



**United Way
of Marquette County**

UNITED WAY OF MARQUETTE COUNTY GIFT ACCEPTANCE POLICY

GENERAL

United Way of Marquette County (UWMC) welcomes all gifts for its use or for its benefit and will endeavor in all instances to work with donors and their advisors to help assure that the goals of each contributor are accomplished. The goal is to encourage funding of UWMC without encumbering UWMC with any gifts that may prove to generate more costs than benefit or which are restricted in a manner that is not in keeping with our mission. UWMC reserves the right to determine the appropriateness and acceptability of a gift or to refuse a gift.

The policy set forth herein is intended for use as a guideline. Specific gifts will be considered on their merits and final action will be taken by those authorized by UWMC's Board of Directors to do so when appropriate.

Unrestricted gifts and gifts for specific programs and purposes may be accepted by UWMC, provided they are consistent with UWMC's mission, purposes, or priorities.

Valuation of a gift will be recorded by UWMC at its value on the date of the gift.

This policy shall be administered, interpreted, and amended where necessary and appropriate by the Executive Committee. The Finance Committee will offer guidance on acceptance of gifts and use. UWMC will comply with all applicable laws and regulations in its gift acceptance efforts, will register with the proper authorities, and will complete any required reports.

Questions regarding any portion of this material may be directed to the Executive Director of United Way of Marquette County.

DONOR'S RIGHTS AND INTERESTS

No agreement will be made between UWMC and any agency, person, company, or organization on any matter—whether it be investment, management, sale, or other interest—which would knowingly jeopardize or compromise the donor's interests.

In keeping with this policy, all staff or consultants employed by UWMC to administer or promote gifts will be paid on a fixed salary or other basis and not receive a commission related to

gifts received in such a way as to create a personal financial interest in any agreement or receipt of gift to UWMC.

UWMC shall never sell, rent, trade, or otherwise disseminate donor information to any third party or other organization for the purpose of generating revenue or in exchange for information except in the case wherein a third party organization, acting as a consultant to UWMC under the auspices of a confidentiality agreement, is providing direct planning or program services to UWMC.

UWMC will hold all information obtained from or about donors or prospects in strictest confidence subject to legally authorized and enforceable requests for information by government agencies and courts. Neither the name, amount, nor the conditions of any gift will be published when specifically requested not to do so by a donor.

OUTRIGHT GIFTS

General: Gifts of cash are the most common form of outright gift. Cash gifts include credit card commitments, checks, check drafts and/or payroll deduction arrangements and may be put to immediate use of UWMC. Additional general gifts include in-kind gifts, bargain sales, etc.

Special Purpose Endowment Funds: UWMC may approve the establishment of special purpose endowment funds upon receipt of gifts or endowments that meet the approved funding levels and criteria established for the endowment.

Endowed Scholarships or Awards: An endowed scholarship or award may be established with a minimum commitment of not less than \$5,000. An endowed award means that the initial funds given to establish the award are invested and that only the investment income from the principal may be distributed. This initial endowment amount may be paid to UWMC over a period of two years with subsequent gifts accepted anytime thereafter.

Non-endowed Scholarships or Awards: Non-endowed scholarships or awards may be accepted at any time and may be expended immediately or at the discretion of UWMC.

Naming Opportunities: Naming opportunities may be used to honor living individuals or friends or family members of the donor; they may also be used in memory of a loved one. Minimum criteria for individuals to be considered as namesakes for a program and/or facilities are as follows:

- Honoree must have made a notable contribution to society and the welfare of society, or
- Honoree must have made a significant contribution to UWMC through service, leadership, and/or financial support

Special consideration for naming opportunities that may not meet the above criteria can be considered by the Executive Committee and, upon its recommendation, approved by the Board.

Cash: All checks must be made payable to United Way of Marquette County and not made payable to any employee or volunteer of UWMC. All checks will be deposited in the ordinary course of business. No employee shall be authorized to delay deposit.

