



## GIFT ACCEPTANCE POLICY

<b>POLICY #:</b>	<b>900.01.01</b>
<b>SECTION:</b>	Advancement
<b>ORIGINAL APPROVAL DATE:</b>	December 4, 2013 (as Board of Governors Policy)
<b>LATEST APPROVAL DATE:</b>	<b>September 28, 2018</b>
<b>APPROVING AUTHORITY:</b>	

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### Purpose

The Alberta College of Art and Design (ACAD) is committed to providing clarity, transparency and consistency in the acceptance and treatment of gifts that are made to it. The Policies that follow provide the framework with which ACAD’s staff and volunteers are to consider when gifts are offered to the organization.

This policy ensures donor stewardship and accountability are carried out to the highest ethical standards and in accordance with Canada Revenue Agency and other legal requirement, as well as



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the Association of Fundraising Professionals' Code of Ethical Principles and Standards for professional fundraisers and the Association of Fundraising Professionals' Donor Bill of Rights.

It is important to note that not all gifts will be acceptable to the institution. In some circumstances, the intended use or even acceptance of a gift with conditions set by the donor may be beyond the capacity of ACAD to comply with and the institution may not be able to effectively gain the value from the donated asset. In addition, the perception of the institution by the public needs to be considered when accepting a gift.

In all cases, good judgment and an appropriate level of escalating review by staff and the President + CEO, and in some cases, a Donation Acceptance Task Force or the Board of Governors will be applied.

The acceptance of gifts is linked to a number of other policies and procedures that may be of interest to the donor. These are available for review by donors on the ACAD website:

- ACAD's Access to Information and Protection of Privacy Procedure, which describes the institution's commitments to maintain information provided to the institution confidentially and securely as per the *Freedom of Information and Protection of Privacy Act* (FOIP Act) of Alberta.
- ACAD's Donor Recognition and Naming Policy, which describes the institution's commitments to recognize donors and the circumstances under which a space, program or school of the Institution might be named after a donor.

### Scope

The Board of Governors of the ACAD (ACAD) is accountable for the effective and efficient stewardship of institution funds. ACAD is a registered charity under the Canada Revenue Agency. Its registered charitable number is 10669 2981 RR0001.

The ACAD welcomes donations which enable it to fulfill its mandate in accordance with its mission and core values and under the Alberta Post-Secondary Learning Act, and to provide financial assistance for students through scholarships, awards and bursaries. This policy is intended to guide employees, volunteers and members of the Board of Governors of ACAD on matters of gift acceptance.

Through the promotion of voluntarism and philanthropy, the Engagement Department supports and coordinates all fund development activities to assist the institution and all of its business units in achieving its philanthropic goals.

Federal and provincial governments encourage charitable donations to registered charities such as ACAD, and allow substantial tax benefits to donors. The significance of these tax laws makes it an



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important obligation of the institution to record and acknowledge all eligible gifts received. The Engagement Department is solely responsible for issuing official charitable tax receipts for the eligible amounts of all eligible gifts received by the ACAD consistent with the requirements of the Canada Income Tax Act, Canada Revenue Agency guidelines, Alberta government regulations, and in accordance with the procedures established by the institution.

### Definitions

<b>Board of Governors:</b>	The Board of Governors is mandated with the governing and fiduciary responsibilities of the Alberta College of Art and Design.
<b>Cabinet:</b>	The Cabinet is composed of the executive leadership team of the ACAD.
<b>Cash:</b>	Cash itself, cheque, credit card donations and payment of pledges by similar means.
<b>Donation:</b>	See gift.
<b>Donation Acceptance Task Force:</b>	The Donation Acceptance Task Force is established on a case-by-case basis to consider the acceptance of gifts by the institution that are complex or present possible concerns. The Vice President Engagement has the authority to establish the Donation Acceptance Task Force as needed, which will include the Vice President Engagement; Chief Financial Officer; at least one other member of Cabinet; at least one member of the Board of Governors Advancement Committee; and other institution staff who have a vested interest in each specific case under review. Case-by-case decisions will not be considered precedent setting.
<b>Board of Governors Advancement Committee</b>	The committee established by the Board of Governors to guide and participate in fund development activities as undertaken by the Institution's Engagement Department.
<b>Donor:</b>	An individual, corporation, foundation or other entity who makes a philanthropic gift to the institution. Might also be referred to as a contributor, current donor, grantor, lapsed or past donor, partner, sponsor or supporter.



