

GIFT ACCEPTANCE POLICY

1. Policy and Purposes

This Policy represents the policy of Girl Scouts of Western governing the solicitation and acceptance of gifts by Girl Scouts of Western Ohio. The board of directors of Girl Scouts of Western Ohio and its staff solicit current and deferred gifts from individuals, corporations, foundations and others for purposes that will further and fulfill the council's mission. Purposes of this Policy include: (a) guidance for the board of directors, officers, staff and other constituencies with respect to their responsibilities concerning gifts to Girl Scouts of Western Ohio; and (b) guidance to prospective donors and their professional advisors when making gifts to Girl Scouts of Western Ohio. The provisions of this Policy shall apply to all gifts received by Girl Scouts of Western Ohio. Notwithstanding the foregoing, Girl Scouts of Western Ohio reserves the right to revise or revoke this Policy at any time, and to make exceptions to the Policy.

The mission of Girl Scouts of Western Ohio is to build girls of courage, confidence, and character, who make the world a better place.

The goals of Girl Scouts of Western Ohio are:

- Girls will understand themselves and their values.
- Girls will use their knowledge and skills to explore the world.
- Girls will care about, inspire, and team with others locally and globally.
- Girls will act to make the world a better place.

2. Use of Legal Counsel

A. Girl Scouts of Western Ohio: Girl Scouts of Western Ohio shall seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by legal counsel is recommended for:

- 1) Closely held stock transfers that are subject to restrictions or buy-sell agreements;
- 2) Documents naming Girl Scouts of Western Ohio as trustee;
- 3) Gifts involving contracts such as bargain sales, partnership agreements, or other documents requiring Girl Scouts of Western Ohio to assume an obligation;
- 4) Transactions with a potential conflict of interest;
- 5) Gifts of real estate;
- 6) Pledge agreements;
- 7) Any gift with restrictions; and
- 8) In-kind gifts

B. Donor: In order to avoid potentially any conflicts or potential conflicts of interest, Girl Scouts of Western Ohio encourages prospective donors to seek the assistance of their own legal and financial advisors in matters relating to their gifts and the resulting tax and estate planning consequences.

3. General Policy

Girl Scouts of Western Ohio shall not accept gifts that:

- 1) Violate the terms of Girl Scouts of Western Ohio's organizational documents;
- 2) Would jeopardize Girl Scouts of Western Ohio's status as tax exempt, nonprofit organization under federal or state law;
- 3) Are too difficult or expensive to administer;
- 4) Are for purposes that do not further Girl Scouts of Western Ohio's mission and goals; or
- 5) Could damage the reputation of Girl Scouts of Western Ohio.

Subject to Section 4 below, all final decisions on the acceptance or refusal of a gift, shall be made by the board of directors.

4. Policy Regarding Specific Types of Gifts

A. Gifts Generally Accepted Without Review (Unrestricted Gifts of Cash): Unrestricted gifts may be rejected at the discretion of council administration.

B. Gifts Subject to Board of Directors Review Prior to Acceptance: All gifts, other than unrestricted gifts of cash, must be reviewed by the board of directors prior to acceptance, unless the board of directors authorizes certain de minimis gifts or categories of gifts to be accepted without its review. The following guidelines also apply:

- 1) Tangible Personal Property: The board of directors shall review and decide whether to accept gifts of tangible personal property by considering the following factors:
 - a. Whether the property furthers the mission of Girl Scouts of Western Ohio;
 - b. The marketability of the property;
 - c. The restrictions of the use, display, or sale of the property; and
 - d. Carrying costs and possible liability for the property.
- 2) Marketable Securities:
 - a. Unrestricted marketable securities may be transferred to an account maintained by Girl Scouts of Western Ohio at one or more brokerage firms or delivered physically with the transferor's signature or stock power attached. All marketable securities shall normally be sold as soon as practical following receipt, unless otherwise directed by Girl Scouts of Western Ohio's board of directors.
 - b. If the marketable securities are restricted by applicable securities laws, the board of directors shall make the final determination on the acceptance of the restricted securities.

