

Policy No. & Title: C105: GIFT ACCEPTANCE*Effective: 2022-01-04**Next Review: 2027-01-04**Policy Sponsor: Executive Director, Advancement and Alumni**Approvals: 2015-05-05; 2022-01-04*

1. PURPOSE

The purpose of this policy is to:

- Establish the principles involved with accepting gifts to the College;
- Establish a gift risk mitigation process; and
- Clarify the roles and responsibilities for considering and accepting gifts.

2. POLICY

The Policy Sponsor develops, maintains and implements procedures as are necessary to achieve the objectives of this policy. Such procedures align with the College mission, vision and strategic goals, and reflect college values.

3. REFERENCES**Board of Governors Policies:**

B-55: Accepting Gifts of Real Property

D-12: Capital Planning

D-14: Naming Recognition

D-15: Asset Policy

Fanshawe College Foundation Board Policy:

D-10: Gift Acceptance

College Policies:

P207: Employee Code of Conduct

C201: College Art Collection

Canada Revenue Agency Guidelines:

Pamphlet P113(E) (Gifts and Income Tax)

Bulletin IT-110R3 (Gifts and Official
Donation Receipts)**4. ADDENDA**

Guideline A: GIFT ACCEPTANCE PROCEDURES

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Policy No. & Title: C105: GIFT ACCEPTANCE

Addendum: **Guideline A: GIFT ACCEPTANCE PROCEDURES**

Issued by: Executive Director, Advancement and Alumni

Effective: 2022-01-04

1. PURPOSE

The purpose of this document is to define a process for gift acceptance that achieves the objective of this policy.

2. DEFINITIONS

Budget Manager: The administrator responsible for a budget unit that carries an allocation of resources.

Gift: A contribution or donation.

Contribution: A transfer of property that does not meet the definition of a donation. A contribution is often a business expense for the donor, typically arising from a sponsorship opportunity. Since sponsorship opportunities are made under contract (implied or explicit) and generally involve a significant benefit to the donor in terms of advertising and promotion value, a sponsorship would be considered a contribution. A contribution also includes the proceeds of sales and other business activities, lotteries, raffles and auctions. With a contribution, the donor is not entitled to a charitable receipt for income tax purposes.

Donation: A voluntary transfer of property without valuable consideration to the donor. The donor is entitled to a charitable donation receipt for income tax purposes.

Sponsorship: A contribution of cash or cash equivalents (e.g., sports uniforms) in return for promotion of the contributor by the College.

Gift agreement: A contract between the donor and the College that specifies the terms and conditions of the gift.

Gift in kind: A gift of non-cash item(s).

Gift of art: A gift of a painting, sculpture, print material, electronic media or other artifact.

Gift of cash: A gift of cash or cash equivalents (e.g., investment securities, other short-term assets).

Gift of equipment: A gift of a tangible piece(s) of equipment that is considered a capital asset by the College's definition.

Gift of supplies: A gift of a tangible piece(s) of equipment or supplies that is not considered a capital asset by the College's definition.

Gift through planned giving: A gift involving a financial instrument that results in a future benefit to the College contingent on a subsequent event.

Gift of real property: A gift of a building or land or both.

Gift of a service: A gift of a service provided to the College or to the Fanshawe College Foundation. A gift of a service is ineligible for a charitable donation receipt and is not normally recorded as a transaction.

3. STANDARDS AND GUIDELINES

3.1. Gift Acceptance

- 3.1.1. Gift opportunities are first referred to and considered by the Executive Director, Advancement and Alumni. Unless otherwise noted below, gifts to the College are received by the Foundation.
- 3.1.2. Gifts opportunities of real property are referred by the Executive Director, Advancement and Alumni for consideration by the Executive Director, Facilities Management and Community Safety to determine on behalf of the College whether there is an appropriate and affordable use by the College for the property. Gifts of real property are accepted in accordance with Board policy B-55: Accepting Gifts of Real Property.
- 3.1.3. A gift with any of the following characteristics requires the development of a gift agreement:
 - A gift involving a naming opportunity;
 - A gift involving the creation, renewal or amendment of an award, scholarship or bursary;
 - A gift involving real property;
 - A gift through planned giving; or
 - A gift that carries unique terms or conditions where it would be prudent to develop a gift agreement.
- 3.1.4. If a College employee is approached by a potential donor regarding a gift, the employee contacts the Advancement and Alumni Department to initiate the process.
- 3.1.5. The use of College operating funds for the purpose of making a donation to the Foundation is prohibited.

3.2. Responsibilities

- 3.2.1. The Executive Director, Advancement and Alumni is responsible for:
 - Providing executive sponsorship and stewardship in the application of this policy;
 - The general application of this College Policy;
 - Ensuring compliance with Board Policy;
 - Ensuring gift opportunities are communicated to and considered by appropriate College stakeholders prior to acceptance; and
 - Preparing the content of each gift agreement (on a form acceptable to the College) for review by appropriate College stakeholders, and authorizing gift agreements.
- 3.2.2. The Vice-President, Corporate Strategy and Business Development is responsible for:
 - Establishing a process for the consideration and acceptance or rejection by stakeholders of gift opportunities;
 - Reviewing the content of gift agreements (except for gifts pertaining to awards and sponsorships) that could impact College operating costs, to ensure compliance with College and Board policies and alignment with College interests; and

- Where a party to the process identifies that there are significant risks or costs associated with accepting an offered gift, the Vice-President consults with appropriate stakeholders before deciding whether to recommend acceptance of the gift or the conditions under which the gift may be accepted.
- 3.2.3. The Vice-President, Finance and Administration is responsible for:
- Reviewing the content of gift agreements for compliance with this policy; and
 - Ensuring that contract language relating to gifts is acceptable to the College.
- 3.2.4. The Manager, Advancement Services is responsible for:
- Providing financial stewardship and reporting of gifts;
 - Preparing customized stewardship reports for major donors;
 - Reviewing the content of and authorizing each gift agreement;
 - Coordinating the valuation and recording of non-cash gifts in accordance with Canada Revenue Agency guidelines; and
 - Issuing gift receipts in accordance with Canada Revenue Agency guidelines.
- 3.2.5. The Executive Director, Facilities Management and Community Safety is responsible for:
- Evaluating gift opportunities for gifts of art, equipment or real property, in consultation with others as appropriate, to determine suitability and whether the gift can meet College requirements and standards, including appropriate and affordable installation, setup and use;
 - Reviewing the content of gift agreements for gifts of art, equipment or real property and developing the content of transfer agreements attaching to gift agreements for gifts of real property, to determine conditions necessary to meet College standards relating to these types of gifts to be accepted.
 - Exercising due diligence in the assessment of gifts of real property or equipment such as environmental assessment, facility or equipment condition assessment, title search, space availability, electrical and mechanical needs, requirements for licensing, reporting, health and safety, security or other restraints or impacts; and
 - Implementing all actions required by policy C201: College Art Collection relating to gifts of art.
- 3.2.6. The Budget Manager is responsible for:
- Involving the Advancement and Alumni department in the consideration of gifts to ensure the proper maintenance of donor and accounting records; and
 - Exercising due diligence with the consideration of gifts of equipment and evaluating proposed departmental use of and benefit from such gifts.

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