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- Endowment Gift:** A donation to the institution that requires that the principal be held intact in perpetuity. It is possible for the institution to transfer such a gift to another charitable organization or foundation, as long as the donor or estate agree to the transfer and the gift carries the same requirement that the principal be held intact in perpetuity.
- Gift:** A gift is governed by the definition of a donation in the Government of Canada's Income Tax Act. In general terms, this means a donor makes a voluntary transfer of property owned to a charity and generally, no benefit or consideration can be given to the donor in return. However, recent legal cases under tax law have shown that care needs to be taken in defining a charitable gift.
- A gift may also loosely refer to financial support such as grants or sponsorships from governments, foundations, corporations or organizations or a gift-in-kind or gift-in-service made to the institution, which may or may not be eligible for a charitable tax receipt. These financial supporters will be tracked in the donor database, stewarded as appropriate and as identified in the fund development plan, and acknowledgement receipts issued, in accordance with all applicable provincial and federal legislation.
- Options:** The right but not the obligation to purchase a specified number of shares at a predetermined price over a specific period of time.
- Prospect:** Any potential donor whose linkages, giving ability, and interests to the institution have been confirmed.
- Restricted Funds:** These are funds which reflect the gifts made over time in terms of which donors have prescribed certain restrictions governing the use of these gifts. Restricted funds include those donated by way of grants, flow through gifts, or donor choice in the general operations of the institution.

For further related definitions, please see:

[http://www.afpnet.org/files/ContentDocuments/AFP\\_Dictionary\\_A-Z\\_final\\_6-9-03.pdf](http://www.afpnet.org/files/ContentDocuments/AFP_Dictionary_A-Z_final_6-9-03.pdf)



## Policy

### 1 General

- 1.1 This policy is established as an overarching policy to govern the acceptance of all gifts made to the ACAD or any of its business units, Schools, Centres or programs, whether such gifts are considered outright or deferred. Acceptance of all gifts by the institution will be conducted in accordance with the requirements of the Canada Income Tax Act and common law as it applies to registered charities, Canada Revenue Agency Charities Directorate guidelines, and Alberta government regulations.
- 1.2 The ACAD's solicitation and acceptance of all donations is informed by and consistent with the institution's 800.01.02 Fund Development Procedure and 800.01.01A Fundraising Coordination Appendix, other relevant Policies, and the priorities and interests established by the institution.
- 1.3 Ownership of a donation made to the ACAD rests with the institution, whether the donation is for the benefit of the institution generally or for some specific purpose in it.
- 1.4 Any terms or conditions governing the use of donations are matters of public record, except for information that is personal or proprietary, in accordance with the *Freedom of Information and Protection of Privacy Act*.
- 1.5 A list of all donations may be produced annually and made available, as needed, to the Board of Governors and the Board Advancement Committee, and may be made public by the Engagement Department in the form of a listing of donors for stewardship and recognition purposes. Donors may request to be identified as anonymous in all public recognition activities and the institution is committed to honouring those requests.
- 1.6 The Board of Governors authorizes the Vice President Engagement to establish and chair the ad hoc **Donation Acceptance Task Force** to consider gifts of potential concern, as further detailed below.

