

CR404: Gift Acceptance Policy

Policy Title:	Gift Acceptance Policy
Policy Number:	CR404
Owner:	Senior Vice-President of Advancement and Business Development
Approved by:	Board of Governors
Effective Date:	June 9, 2015
Reference:	
Links to Other Policy:	Gifts-in-Kind Policy Philanthropic Naming Policy Prospect Clearance Policy

St. Lawrence College is committed to making our resources usable by all people, whatever their abilities or disabilities. This document will be made available in alternative format upon request.

BACKGROUND

Definitions:

Adjusted Cost Base: Generally, this is the amount the registered charity originally paid for the property, plus the costs (such as legal fees or surveys) associated with the purchase, plus the cost of improvements to the property.

If the College provides something of value in return for a gift (including admission to a fund raising event) the donor's tax receipt is reduced by the fair market value of the benefit received.

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

Eligible amount: The amount by which the fair market value (FMV) of the gifted property exceeds the amount of an advantage, if any, in respect of the gift.

Endowment: A principal sum permanently set aside and invested by a charity, with only the income used for charitable purposes.

Fair market value: Fair market value is usually the highest dollar value you can obtain for property in an open and unrestricted market and between a willing buyer and a willing seller who are knowledgeable, informed, and acting independently of each other.

Gift: A gift “is a voluntary transfer of money or property for which the donor expects and receives nothing of value in return” (Canada Revenue Agency). Donors to registered charities — St. Lawrence College included — are eligible for a charitable tax receipt that may be claimed as a non-refundable tax credit on an income tax return.

If the College provides something of value in return for a gift (including admission to a fund raising event) the donor’s tax receipt is reduced by the fair market value of the benefit received. The following transactions (non-gifts) are not eligible for charitable tax receipts; a gift of service, the purchase of an item or service from the College and sponsorship of campus research projects for which the donor retains right of property, including intellectual property.

Gifts (designated): Designated gifts will be used for the purposes for which they are provided and in support of the College’s mission and academic priorities.

Gifts (undesignated): Undesignated gifts will be used to support the College’s mission and academic priorities in ways that the College decides will best serve its priorities.

Gift Agreement: Gifts of \$25,000 and over require a gift agreement which contains the purpose of the gift, including payments required of the donor and uses for the donated funds by the College.

Gift Planning: Gift planning is a process of charitable, legal, financial and tax planning that enhances philanthropy and enables donors to address other financial and estate planning issues while making a gift.

Official Donation Receipt: Registered charities can issue official donation receipts (also referred to as "tax receipts") to acknowledge gifts. An official donation receipt is subject

to particular requirements under the Income Tax Regulations including identification that it is an official receipt for income tax purposes.

Pledge: A gift which is "pledged" over a period of time.

Restricted/designated gifts: The donor has specified where in the College the gift is to be directed.

Securities: Gifts of privately or publicly held shares or charitable stock options. The following transactions (non-gifts) are not eligible for charitable tax receipts; a contribution of service, the purchase of an item or service from the College and sponsorship of campus research projects for which the donor retains right of property, including intellectual property.

Unrestricted/undesignated gifts: The donor has not specified where in the College the gift is to be directed.

Gift Eligibility: Types of Gifts

- **Cash, credit card or cheque**
Donors can give to St. Lawrence using cash, credit card or cheque—whether as a one-time gift, annual gift or monthly gift.
- **Securities and Mutual Funds**
St. Lawrence College accepts gifts of mutual funds and publicly traded securities (stocks, bonds).
- **Bequests**
A gift of property through a will to a particular beneficiary, also often referred to as a “legacy.”
- **RRSPs and RRIFs**
The accumulated funds in a RRSP or RRIF can be used to make a gift to St. Lawrence College by naming the College as the beneficiary of the plan. After the age of 71 a donor can give the minimum prescribed amount of their RRIF to St. Lawrence College.
- **Life insurance**
There are many ways to donate using life insurance. Donors may gift a new policy or transfer an existing policy.

- **Gifts-in-Kind**
Gifts-in-kind, also known as non-cash gifts, are gifts of property. They cover items such as artwork, equipment, real estate, securities, and cultural and ecological property. For more information please reference St. Lawrence College's Gifts-in-Kind Policy.
- **Charitable Remainder Trust (CRT)**
A charitable remainder trust is a gift that pays income to individual beneficiaries for life or a term of years and then distributes the remaining assets to one or more charities; or a donor may have the use of a physical asset gifted through a CRT for their lifetime.
- **Charitable Gift Annuity**
A charitable gift annuity is an arrangement that enables donors to make an immediate gift and receive income for life for either themselves or a designated beneficiary.

Purpose:

St. Lawrence College welcomes donations, which enable the College to achieve its academic mission, and to enhance programs and services to students. This Policy is intended to guide the employees, volunteers, Foundation 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. 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 deferred.