Publicly Traded Securities: Securities that are traded on the New York Stock Exchange, American Stock Exchange or NASDAQ Market or readily marketable securities shall be accepted by UWMC.

Closely Held Securities: Non-publicly traded securities will be accepted upon prior approval of the Executive Committee, which has reviewed the prospective donation for all and any special provisions. Such securities shall be liquidated immediately.

Real Property: It is the policy of UWMC to accept gifts of real property to the organization. Gifts of real property shall be accepted only after prior approval of the Executive Committee and Board of Directors. Prior to acceptance of real property, an independent third-party appraisal regarding environmental conditions, status of title, and any other relevant information to be determined by UWMC will be obtained.

Tangible Personal Property: A donor's gift of artwork, jewelry, collectibles, artifacts, library collections, or equipment may be accepted by UWMC, but only after detailed review by UWMC and the approval of the Executive Committee and Board of Directors. If there is reason to believe that such property has a value of \$5,000 or more, it may be accepted after receipt and review of an appraisal qualified under relevant Internal Revenue Code requirements. Exceptions to this procedure can occur when connected to silent auctions and events approved and/or sponsored by UWMC.

Personal property may not be accepted where UWMC is obligated to maintain ownership of it. Property which will require additional insurance, special facilities, or security may not be accepted without prior approval of the Board of Directors.

Other Property: Other property such as mortgages, notes, copyrights, royalties, easements, whether real or personal, may be accepted by the Executive Committee. Debt-encumbered property will not be accepted unless extraordinary circumstances prevail; such acceptance must be approved by the Board of Directors.

DEFERRED GIFTS

A charitable bequest to UWMC is a gift of any amount made to UWMC via a donor's will. Gifts may be made through the execution of a will or a codicil to an existing will. Bequests may be designated as restricted or unrestricted. Restricted bequests, when accepted, are used in accordance with the desires expressed by the donor and in consideration of any limitations placed on UWMC by IRS guidelines and other factors. Unrestricted bequests are used for general purposes and directed to the area of greatest need.

Bequests: Gifts through wills may be actively encouraged by UWMC. Gifts from the estates of deceased donors shall be accepted subject to the terms of this policy. The legal counsel of UWMC shall expeditiously communicate the terms of applicable policies to the representatives of the estate.

Charitable Remainder Trusts: UWMC encourages those interested in doing so to establish charitable remainder trusts for the benefit of the organization. It is understood that charitable remainder trusts and other deferred gifts shall be encouraged as vehicles for which the primary purpose is to make gifts to UWMC. Such trusts shall not be marketed as tax avoidances or as investment vehicles, as it is understood that such activity may violate federal and/or state securities regulations.

UWMC will not serve as trustee of a remainder trust of which it is also a beneficiary. UWMC may, if necessary, assist in the selection of an appropriate and independent trustee. The fees for management of a charitable remainder trust will be paid by UWMC only upon approval of the Board of Directors. UWMC will make no representations as to performance of trust assets or the manner in which charitable remainder trust assets will be managed or invested by any corporate fiduciary.

Charitable Lead Trust: Major gift donors may use charitable lead trusts to fulfill pledge agreements with cash, stock, real estate (or a combination) placed in trust. The periodic payments to charity from the lead trust will be gratefully received by UWMC for general purposes.

Life Estate Gifts: Donors may make gifts of remainder in real estate to UWMC. Upon notification by the legal representative of the estate of a life estate holder of the death of such a person, the legal counsel of UWMC shall immediately research all appropriate laws and regulations and communicate with appropriate estate representative(s). A determination shall then be made as to the suitability of UWMC accepting full title to such property.

Gifts of Life Insurance: A tax-deductible gift may be made by irrevocably designating UWMC as both policy owner and beneficiary of a new or existing policy. All such policies must be paid in full at the time the gift is made to UWMC. UWMC will not, however, agree to accept gifts from donors for the purpose of purchasing insurance on the donor's life.