The following gifts must be reviewed and approved by the Donation Acceptance Task Force:

- 1.1.1 Outright gifts of real estate
- 1.1.2 Residual interest gifts
- 1.1.3 Charitable remainder trusts
- 1.1.4 Gifts of art over a value of \$100,000



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- 1.1.5 Gifts-in-kind over a value of \$100,000
- 1.1.6 Other restricted gifts
- 1.7 The prior approval of the Donation Acceptance Task Force is also required with respect to any donation in support of a scholarship or award that seeks to designate criteria relating to membership in a particular institution constituency, group, or association.
- 1.8 The ACAD will follow both the institution policy and federal and provincial laws with respect to the acceptance of donations that include designations relating to ethnic, religious, gender, or analogous personal characteristics and prior approval of the ad hoc **Donation Acceptance Task Force** is required with respect to accepting any such donations.
- 1.9 Acceptance of any gift which involves a proposal to name is subject to all of the considerations contained within this policy and under the *Naming and Donor Recognition Policy*. Donor recognition of all gifts accepted by the institution will be in accordance with those outlined in the aforementioned policy.
- 1.10 Where donation agreements seek to include provision for advisory boards and committees, the institution will only create such a board or committee with the prior agreement of the relevant academic or business unit(s).
- 1.11 From time to time issues arise with respect to a donor seeking to take an advisory role in a project/centre or institute or gift/endowment to which they have provided funding. Legal, governance and general policy considerations can all be triggered by such advisory involvement. In such a circumstance, approval of the President + CEO, Vice President Advancement, Vice-President Administration, and Provost and Vice-President, Academic Affairs, or at their direction, the approval of the Donation Acceptance Task Force, is required before a gift with such a provision will be accommodated.
- 1.12 The Vice President Engagement has the authority and responsibility to develop operational procedures and documentation standards, to support the solicitation, review, acceptance, receipting and recognition of gifts to Alberta the College of Art + Design.

## 2 Restrictions

- 2.1 All gifts to ACAD will fall into one of two broad groups:
  - 2.1.1 Unrestricted Gifts
    - o These gifts carry no requirements from the donor as to the manner or timing with which gifts are to be applied by ACAD. As a result, the institution is at liberty to use such gifts as it considers appropriate and will



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best advance its interests and priorities. Unrestricted gifts directed to a particular faculty, department, business unit, School, Centre or program, but for general expenditure, remain undesignated.

### 2.1.2 Restricted Gifts

- Restrictions on gifts limit the institution in how or when to use the gifts. ACAD accounts for all restricted gifts in accordance with Generally Accepted Accounting Principles.
- Endowments are restricted gifts in which the institution receives a donation to hold, as trustee, in a charitable purpose trust. Spending allocations are generated by the property for use by the institution in support of the approved purpose or object of the endowment.
- Gifts directed to a particular School, department, or program for specifically identified purposes are restricted gifts, except as noted above.
- Written instruction will be required for all restricted gifts. ACAD will ensure to the best of its ability that gifts so designated will be fulfilled.
- The policies that follow will identify whether a gift is to be considered restricted and if so what treatment should apply to it. Importantly, ACAD reserves the right to decline a gift in certain circumstances if the restriction is not considered acceptable.

## 3 Guiding principles

- 3.1 All donations are to support ACAD's objectives and be consistent with the institution's mandate, mission, vision and values. Any offer of gift that does not meet these requirements will not be accepted.
- 3.2 A charitable gift, or charitable donation, made to ACAD and eligible for a charitable tax receipt, is one made in accordance with the Canada Revenue Agency guidelines: A charitable gift is a voluntary transfer of property without valuable consideration. Generally a gift is made if all three of the conditions listed below are satisfied:
- 3.2.1 Some property-usually cash-is transferred by a donor to a registered charity;
  - 3.2.2 The transfer is voluntary; and



