial Services, and where appropriate, Facilities Management has approved the donation;
 - ii. The appropriate Fair Market Value documentation is completed and provided to Financial Services;
 - iii. The Gift-In-Kind Information and Approval Form is signed by all parties; and
 - iv. Shipping and receiving details, including payments, have been confirmed.

6. Approvals for Gift Acceptance

- a. Outright gifts of cash, publicly-traded securities, life insurance, reinsured gift annuities, gifts of retirement benefits, residual interest gifts, and charitable remainder trusts do not require any special approval.
- b. Gifts of real estate must be reviewed and approved by the College Executive Team and the Board of Governors.
- c. Gifts of publicly-traded securities will be receipted for the fair market value of gifted securities upon transfer.
- d. Gifts will be reviewed by the Senior Vice-President, Strategy, Communications & Advancement and referred, as appropriate, to the President, College Executive Team or Board of Governors if there are any considerations that the Gift might:
 - i. expose the College to any risk or liability;
 - ii. be precedent-setting or involve sensitive issues; and/or
 - iii. involve a proposal to name a College asset according to the College Naming Policy.
- e. Guidelines for approvals of Major Gifts are outlined in Appendix A.

7. Responsibility to Donors

- a. The Alumni and Development Office helps donors and their advisors to design gifts that meet the donor's philanthropic and financial objectives within the context of the College's needs and priorities.

- b. The College has an ethical responsibility to every donor. All staff, volunteers and professional representatives acting on behalf of the College will conduct themselves in accordance with accepted professional standards of accuracy, honesty, and integrity. At all times, advisors working with donors or prospective donors to the College will keep all information, data, or other communications strictly confidential. The professional standards and code of ethics set out by the Association of Fundraising Professionals (AFP), Canadian Council for the Advancement of Education (CCAEE), and the Canadian Association of Gift Planners (CAGP) will serve as the ethical guidelines when raising funds for the College. The College will subscribe to the AFP *Donor Bill of Rights*.

8. Gift Agreements

- a. Where appropriate and/or required, gift agreements will be recorded between the donor and St. Lawrence College. All gift agreements that are created external to the College may be reviewed by the College's legal counsel at the recommendation of the Senior Vice-President, Strategy, Communications & Advancement.
- b. Gift agreements will be signed by the appropriate department or area to ensure they accept the Gift and agree to use the donation as per donor intent. Signing requirements for Gift Agreements are outlined in Appendix A.

9. Recognition and Stewardship

- a. The College will recognize and steward donors through a framework of activities that are respectful, meaningful, cost-effective and in accordance with Canada Revenue Agency guidelines and other relevant College Policies.
- b. Requests for anonymity by a donor will be strictly upheld.
- c. If the donor ceases payment of an agreed upon pledge, the College reserves the right to remove all recognition related to that pledge.
- d. Any Gifts with the potential for named recognition will be considered and managed in accordance with the College Naming Policy.

10. Legal and Professional Counsel

- a. The College will seek Legal or Professional Counsel on any Gifts that may be unusual or precedent setting, at the discretion of the Senior Vice-President, Strategy, Communications & Advancement.
- b. Donors are ultimately responsible for ensuring that the proposed donation furthers their own charitable, financial and estate planning goals. Therefore, donors are encouraged to seek independent advice in the donation planning process. It is not within the domain of either the College or its staff to give legal, accounting, tax or other advice to prospective donors.

MONITORING

The Senior Vice-President, Strategy, Communications & Advancement and the Alumni and Development Office are responsible for monitoring this policy.

Failure to comply with this policy could result in damage to the College's reputation, damage to donor relationships, lost revenue, or a threat to future solicitations or campaigns. There could also be risks of failure to adhere to privacy and anti-spam legislation, Canada Revenue Agency guidelines, or the *AFP Donor Bill of Rights*. Ultimately, there is a risk of losing charitable status if acting in contravention of Canada Income Tax Act and/or Canada Revenue Agency guidelines.

NEXT POLICY REVISION DATE

March 2027

SPECIFIC LINKS

College Naming Policy

Prospect Clearance Policy

Endowment Management Policy

Contracts and Signing Policy

AFP Donor Bill of Rights <https://afpglobal.org/donor-bill-rights>

APPENDIX A

Appendix A: Approvals and signing authority

Master policy is the Contracts and Signing Authority Policy (CR412)

Relevant section:

E. Advancement and Development Agreements				
Document Type	Value or Other Description	Review or Consultation Requirement	Sign contractual document	
Donation related agreements, including bequest/will	Under \$25,000 (only if Gift Agreement is desirable – unusual circumstances, etc...)	Director, Development and Alumni Relations	Senior Vice-President, Strategy, Communications & Advancement	
	\$25,000-\$100,000	Director, Development and Alumni Relations Appropriate Dean or Director Director, Finance Relevant VP	Senior Vice-President, Strategy, Communications & Advancement	
	\$100,000 - \$1M	Director, Development and Alumni Relations Appropriate Dean or Director	President and CEO, Senior Vice-President, Strategy, Communications & Advancement	

			Director, Finance Relevant VP	
		\$1M +	Director, Development and Alumni Relations Appropriate Dean or Director Director, Finance College Executive Team (CET)	Chair of the Board of Governors, President and CEO
	Donation of Real Estate agreement	Any value	Director, Development and Alumni Relations Appropriate Dean or Director Director, Facilities Director, Finance College Executive Team (CET) Chair, Board of Governors	Requires approval of the Board of Governors, President and CEO, Senior Vice-President, Corporate Services and CFO

