



Gift Acceptance Policy

As a 501(c)(3) non-profit organization, North Marin Community Services (NMCS) relies on and appreciates contributions to fulfill its mission of empowering youth, adults and families in our diverse community to achieve well-being, growth and success.

The purpose of this policy is to protect both the donor's giving intent, as well as ensuring the gift aligns with NMCS' mission and bylaws. NMCS will share financial and program information to donors in order to make informed giving decisions. Subject to the Board's review and approval authority, NMCS CEO, CFO and Development Manager will have the authority to handle inquiries, negotiate with donors, assemble documentation, retain expert and technical consultants, and execute agreements on behalf of NMCS. Every donation will be promptly recorded, processed and acknowledged, and donors will be informed of how their gift will be utilized. Specific requests as to acknowledgment will be honored consistent with NMCS' practices and policies.

NMCS reserves the right to refuse a gift if it is determined to conflict with the organization's mission, or for any good reason as determined by the Board of Directors in consultation with the CEO. NMCS reserves the right to make any or all investment decisions regarding gifts to it in accordance with its Investment Policy, as amended from time to time.

The following policies and guidelines govern acceptance of gifts made to NMCS for the benefit of any of its operations, programs or services.

Use of Legal Counsel—NMCS will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

1. Gifts of securities that are subject to restrictions or buy-sell agreements.
2. Gifts requiring NMCS to assume financial or other obligations.
3. Transactions with potential conflicts of interest.
4. Gifts of property, which may be subject to environmental or other regulatory restrictions.

Restrictions on Gifts—NMCS will not accept gifts that:

1. Would result in NMCS violating its by-laws or are for purposes outside NMCS' mission.
2. Would result in NMCS losing its status as an IRS 501(c)(3) not-for-profit organization.
3. Are too difficult or too expensive to administer in relation to their value.
4. Would result in any unacceptable consequences for NMCS.

Decisions involving restricted gifts that NMCS may not be able to accept are made by the Board of Directors. For restricted and endowed funds, if future circumstances change, or if the donor fails to fulfill a pledge obligation, or if the purpose for which the fund is established becomes illegal, impractical, or it no longer meets the needs of the organization, NMCS may designate an alternative use for such gift in the spirit of the donor's original intent.

Gifts Generally Accepted Without Board Review—

1. *Cash.* Cash gifts are acceptable in any form, including by check, money order, credit card, or on-line. Donors wishing to make a gift by credit card must provide the card type (e.g., Visa, MasterCard), card number, expiration date, cvc, and name of the cardholder as it appears on the credit card.
2. *Marketable Securities.* Marketable securities may be transferred electronically to an account maintained at one or more brokerage firms or delivered physically with the transferor's endorsement or signed stock power (with appropriate signature guarantees). All marketable securities will be promptly liquidated, unless otherwise directed by the Board of Directors. In some cases, marketable securities may be restricted. For example, by applicable securities laws or the terms of the proposed gift. In such instances the decision whether to accept the restricted securities shall be made by the Board of Directors.
3. *Vehicles.* Donations of vehicles and boats will only be accepted through a third-party vendor.
4. *Bequests and Beneficiary Designations under Revocable Trusts, Life Insurance Policies, Commercial Annuities or Retirement Plans.* Donors are encouraged to make bequests to NMCS under their wills; or to name NMCS as the beneficiary under a living trust, life insurance policy, commercial annuity or retirement plan.
5. *Charitable Remainder Trusts.* NMCS may accept designation as a remainder beneficiary of a charitable remainder trust.
6. *Charitable Lead Trusts.* NMCS may accept designation as an income beneficiary of a charitable lead trust.

Gifts Accepted Subject to Prior Board Review—Certain forms of gifts or donated properties may be subject to review prior to acceptance. Additionally, the donor is responsible for providing a third-party valuation of their donation to NMCS. Examples of gifts subject to prior review include, but are not limited to:

1. *Tangible Personal Property.* The Board of Directors shall review and determine whether to accept any gifts of tangible personal property in light of the following considerations:
 - a. Does the property further the organization's mission?
 - b. Is the property marketable?
 - c. Are there any unacceptable restrictions imposed on the property?
 - d. Are there any carrying costs for the property for which the organization may be responsible? Is the title to the property clear and unencumbered?
2. *Life Insurance.* NMCS will accept gifts of life insurance policies where it is named as both the beneficiary and the irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.
3. *Real Estate.* All gifts of real estate are subject to review by the Board of Directors. Prior to acceptance of any gift of real estate other than a personal residence, NMCS shall require an initial environmental review by a qualified environmental firm. In the event that the initial review reveals a potential problem, the organization may retain a qualified environmental firm to conduct an environmental audit. Criteria for acceptance of gifts of real estate include:
 - a. Is the property useful for the organization's purposes?
 - b. Is the property readily marketable? Timeshares cannot be accepted as they are not readily marketable.
 - c. Are there covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property?
 - d. Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or

maintenance expenses associated with the property?

e. Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation or has restrictions such as ADA issues?

Generally, costs associated with the acceptance of a gift, such as the donor's attorneys' fees, accounting fees, and appraisal and escrow fees, are borne by the donor. The direct costs of administering gifts are generally paid out of the assets of the donated funds.

All decisions to solicit and/or accept gifts not covered in the above Gift Acceptance Policy Guidelines will be made by the Board of Directors in consultation with the CEO. The primary consideration will be the impact of the gift on and the benefit to the organization. NMCS will review and update this policy periodically.