- 3) Closely-Held Securities: Closely-held securities, including debt and equity positions in non-publicly traded companies, interests in LLPs and LLCs, or other ownership forms, can be accepted subject to the approval of the board of directors of Girl Scouts of Western Ohio. The board of directors shall review and decide whether to accept closely held securities based on the following factors:
 - a. Restrictions on the security that would prevent Girl Scouts of Western Ohio from ultimately converting the securities to cash;
 - b. The marketability of the securities; and
 - c. Any undesirable consequences for Girl Scouts of Western Ohio from accepting the securities. If potential problems arise on initial review of the security, further review and recommendation by an outside professional may be sought before making a final decision on acceptance of the gift. The final determination on the acceptance of closely held securities shall be made by the board of directors of Girl Scouts of Western Ohio with advice of legal counsel when deemed necessary. Non-marketable securities shall be sold as quickly as possible.
- 4) Bequests: Donors may make bequests to Girl Scouts of Western Ohio under their wills and trusts. A bequest will not be recorded as a gift until the gift is irrevocable. When the gift is irrevocable, but is not due until a future date, the gift will be recorded in accordance with generally accepted accounting principles.
- 5) Charitable Remainder Trusts: Girl Scouts of Western Ohio may accept designations as remainder beneficiary of a charitable remainder trust. Girl Scouts of Western Ohio may accept appointment as trustee of a charitable remainder trust.
- 6) Charitable Lead Trusts: Girl Scouts of Western Ohio may accept designations as income beneficiary of a charitable lead trust. Girl Scouts of Western Ohio may accept an appointment as trustee of a charitable lead trust.
- 7) Retirement Plan Beneficiary Designations: Girl Scouts of Western Ohio may accept designations as beneficiary of donors' retirement plans. Designations will not be recorded as gifts until the gift is irrevocable. When the gift is irrevocable, the gift will be recorded in accordance with generally accepted accounting principles.
- 8) Life Insurance: Girl Scouts of Western Ohio may accept designations as beneficiary and owner of a life insurance policy. The life insurance policy will be recorded as a gift once Girl Scouts of Western Ohio is named as both beneficiary and irrevocable owner of a life insurance policy. The gift shall be valued in accordance with generally accepted accounting principles rules. If the donor contributes future premium payments, Girl Scouts of Western Ohio will include the entire amount of the additional premium payment as a gift in the year that it is made. If the donor does not elect to continue to make gifts to cover premium payments on the life insurance policy, Girl Scouts of Western Ohio may: (1) continue to pay the premiums; (2) convert the policy to paid up insurance; or (3) surrender the policy for its current cash value.

Donors may name Girl Scouts of Western Ohio as beneficiary or contingent beneficiary of their life insurance policies. Designations will not be recorded as gifts until the gift is irrevocable. When the gift is irrevocable, the gift shall be recorded in accordance with generally accepted accounting principles.

- 9) Charitable Gift Annuities: Girl Scouts of Western Ohio may offer charitable gift annuities. The minimum gift for funding is \$25,000. The minimum age for life income beneficiaries of a gift annuity shall be 80 years of age. Where a deferred gift annuity is offered, the minimum age for life income beneficiaries shall be 80 years of age. No more than two life income beneficiaries will be permitted for any annuity. The board of directors may make exceptions to these minimums.
- a. *Payment Schedule* – Annuity payments may be made on a quarterly, semiannual, or annual schedule. The board of directors may approve exceptions to this payment schedule.
 - b. *Illiquid Assets* – Girl Scouts of Western Ohio may accept real estate, tangible personal property, or any other illiquid asset in exchange for current charitable gift annuities. Girl Scouts of Western Ohio may accept real estate, tangible personal property, or other illiquid assets in exchange for deferred gift annuities if there is at least a five (5) year period before the commencement of the annuity payment date, the value of the property is reasonably certain, and the board of directors approves the arrangement.
 - c. *Handling of Funds* – Funds required as reserves for gift annuities should be established and maintained in accordance with applicable state insurance laws.
- 10) Real Estate: Gifts of real estate may include developed property, undeveloped property, or gifts subject to a prior life interest.
- a. *Environmental Review* – Prior to acceptance of real estate, Girl Scouts of Western Ohio shall require an initial environmental review of the property to ensure that the property has no environmental problem. If the initial inspection reveals a potential problem, Girl Scouts of Western Ohio shall retain a qualified inspection firm to conduct an environmental audit. The cost of the environmental audit shall be an expense of the donor.
 - b. *Title Binder* – A title binder shall be obtained by Girl Scouts of Western Ohio prior to the acceptance of the real property gift when appropriate. The cost of this title binder shall be an expense of the donor.
 - c. *Factors for Acceptance* – The board of directors and legal counsel shall review and decide whether to accept real property based on the following factors:
 - i. Whether the property is useful for the purpose of Girl Scouts of Western Ohio;
 - ii. The marketability of the property;
 - iii. Any encumbrances, leases, restrictions, reservations, easements, or other limitations associated with the property;
 - iv. Any carrying costs associated with the property, including insurance, property taxes, mortgages, notes or other costs;
 - v. Any concerns which the environmental audit revealed.
- 11) Remainder Interests in Property: Girl Scouts of Western Ohio will accept a remainder interest in a personal residence, farm, or vacation property subject to the provisions of this Paragraph 4. The donor or other occupants may continue to occupy the real property for the duration of the stated life. At the death of the life tenant(s), Girl Scouts of Western Ohio may use the property or reduce it to cash. Expenses for maintenance, real estate taxes, and any property indebtedness shall be paid by the donor or primary beneficiary.