POLICY STATEMENTS

Principles of Gift Acceptance

1. The following principles will be considered before a gift is accepted by St. Lawrence College. The Alumni and Development Office is responsible for ensuring that the College abides by these principles. The gift will:
 - a. further the mission and objectives of St. Lawrence College;
 - b. not in any way limit or impose conditions on academic freedom;
 - c. comply with federal, provincial or municipal law, the Ontario Human Rights Code, St. Lawrence College's Equity and Human Rights Policies and/or will not jeopardize the College's charitable status;
 - d. not be accepted if:
 - i. an appropriate fair market value cannot be determined, or will result in unwarranted or unmanageable expense to the College;
 - ii. the gift does not comply with the Canada Income Tax Act and Canada Revenue Agency guidelines;
 - iii. it 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 and contracting procedures.
 - iv. the gift exposes the College to liability or unacceptable risk;
 - v. the donor applies unacceptable restrictions or conditions on the gift;
 - vi. the gift will be difficult to administer;
 - vii. the gift may have come from illegal activities;
 - viii. the gift could reasonably compromise the College's public image, reputation or commitment to its academic mission and values

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

Approvals for Gift Acceptance

1. The Alumni and Development Office, under the direction of the Senior Vice-President of Advancement and Business Development or designate, is responsible for ensuring that acceptance of donations is consistent with this Policy and other policies of the College. The Senior Vice-President of Advancement and Business Development shall seek the approval of the Board of Governors before accepting any gift where consistency with this Policy is in question.
 2. The Alumni and Development Office, under the direction of the Senior Vice-President of Advancement and Business Development or designate, has the authority and responsibility to develop operational policies and procedures, including documentation standards, to support the solicitation, review, acceptance, receipting and recognition of gifts to St. Lawrence College. All policies and procedures, whether current or emerging, will be periodically reviewed and approved by the Advancement and Business Development Committee of the Board of Governors and senior officials of St. Lawrence College.
 3. The Board of Governors authorizes the Senior Vice-President of Advancement and Business Development or designate, through the Advancement and Business Development Committee of the Board of Governors, to consider gifts that are not specifically covered by this Policy or may be of potential concern. In addition, the Committee will review gifts of real estate, charitable stock options, private shares and those with special considerations. The Committee will include members of the Advancement Leadership Team with input from other College staff who have a vested interest in each specific case under review.
 4. There is the potential for emerging gift types that have aspects or characteristics that do not conform to this Policy. Under these circumstances, the Alumni and Development Office may recommend the establishment of specific policies for these gifts, or conduct an individual review on a case-by-case basis through the Advancement and Business Development Committee. The decision to accept or decline new gift types rests with the Board of Governors. Case-by-case decisions will not be considered precedent setting.
- Gifts under \$100,000 are approved by the Director of Alumni and Development and appropriate Dean or Director.

- Gifts over \$100,000 but under \$1 Million dollars are approved by the Vice-President, Advancement, Student and External Affairs, the Director of Alumni and Development and appropriate Dean or Director.
- Gifts of \$1 Million dollars and over are approved by the College Executive Team (CET), Chair Board of Governors, Director of Alumni and Development, and appropriate Dean or Director.

Responsibility to Donors

St. Lawrence College holds all donors in high esteem. Without exception, the College's donor relationships are of utmost priority.

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

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, truth 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 behaviours 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*.

Gift Agreements

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 will be reviewed by the College's legal counsel where deemed appropriate by the Senior Vice-President of Advancement and Business Development.

Restricted and Unrestricted Gifts

It is possible for a donor to stipulate certain restrictions on a gift or designate it to a specific purpose. The College will review the restrictions in order to ensure that it is able to comply and to clarify its duties in fulfilling the restrictions. The Alumni and

Development Office, in consultation with other College departments, may request that the terms of the gift be revised, be subject to a power to vary, or recommend to the appropriate individual that the gift be declined.

Undesignated gifts shall be used at the discretion of the College Executive Team (CET) for such purposes as to best advance the College's mission.

No Advice to Donors

The College does not provide any legal, accounting, tax or financial advice to donors with respect to gifts to the College. Donors are encouraged to seek independent legal, accounting, tax or financial advice from professionals and are responsible for all costs incurred in relation to obtaining such independent professional advice. The College cannot suggest or endorse a third party as a source of gift advice. Where necessary, donors will be requested to provide the College with an acknowledgement that:

1. independent professional advice has been obtained; or
2. independent professional advice has been waived though recommended by the College; and
3. the College is released from any liability that may arise in relation to the making of the gift.

MONITORING

Senior Vice-President of Advancement and Business Development

POLICY REVISION DATE

SPECIFIC LINKS

[Gifts-in-Kind Policy](#)

[Philanthropic Naming Policy](#)

[Prospect Clearance Policy](#)