



Gift Acceptance Policy

The Arc of Northwest Wayne County solicits and accepts gifts for purposes that will help the organization further and fulfill its mission. The Arc of Northwest Wayne County urges all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences. The following policies and guidelines govern acceptance of gifts made to The Arc of Northwest Wayne County for the benefit of any of its operations, programs, or services.

Legal and Ethical Considerations

The Arc of Northwest Wayne County will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

- A. Gifts of securities that are subject to restrictions or buy-sell agreements.
- B. Documents naming The Arc of Northwest Wayne County as trustee or requiring The Arc of Northwest Wayne County to act in any fiduciary capacity.
- C. Gifts requiring The Arc of Northwest Wayne County to assume financial or other obligations.
- D. Transactions with potential conflicts of interest.
- E. Gifts of property potentially subject to environmental or other regulatory restrictions.
- F. The Arc of Northwest Wayne County does not pay fees to any person as consideration for directing a gift to the organization.
- G. In accordance with the Association of Fundraising Professionals' *Code of Ethical Principles & Standards of Professional Practice*, no staff or consultant fundraiser is compensated based on a percentage of funds raised or on a contingent basis. Non-exempt fundraisers in the employ of the Arc of Northwest Wayne County are compensated based on the number of hours worked. Independent contractors and consultants are compensated on a project basis.

Restrictions on Gifts—The Arc of Northwest Wayne County will not accept gifts that (a) would result in The Arc of Northwest Wayne County violating its corporate charter; (b) would result in The Arc of Northwest Wayne County losing its status as an IRC § 501(c)(3) not-for-profit organization; (c) are too difficult or too expensive to administer in relation to their value; (d) would result in any unacceptable consequences for The Arc of Northwest Wayne County, or (e) are for purposes outside The Arc of Northwest Wayne County's mission. Decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Executive Committee, in consultation with the Executive Director.

Gifts Generally Accepted Without Review

- **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,

American Express), card number, expiration date, and name of the card holder as it appears on the credit card.

- **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) attached. All marketable securities will be sold promptly upon receipt unless otherwise directed by The Arc of Northwest Wayne County's Investment Committee. 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 Executive Committee.

- **Bequests** and Beneficiary Designations under Revocable Trusts, Life Insurance Policies, Commercial Annuities and Retirement Plans. Donors are encouraged to make bequests to The Arc of Northwest Wayne County under their wills, and to name The Arc of Northwest Wayne County as the beneficiary under trusts, life insurance policies, commercial annuities, and retirement plans.

- **Charitable Remainder Trusts.** The Arc of Northwest Wayne County will accept designation as a remainder beneficiary of charitable remainder trusts.

- **Charitable Lead Trusts.** The Arc of Northwest Wayne County will accept designation as an income beneficiary of charitable lead trusts.

- **Cars, boats, RV's, trailers, jet skis-** The Arc of Northwest Wayne County will accept all proceeds from a vehicle or similar donation using a third party that will handle all paperwork for a fee.

Gifts Accepted Subject to Prior Review

Certain forms of gifts or donated properties may be subject to review prior to acceptance. Examples of gifts subject to prior review include, but are not limited to:

- **Life Insurance.** The Arc of Northwest Wayne County will accept gifts of life insurance where The Arc of Northwest Wayne County is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.

- **Real Estate.** All gifts of real estate are subject to review by a third party that will perform all necessary reports and transactions of the sale of the property. Upon sale of the property, the 3rd party may retain a portion of the sales to cover their cost.

Gifts that are NOT acceptable

- **Cannabis Industry.** Given that the Arc of Northwest Wayne County receives federal funds, we are prohibited from accepting any donations from the cannabis industry.

- **Personal Property.** The Arc of Northwest Wayne County will not accept gifts of personal property other than those already aforementioned, such as cars, boats, RV's, trailers, and jet skis.

Donor Consideration and Recognition

- A. All programs, trust agreements, contracts, or commitments benefit, first and foremost, the individual needs of the donor, and secondly, The Arc of Northwest Wayne County.
- B. If the original program to which the gift was restricted is no longer relevant, the Board of Directors is empowered to reevaluate the restriction and may decide to reallocate funds to another area of the organization's mission. Family members of the donor will be contacted by the board to render an opinion on reallocating the funds prior to making a decision.
- C. Any gift may be made in honor of or in memory of the donor or anyone he/she may wish to designate. Notice of the person honored or memorialized must be provided in writing at the time the gift is made unless requested by donor.
- D. Gifts made by a donor on behalf of another individual are credited to the actual donor's record. The individual on whose behalf the gift is made receives recognition credit only.
- E. Donor Privacy
 1. All information concerning donors or prospective donors, including their names, the names of their beneficiaries, the exact amount of the gift, size of the estate, or any other information for which there is a reasonable expectation of privacy and/or confidentiality is kept strictly confidential by The Arc of Northwest Wayne County, its Board of Directors, volunteers, and staff, unless written permission is obtained from the donor to release such information.
- F. Naming of Buildings or Space Therein
 1. All areas of Northwest Wayne County's facility are subject to naming. Such identification is appropriate considering the gift or gifts received and will be sensitive to function and location while being consistent with the building's interior and exterior design.
 2. Naming rights provided to donors will exist for the perpetuity of the designated area. However, The Board of Directors has the right to revoke said naming rights on a case by case basis.
 3. Before making exceptions to the policies for naming opportunities, the Board of Directors considers the following facts and circumstances pertaining to the gift:
 - a) Certainty of the assets to be donated and their future value to The Arc of Northwest Wayne County
 - b) Likelihood of the donor having a "change of heart"
 - c) Estimated present value of the gift
 - d) Donor's connection to The Arc of Northwest Wayne County
 - e) Donor's giving history
 4. The Arc of Northwest Wayne County reserves the right to honor, through appropriate naming opportunities, any individual or family irrespective of the individual or family's giving record. Such honors are generally made posthumously.

Policy Administration

- A. Overall responsibility for assuring compliance with the requirements of this policy is assigned to the Executive Director. Direction of all employees, consultants, and vendors hired to support the development and fundraising activities of The Arc of Northwest Wayne County.
- B. The Board of Directors, in consultation with the Executive Director, is responsible for:
 - a. All forms of contributions received
 - b. Investment and management of all funds raised
 - c. Final authority of what gifts are accepted, which can be declined at their discretion
 - d. Determining when legal counsel is required for the review of a gift
 - e. Determining when an independent appraisal is required for a gift
 - f. Approving exceptions to this policy
 - g. Other appropriate matters that relate to the acceptance of gifts
- C. The Development Director is responsible to the Executive Director for day-to-day management of all fundraising activities. Professional and support staff will provide the following:
 - a. Leadership, management, and direct support to fundraising programs
 - b. Acknowledgement of all gifts and maintenance of donor records and recognition
 - c. Accounting for all gifts received
- D. In compliance with Michigan law, no consultants may solicit funds for The Arc of Northwest Wayne County unless they are registered as a charitable solicitor.
- E. Only the Executive Director of The Arc of Northwest Wayne County, subject to oversight from the Board of Directors, may approve and sign contracts. This includes any obligations related to grant funding.
- F. This policy remains in force until changed by the Board of Directors.
- G. The Arc of Northwest Wayne County's gift accounting policies and procedures are in accordance with generally accepted accounting principles (GAAP).
- H. Refunds of donations are only permitted in extreme cases approved by the Board of Directors.

Approved: Board meeting 3/12/2024