- 12) Oil, Gas, and Mineral Interests: Girl Scouts of Western Ohio may accept oil and gas property interests when appropriate. The board of directors and legal counsel shall review and decide whether to accept oil, gas, and mineral interests subject to the following limitations:
- a. Gifts of surface rights should have a value of \$500 or greater.
 - b. Gifts of oil, gas and mineral interests should generate at least \$2,000 per year in royalties or other income (as determined by the average of the three years prior to the gift).
 - c. The property should not have extended liabilities or other considerations that make receipt of the gift inappropriate.
 - d. A working interest should only be accepted after consideration of potential liability and tax consequences.
 - e. The property should undergo an environmental review to ensure that Girl Scouts of Western Ohio has no current or potential exposure to environmental liability.
- 13) Restricted Gifts: A gift with restrictions will be accepted only if and when the restrictions are approved by the board of directors.
- 14) Named Funds: A donor, or group of donors, may contribute and name a fund and restrict the use of the income or principal of the fund. Named funds require a minimum contribution of \$500,000 and are subject to board of director's approval like any other restricted gift.
- 15) In-Kind Gifts: Girl Scouts of Western Ohio may accept contributions of goods or services that can be used to advance its mission or may be converted readily into cash. It is the sole responsibility of the donor to determine the value of a contributed item; the receiver cannot assign a value to the donated item(s).

5. Additional Provisions

- A. Gifts Agreements:** Where appropriate, Girl Scouts of Western Ohio shall enter into a written gift agreement with the donor, specifying the items or any restricted gift, which may include provisions regarding donor recognition.
- B. Pledge Agreements:** Acceptance by Girl Scouts of Western Ohio of pledges by donors of future support of Girl Scouts of Western Ohio (including by way of matching gift commitments) shall be contingent upon the execution and fulfillment of a written charitable pledge agreement specifying the terms of the pledge, which may include provisions regarding donor recognition.
- C. Fees:** Girl Scouts of Western Ohio will not accept a gift unless the donor is responsible for: (1) the fees of independent legal counsel retained by donor for completing the gift; (2) appraisal fees; (3) environmental audits and title binders (in the case of real property); and (4) all other third-party fees associated with the transfer of the gift to Girl Scouts of Western Ohio.
- D. Valuation of Gifts:** Girl Scouts of Western Ohio shall record gifts received at their valuation on the date of gift, except that, when a gift is irrevocable, but is not due until a future date, the gift may be recorded at the time the gift becomes irrevocable in accordance with generally accepted accounting principles.

E. IRS Filings upon Sale of Gifts: To the extent applicable, the board of directors shall file IRS Form 8282 upon the sale or disposition of any charitable deduction property sold within three (3) years of receipt by Girl Scouts of Western Ohio. “Charitable deduction property” means any donated property (other than money and publicly traded securities) if the value claimed by the donor exceeds \$5,000 per item or group of similar items donated by the donor to one or more donee organization (e.g., the property listed in Section B on Form 8283). Girl Scouts of Western Ohio shall file this form within 125 days of the date of sale or disposition of the asset.

F. Written Acknowledgement: The board of directors of Girl Scouts of Western Ohio shall provide written acknowledgement of all gifts of \$250 or more made to Girl Scouts of Western Ohio and comply with the current IRS requirements in acknowledgement of the gifts.

G. Changes to or Deviations from the Policy: This Policy has been reviewed and accepted by Girl Scouts of Western Ohio’s board of directors, which has the sole power to change this Policy. In addition, the board of directors must approve in writing any deviations from this Policy.

H. Naming Opportunities: A commemorative name recognizes a private or a corporate gift. The approval process for a commemorative naming is as follows:

- 1) The request is submitted to Girl Scouts of Western Ohio for consideration, as appropriate.
- 2) The request will be submitted to the board of directors who will determine the financial value and type of recognition appropriate.
- 3) If the request is approved, the board will pass it on to the appropriate staff for implementation and to ensure that proper design and signage standards are adhered to.
- 4) The CEO and board of directors, in coordination with the staff, coordinate the timing and method of communicating the final decision to all involved.
- 5) With permission of the honoree or representative, Girl Scouts of Western Ohio staff will support and arrange for a dedication ceremony, internal and external publicity, and other activities to maximize the donor’s level of recognition, community awareness, and university understanding.

Gift Level Guidelines		
Type of Space	Examples	Minimum Gift
Highly visible public space	A building addition, construction of a pool or camp structure (ropes course)	\$100,000
Upgrades, renovations or remodel of existing buildings or structures	Program rooms, kitchens, entrance foyers, pools, camp structures, locker rooms	\$25,000 - \$75,000
Landscaping	Landscaping, trails	\$5,000 - \$25,000
Private-use space	Offices, meeting rooms, resource rooms	\$10,000 - \$30,000