



## Gift Solicitation and Acceptance Policy

### Purpose

Friends of the Teton River (FTR) values its relationships with its donors and maintains high standards for the solicitation and acceptance of gifts. This policy provides the board and staff with the criteria FTR uses to decide whether to solicit or accept a particular gift and establishes guidelines for communicating with donors and potential donors.

### Definitions and Scope

*Gifts* to FTR may also be referred to as contributions or donations and may be restricted or unrestricted. Gifts are typically cultivated with individual donors or family foundations and are to be distinguished from *Grants*.

*Grants* refer to funding which is tied to specific outcomes and goals specified by the grantor. Typically, an organization must submit an application for grant funding.

*Restricted Gifts* have conditions placed upon them by the donor; *Unrestricted Gifts* do not.

This policy addresses *gifts* to FTR.

### Policy Statement

- Acceptance of any gift is at the discretion of FTR. FTR will not accept any gift unless it can be used towards the mission of FTR.
- No irrevocable gift, whether outright or life-income in character, will be accepted if under any reasonable set of circumstances, the gift would jeopardize the donor's financial security.
- FTR accepts unrestricted gifts of cash or publicly traded securities, with no review or approval required.
- Gifts of in-kind services will be accepted at the discretion of FTR.
- Other gifts such as real property, personal property, in-kind gifts, non-liquid securities, contributions whose sources are not transparent, and restricted gifts must be carefully reviewed prior to acceptance due to the special obligations raised or liabilities they may pose for FTR.

- FTR will encourage *unrestricted* gifts unless 1) the donor indicates that they are only willing to make a restricted gift or 2) the option of a restricted gift will otherwise significantly increase the chances of obtaining a gift from the donor.
- When a gift is restricted, FTR will document the restrictions in writing. This instrument must be signed by both the donor and FTR's Executive Director or their designee. In drafting such instruments for the gift of restricted funds to FTR, FTR will encourage donors and their advisors to use language that would permit application of the gift to a more general purpose if, in the opinion of the Board, the designated purpose is no longer feasible.
- When considering whether to solicit or accept a particular gift, FTR will consider the following factors at a minimum:
  - **Values:** Does the acceptance of the gift compromise any of the core values of FTR?
  - **Compatibility:** Is the intent of the donor compatible with FTR's use of the gift?
  - **Public Relationships:** Might acceptance of the gift damage the reputation of FTR?
  - **Primary Benefit:** Is the gift of primary benefit to FTR as opposed to the donor?
  - **Consistency:** Is acceptance of the gift consistent with prior practice?
  - **Form of Gift:** Is the gift offered in a form that FTR can use without incurring substantial expense or difficulty?
  - **Effect on Future Giving:** Will the gift encourage or discourage future gifts?
- The Board of Directors must approve all decisions to solicit and/or accept potentially controversial gifts. The primary consideration will be the impact of the gift on FTR.

## **Administration**

- FTR does not compensate, whether through commissions, finders' fees, or other means, any third party for directing a gift or a donor to FTR, nor does FTR compensate fund development staff or consultants based on a percentage of contributions.
- Prospective donors are responsible for their own legal, accounting, appraisal, transportation, and other fees related to gifting to FTR.
- Donors are responsible for obtaining their own appraisals for tax purposes of real property or tangible or intangible personal property being given to FTR and for any fees or other expenses related to such appraisals.
- FTR retains the right to obtain its own qualified appraisals of real property or tangible or intangible personal property being offered as a gift at its own expense.

- FTR will acknowledge receipt of gifts of tangible personal or real property in accordance with the federal tax law and will sign any IRS form or other documents necessary for the donor to obtain a tax deduction for such gifts, so long as such acknowledgment does not entail valuing the gift.
- Staff and board members will inform the FTR Development Director about contacts with donors or potential donors.
- FTR will keep its donor database up-to-date.

**Authority**

- Some donations to the organization must be carefully reviewed by the Board of Directors prior to acceptance because of the special obligations raised or liabilities they may pose for FTR. Such gifts include but are not limited to:
  - Non-liquid securities,
  - Restricted gifts, real property, personal property, and in-kind gifts which are outside of an existing, board approved campaign/project.
  - Contributions whose sources are not transparent,
  - Potentially controversial gifts, and
  - Gifts that may result in expenses or liability for FTR.
- The Executive Director or their designee is authorized to accept donations that do not meet the above criteria, including unrestricted cash with transparent sources, publicly traded securities, and restricted donations (including donations such as real property, personal property, publicly traded securities, and in-kind gifts) *provided that the restriction is for an existing, board-approved campaign/project.*
- The Executive Director or their designee will handle negotiations with donors and potential donors and will report regularly to the Board.
- The Executive Director or their designee is authorized to enter into planned gift agreements on behalf of FTR and to execute any and all documents necessary or appropriate to consummate such agreements, with regular reporting to the Board.
- Any exceptions to this policy may be made only in exceptional circumstances, on an individual basis, and require the approval of the Board of Directors.

**Approved by the Board of Directors:**

s/s William Horn, President

May 24, 2018

\_\_\_\_\_  
**Signature of Board President**

\_\_\_\_\_  
**Date**

Adapted from the Board Source Nonprofit Policy Sampler ©2006 and the National Council of Nonprofits Gift Acceptance Policy ©2010 National Council of Nonprofits.