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- 3.2.3 The transfer is made without expectation of return. No benefit of any kind may be provided to the donor or to anyone designated by the donor, except where the benefit is of nominal value. Where a benefit is provided, and in accordance with Canada Revenue Agency guidelines, a split receipt may be issued in which the value of the tax receipt is reduced by the value of the benefit.
- 3.3 Therefore, ACAD does not accept or recognize as a charitable donation any monies or other property that provides a benefit or consideration to the donor or anyone designated by the donor that includes employment at the institution, enrollment in an institution program, or an institution procurement contract.
- 3.4 Support provided to the institution in the form of a grant or sponsorship, and in accordance with the federal and provincial legislation, other institution policies, and the gift acceptance policies outlined herein, may be accepted and processed as a non-charitable gift and an acknowledgement receipt issued.
- 3.5 Beyond meeting all legal requirements attaching to the acceptance of gifts, gifts may need to be assessed to see that their acceptance brings no risk of harm to the institution or causes it to incur financial or other liabilities.
- 3.6 Any gift that presents potential concern to ACAD shall be escalated by the Vice President Engagement for review as outlined by the Donation Acceptance Task Force.
- 3.7 The acceptance of all gifts must be done at arm's length and in compliance with the Code of Conduct Policy. This means that the donor shall have no ability to influence the decisions of the institution in accepting the gift.
- 3.8 The Engagement Department has a unique responsibility to ensure donated gifts will have sustained benefit to ACAD and its business units. While embracing the need to accommodate donor wishes, ACAD encourages donors to keep the level of gift restriction and/or conditions to a minimum.
- 3.9 Staff shall in all cases encourage donors to discuss the proposed gift with their families and independent legal and/or tax advisors of the donor's choice so as to ensure that the donor receives a full and accurate explanation of all aspects of the proposed gift.
- 3.10 Acceptance of all gifts shall be subject to appropriate levels of review by ACAD staff who shall engage the services of legal counsel and other professionals as considered necessary.
- 3.11 It is not within the domain of either ACAD or its staff to give legal, accounting, tax or other advice to prospective donors. Donors are ultimately responsible for ensuring that their proposed donation furthers their own charitable, financial and estate planning goals. Therefore, donors are encouraged to seek independent advice in the donation planning



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process and are responsible for all costs incurred in relation to obtaining such independent professional advice. ACAD cannot suggest or endorse a third party as a source of gift advice. Where necessary, donors will be requested to provide a written acknowledgement to the institution that:

- 3.11.1 Independent professional advice has been obtained; or
  - 3.11.2 Independent professional advice has been waived though recommended by the institution; and
  - 3.11.3 The institution is released from any liability that may arise in relation to the making of the gift.
- 3.12 Trust agreements relating to planned and endowment gifts shall conform to the standards defined by ACAD's legal counsel. Deviations from that standard shall be discussed with the Vice President Engagement who shall, if deemed necessary, seek further legal advice on the change from the defined standard.
- 3.13 ACAD commits to the highest ethical standards in its engagement with donors.
- 3.14 12. ACAD shall honour requests from donors for anonymity around their donation.
- 3.15 Donors shall at any time have the right to raise concerns regarding the treatment they have received or handling of their donation by directing addressing their concerns as follows who shall ensure that donor concerns are resolved:
- 3.15.1 First to the staff person assigned to manage each policy;
  - 3.15.2 Then, if not satisfied, direct their concern to either the Vice President Engagement or designate;
  - 3.15.3 Then, if not satisfied, to the President and CEO.
- 3.16 The content of solicitation material shall respect the dignity and rights of any and all persons and organizations reflected therein.

#### 4 Statement of Fundraising Ethics

- 4.1 The ACAD's fundraising officers shall act in accordance with the Association of Fundraising Professional's Code of Ethical Principles and Standards and in respect of the Association of Professional Fundraisers Donor Bill of Rights. As well, they shall act in accordance with the following:



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- 4.1.1 Act according to the highest standards defined by ACAD, their profession and sense of good judgment.
- 4.1.2 Avoid even the appearance of criminal offence or professional misconduct.
- 4.1.3 Be responsible for advocating, within their own organizations, adherence to all applicable laws and regulations.
- 4.1.4 Work for a salary or fee and shall not be paid on a percentage or commission-based compensation.
- 4.1.5 Not pay, seek or accept finder's fees, commissions or percentage-based compensation for obtaining philanthropic funds and shall, to the best of their ability, discourage their organizations from making such payments.
- 4.1.6 Effectively disclose all conflicts of interest; such disclosure does not preclude or imply ethical impropriety.
- 4.1.7 Accurately state their professional experience, qualifications and expertise.
- 4.1.8 Adhere to the principle that all donor and prospect information created by, or on behalf of, ACAD, is the property of the institution and shall not be transferred or utilized except on behalf of the institution.
- 4.1.9 Not disclose privileged information to unauthorized parties and shall keep constituent information confidential.
- 4.1.10 Not alter or otherwise edit any approved solicitation materials such that words or images depicting the organization's mission, vision and values, use of funds or community investment outcome measurements are inaccurate.
- 4.1.11 Ensure that reported results are accurate and consistent with Canadian Accounting Standards.
- 4.1.12 To the best of their ability, ensure that contributions are used in accordance with donors' intentions and shall seek explicit consent by the donor before altering the conditions of a gift.



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- 4.1.13 Ensure, to the best of their ability, proper stewardship of charitable contributions, including timely fulfillment of any commitments on the use and management of funds.
- 4.1.14 Ensure to the best of their ability, that donors receive informed and ethical advice about the expected tax receipt value of potential gifts.
- 4.2 All of the above notwithstanding, ACAD's fundraising officers shall comply with all applicable local, provincial, federal and international civil and criminal laws, and particularly, in the context of fundraising, the Charitable Fund-Raising Act of the Province of Alberta.

### Gift Acceptance – Specific Policies

#### 5 Gifts of Cash

##### 5.1 Scope and Background

5.1.1 Gifts of cash constitute the bulk of donations made to ACAD. Accordingly, operational efficiency and effectiveness is a critical element that needs to be embraced in the acceptance of these gifts.

5.1.2 Even with gifts of cash, ACAD needs to be alert to risks, particularly reputational risk before accepting the gift.

#### 6 Application:

6.1.1 All gifts of cash, credit card, cheque, pledge.

#### 7 Policy Statement:

7.1.1 ACAD reserves the right to decline a cash gift.

7.1.2 All cash gifts that support ACAD's mission and strategies and present no other risk to the institution shall be accepted by the institution regardless of the amount.

### Gifts of Publicly Traded Securities

#### 8 Scope and Background



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- 8.1 This Policy applies to the acceptance and disposal of publicly-traded securities or shares donated to the ACAD.
- 8.2 The donation of publicly-traded shares to ACAD is expected to increase as it becomes an increasingly accepted means of donating. Direct gifts of publicly-traded securities avoid capital gains inclusion under income tax law and accordingly present significant financial advantages to donors of these assets.
- 8.3 Because there is considerable financial risk attaching to the holding and trading of shares, ACAD needs to have a policy which protects its rights in deciding to accept such shares and governs the manner in which these shares are accepted and disposed of.

### 9 Application

- 9.1 The donation of privately-owned shares is considered, under Canada Revenue Agency guidelines to be a non-qualifying security and is therefore not currently accepted by ACAD.
- 9.2 The donation of securities publicly traded on a prescribed stock exchange (one of the TSX Group of Exchanges, including the Venture Exchange and the Toronto Stock Exchange, the American Stock Exchange, the New York Stock Exchange, and the NASDAQ Stock Exchange) are qualifying securities and may be accepted by ACAD.

### 10 Policy Statement:

- 10.1 ACAD reserves the right to decline a gift of publicly-traded securities.
- 10.2 ACAD applies the closing price on the day of the donation in determining the fair market value of the gift of publicly-traded securities. This practice provides certainty to both the donor and the institution. It does transfer the risk of market fluctuations until disposal is complete to ACAD. To be clear, ACAD carries the potential gain and bears the potential loss when disposing of the shares. In addition, ACAD needs to recognize donors for their gifts, and the clarity of establishing donation value as described supports this need.

### Gifts of Real Estate

#### 11 Scope and Background

- 11.1 There a number of risks and potential liabilities attaching to the ownership of real estate, and the ACAD will include these in assessing whether it wishes to accept a gift of real estate, even for the short period needed to take ownership and sell the property, where the gift agreement and acceptance permits such sale.