Other: Other types of gifts that will be accepted after Executive Committee review are the following: retirement and qualified plans, charitable gift annuities, etc. UWMC may at some time offer both current and deferred gift annuities to its donors. Should charitable gift annuities contracts be offered, they shall only be offered after all State registrations and authorizations are complete.

PAYMENT OF FEES RELATED TO GIFTS

Finder's Fees or Commissions: In general, UWMC will pay no fee to any person as consideration for directing a gift to UWMC. In no event will a commission or finder's fee be paid to any party in connection with the completion of a gift to UWMC without prior written approval of the Executive Committee and subsequent written notification to the donor involved of the amount and recipients of any such fee.

Professional Fees: UWMC prefers that professional services rendered in connection with the completion of a gift be assumed by the donor. Fees shall be directly related to the completion of a gift and may include the following:

- Appraisal fees by persons who are competent and qualified via expert appraisal as under appropriate IRS guidelines to appraise the property and who have no conflict of interest
- Environmental impact studies when deemed necessary
- Legal fees for the preparation of documents
- Accounting fees incident to the transaction
- Fees of financial planners

In the case of financial planners, such persons must have in writing that they are compensated only through fees for services rendered and that they are not compensated for the sale of products to clients. The distinction is vital in avoiding the payment of commissions, which could be construed as triggering securities regulation.

In situations where advisors retained by UWMC prepare documents or render advice in any form to UWMC and/or to a donor to UWMC, the professional involved is in the employ of UWMC and is not acting on behalf of the donor, and any documents or advice rendered in the course of the relationship between UWMC and the donor should be reviewed by counsel prior to completion of the gift.

RESTRICTIONS

It is recognized and understood that donors often wish to restrict their gifts, but such restrictions must conform to the guidelines in this policy and be in compliance with the law and regulations. Restricted gifts may be accepted and used by UWMC without prior approval of the Executive Committee unless it is deemed by the staff and Executive Director that a restriction is unique or so unusual as to be outside the standard restriction/designation received by UWMC. Restrictions on ways in which funds may be invested may only be agreed to as stated and allowed in the Investment Policy and with approval of the Finance Committee prior to the transfer of any assets the investment of which is to be restricted.

ADMINISTRATION OF POLICIES

Without specific written authorization, volunteers may not sign appraisal summaries or other documents legally required for the completion of a gift to UWMC.

The Executive Director and appropriate staff are responsible for reviewing this policy at least annually or more often as needed to ensure that they remain consistent with applicable laws and agency programs, as well as to ensure efficient and effective operating procedures.

The policy outlined herein may be waived by action of the Board of Directors.

The Executive Committee may accept cash and publicly traded securities subject to the terms of this policy. In the event gifts are accepted which are not in keeping with the terms of this policy, and no exception is subsequently made, every attempt shall be made to return the donated

property or amend the terms of the gift in a way which is mutually acceptable to the donor of such property and UWMC.

USE OF LEGAL COUNSEL

UWMC seeks the advice of legal counsel as appropriate on matters relating to acceptance of gifts. Review by legal counsel may be sought in connection with the following:

- Closely held stock transfers that are subject to restriction or buy-sell agreements
- Documents naming UWMC as Trustee
- Gifts involving contracts requiring UWMC to assume a legal obligation
- Gifts of patents and intellectual property
- Transactions with potential conflict of interest that may invoke IRS sanctions
- Other instances in which use of counsel is deemed appropriate by the Executive Committee or Board of Directors

CONFLICT OF INTEREST

United Way of Marquette County does not provide personal legal, financial, or other professional advice to donors or prospective donors. Donors and prospective donors are strongly urged to seek the assistance of their own professional advisors in matters relating to their gifts and the resulting tax and estate planning consequences.

Approved by Board of Directors on: 4, 16, 20

Signature of Chair of Board of Directors: Scott [Signature]