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11.2 Due to the significance of potential risks and costs associated with this form of gift, the Vice President Engagement shall advise of the potential gift, will seek guidance from the Development Acceptance Task Force, and may seek specific input from the Board of Governors in defining the terms and conditions of acceptance of such a gift. The Government of Alberta may need to be consulted and approval sought where a gift of real estate to the institution is considered.

### 12 Application

12.1 Gifts of real estate include bare land and developed properties. These would include outright gifts where no encumbrance on the property exists, residual interest in the property, or a charitable remainder trust, where the contributed asset is real property.

### 13 Policy Statement

13.1 ACAD reserves the right to decline a gift of Real Estate, if in its sole opinion, organizational criteria to accept such gift is not met.

13.2 Initial Assessment using independent professional services to determine fair market value and likelihood of sale, and any encumbrances, liabilities and related advise concerning the acceptance of such gift shall be conducted as close as possible in time to the date of the donation.



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- 13.3 The Donation Acceptance Task Force shall consider the results of the Initial Assessment and should they consider it worthwhile proceeding, recommend to the Board of Governors the acceptance of the gift.
- 13.4 The Board of Governors shall decide whether to accept or decline the gift based on the information provided.

### Gifts of Life Insurance

#### 14 Scope and Background

- 14.1 ACAD has a General Fund through which day to day activities are conducted, and an endowment fund providing future resources for the institution. In the absence of any contrary direction by the donor, the proceeds of life insurance policies shall be considered unrestricted funding at the discretion of the President + CEO.
- 14.2 Whole life policies include an investment element, the value of which can be donated at any time. Term life policies have no invested element. ACAD will accept either, provided it is satisfied that the future cash flows needed to maintain the policy can be met, either by the donor or if financially feasible, by ACAD itself. The need for such cash flows will depend on each specific policy.

#### 15 Application

- 15.1 This Policy applies to both whole life and term insurance policies.

#### 16 Policy Statement

- 16.1 ACAD reserves the right to decline the gift of any insurance policy.
- 16.2 Life insurance policies can be donated by way of irrevocable transfer of ownership during the life of the donor, or by making the institution a beneficiary on the death of the donor.

### Bequests

#### 17 Scope and Background

- 17.1 Cash-based bequests comprise the majority of these types of gifts, but other assets are periodically left to the institution. Non-cash bequests require careful consideration on three fronts:



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- 17.1.1 Whether ACAD should, in fact, accept the gift. If the gift is inconsistent with the institution's Mandate, Mission, Vision and Values, the Vice President Engagement designate, and in consultation with the Donation Acceptance Task Force if necessary, should consider the conditions, if any, under which it will accept the gift.
- 17.1.2 The fair market value of the gift would have been established immediately prior to the death of the donor, but typically a significant amount of time could pass before ACAD is entitled to receive the gift and accordingly the value would need to be re-established.
- 17.1.3 How difficult it will be to dispose of the gift.
- 17.2 In cases of non-cash bequests, ACAD may in its discretion engage the use of professionals and guidance of the Donation Acceptance Task Force in both deciding whether to accept the gift, and later in its disposition.

### 18 Policy Statement

- 18.1 ACAD reserves its rights to decline a bequest.
- 18.2 Counsel from the Donation Acceptance Task Force is to be sought and professionals may be used to assist in this decision if necessary.

### Memorial and Tribute Gifts

### 19 Scope and Background

- 19.1 ACAD accepts Memorial and Tribute Gifts as unrestricted gifts unless the donor's instruction makes specific provision for the gift to be used in another manner.
- 19.2 These gifts are given to the institution as memorials to an individual who has passed away or tribute gifts to an individual for special occasions. They are typically smaller than bequests and reach the institution at random. Memorial and tribute gifts are typically cash. Any offer of a memorial and tribute gift that is not cash should be carefully considered.

### 20 Application

- 20.1 All memorial and tribute gifts.
- 20.2 This excludes cases where ACAD is the beneficiary or owner of an insurance policy which are covered under Life Insurance Policies



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### 21 Policy Statement

- 21.1 ACAD reserves its rights to decline a memorial and tribute gift.
- 21.2 In accordance with Canada Revenue Agency guidelines, a charitable tax receipt must be issued in the name of the donor, not the name of the honouree.

### Gifts In Kind

### 22 Scope and Background

- 22.1 Gifts in kind reflect a broad group of gifts including, for example, tangible (artwork, furnishings, computers, etc.) and intangible (use of timeshare, tickets to events, personal services).
- 22.2 ACAD solicits and encourages donations to the institution in the form of gift(s)-in-kind. Solicitation of such gifts for the benefit of the institution shall require prior approval, to ensure that the gift is deemed to be of value to the institution and its community.
- 22.3 Canada Revenue Agency pays particular attention to gifts in this class, because tax shelter schemes in which tax abuse might occur often make use of gift in kind gifts to inappropriately issue charitable tax receipts.
- 22.4 ACAD will pay careful attention to gifts in this class. The nature of the gift, the ability to establish fair market value and potentially, the ability to dispose of the gift are important criteria to be considered in deciding whether to accept the gift. The use of suitably qualified experts may be necessary in determining fair market value.
- 22.5 Note that gifts of services are not permitted under Canadian tax law. Therefore, ACAD will not issue charitable tax receipts for the gift of services in kind. Canada Revenue Agency does, however, accept the practice of cheque swapping. This entails the person billing ACAD for the service and then donating back the amount billed, once paid by the institution.

### 23 Application

- 23.1 All non-cash gifts not otherwise treated in these Gift Acceptance Procedures.

### 24 Policy Statement

- 24.1 Prior to acceptance, the gift(s)-in-kind must be deemed to be of value (value in this context does not relate to monetary value) to the institution and its community.



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- 24.2 If the gift(s)-in-kind is deemed appropriate then the institution may accept the gift(s) providing that:
- 24.2.1 Any additional expenditures as a result of accepting a gift(s)-in-kind are understood and acceptable to ACAD;
  - 24.2.2 ACAD is free to determine the best use of all gift(s)-in-kind;
  - 24.2.3 All in-kind gifts received shall adhere to established Canada Revenue Agency guidelines;
  - 24.2.4 ACAD reserves the right to decline the offer of any gift in this category.

### **Other Restricted Gifts**

#### **25 Scope and Background**

- 25.1 Gifts in this group are very infrequent to ACAD. They are by nature complex and require careful consideration. Accordingly, each gift will be considered in its own right with appropriate application of the Guiding Principles, and where appropriate, the approval of the Development Acceptance Task Force.

#### **26 Application**

- 26.1 The following types of gifts are included as Other Restricted Gifts that may be accepted by ACAD:
- 26.1.1 Gift Annuities
  - 26.1.2 Gifts of Residual Interests
  - 26.1.3 Gifts of Retirement Plans
  - 26.1.4 Gifts of Charitable Remainder Trusts

**27 Policy Statement**

- 27.1 ACAD reserves its rights to decline any gift in this class.
- 27.2 The Vice President or designate shall obtain the advice of professionals in assessing the acceptability of the gift, and if appropriate, shall obtain the sanction of the Donation Acceptance Task Force prior to proceeding.
- 27.3 As a general rule, ACAD will not accept stock options from individuals or corporations and would recommend that the donor first exercise the option and then donate the underlying shares.

**Related Documents**

*Canada Income Tax Act* and Canada Revenue Agency Charities Directorate guidelines as applicable to registered charities <http://www.cra-arc.gc.ca/chrts-gvng/chrts/plcy/menu-eng.html>

*Post-secondary Learning Act* (PSLA)

*Freedom of Information and Protection of Privacy Act* (FOIP Act)

*Charitable Fundraising Act*

*Societies Act*

100. Board of Governors: Code of Conduct

200. Finance: Financial Management Policy

200. Finance: Investment Procedure

900. Advancement: Gift Acceptance Procedure

AFP Donor Bill of Rights

AFP Code of Ethical Principles and Standards