

Gift Acceptance Policy

Preamble

The Endowment endorses and subscribes to *A Donor Bill of Rights* (Appendix #1 of this policy).

The Board of Directors of the Endowment (hereafter “Board”) encourages donors to make outright, planned and testamentary gifts.

The purposes of all gifts to the Endowment must relate to its mission: *Provide an opportunity for Crossings’ members and friends to extend their financial support of the Church’s Christ-centered purpose to impact our community and world during and beyond their lifetimes.*

Roles and Responsibilities Regarding the Acceptance of Gifts

The Board of Directors shall utilize a Gift Acceptance Committee (hereafter “GAC”) for the purpose of determining whether certain gifts detailed below will be accepted by the Endowment. It is the responsibility of the GAC to:

1. recommend to the Board policies regarding the acceptance of all gifts to the Endowment;
2. review the policies at least annually and recommend any changes as required; and
3. review certain gift transactions on a case-by-case basis as more fully set forth below.

The Board is responsible for formally adopting the recommended policies and their revisions from time-to-time.

The GAC shall be comprised of the Board chairman, vice-chairman and treasurer. The Director of the Endowment shall be an ex-officio member of the committee with no voting rights. Additionally, the GAC shall consult with the Endowment’s attorney or CPA as deemed appropriate to make a decision to accept or decline certain gifts as outlined below.

It is the responsibility of the Endowment staff to prepare standard forms for any required agreements with donors and to ensure that all gifts are received in a manner consistent with the approved gift acceptance policies.

Gift Acceptance Policies & Restrictions

The policy of the Endowment is to inform, serve, guide and otherwise assist donors who wish to support the Endowment’s activities but never, under any circumstances, to pressure or unduly persuade a donor.

Final decisions concerning the acceptance of charitable gifts to the Endowment will rest with the GAC, which shall report all decisions of acceptance or declination to the full Board on a quarterly basis.

It is the Endowment’s intention to properly acknowledge all completed gifts within 10 (ten) business days of the receipt of the gift. Such acknowledgement will include a written receipt of each donation containing information as required by the Internal Revenue Service.

It is the policy of the Endowment to immediately sell, dispose of, or convert to cash non-cash gifts with occasional exceptions based on the type of non-cash gift received.

All information concerning donors and prospective donors shall be held in strict confidence by the Endowment, subject to legally authorized and enforceable requests for information by government agencies and courts.

The Endowment and anyone acting on its behalf shall encourage donors to seek assistance and discuss any proposed gifts to the Endowment with the legal and/or tax advisors of the donor's choice and at the donor's expense. This is to ensure that the donor receives a full, accurate and independent explanation of all aspects of the proposed charitable gift.

Persons acting on behalf of the Endowment shall advise the donor that it is the donor's responsibility to obtain any necessary appraisal's, file appropriate personal tax returns and defend against any challenges to claims for tax benefits.

All prospective donors will be informed that in making a gift to the Endowment, they give up all right, title and interest to the assets contributed to the Endowment.

The Endowment may decline any gift for any reason, including, but not limited to, a finding that the intent of the donor or donation is not charitable or the gift would not be in the furtherance of the Endowment's mission.

The Endowment will not accept gifts that are too restrictive in purpose. Gifts will be accepted only if the GAC determines such restrictions are reasonable and acceptable, and expenses required by any restrictions are underwritten by the donor or are determined to be reasonable to be incurred by the Endowment in the opinion of the GAC.

Gifts that generate Unrelated Business Income Tax (UBIT) will not be accepted by the Endowment.

The Endowment will not accept gifts that have any potential negative financial implication for the Endowment or is not in the best interest of the Endowment. Further, it will not accept gifts that jeopardize its tax-exempt status.

Tax Aspects of Giving

The tax benefit of gifts may reduce the donor's income taxes, inheritance taxes, and/or estate taxes. Tax valuation and reporting requirements are complex subjects, and donors should seek the advice of competent tax experts to obtain the maximum tax benefit from their giving. Endowment representatives do not offer tax advice, and though the donor and endowment representatives may agree on the value of a gift, taxing authorities may differ in their evaluation. No representative of the Endowment will confirm the value of a gift other than gifts of cash or checks.

Gift Types to Be Accepted/Considered by the Endowment

The Endowment will accept gifts in the form of the following asset types, subject to the conditions described below. The donor's name and address must be provided in order to facilitate the written substantiation for gifts. Donor requests for anonymity will be honored.

Gifts that will be accepted include:

- **Cash/Checks** – Gifts of cash or cash by check offer the simplest way to support the Endowment.
- **Marketable securities** – Securities traded on the New York Stock Exchange or the NASDAQ National Market will be accepted as outright gifts. They may be electronically transferred to the Endowment or conveyed through use of a stock power form. Generally, any security received will be sold upon receipt (within one to three business days). Stock controlled under Securities & Exchange Commission Rule 144 will be held until the restriction on sale expires and then will be sold. Gifts of bonds that require a holding period may be accepted and cashed when the holding period has expired.

Securities that **will not be accepted** include those which are assessable or which in any way may create a liability for the Endowment; those, which by their nature, may not be assigned (e.g. series “E” savings bonds); and those which have no apparent value.

- **Closely held securities** – Securities not included in “marketable securities” as defined above will only be accepted at the discretion of and with the approval of the GAC. Such gifts must be accompanied by a written appraisal by a qualified, independent appraiser acceptable to the Endowment’s GAC. The value of a gift of closely held stock to be booked is the value denoted on the appraisal document that must accompany the gift unless there is another ready source for providing the gift’s value on the date of transfer to the Endowment. If not liquidated immediately, closely held stock shall be liquidated as soon as it is feasible to do so.
- **Gold** – Donations of gold coins and bullion will be accepted by the Endowment. (Gold coins and bullion are the only exceptions to the restriction on acceptance of tangible personal property donations indicated below.)

A completed IRS Form 8283 (Noncash Charitable Contributions) must accompany gifts of gold.

- **Real Property** – Gifts of a donor’s entire interest in real property may be accepted provided there is no mortgage, lien(s), or other indebtedness on the property and under certain other conditions to be determined by the GAC. The fair market value of a gift of real estate will be determined by a written appraisal prepared by a qualified, independent appraiser acceptable to the GAC. (The written appraisal shall be paid for by the donor.)

Gift real estate must be tested to be in conformity with state and federal laws, including, but not limited to, environmental regulations. The donor must provide satisfactory evidence of environmental compliance and shall provide such other information as required by the GAC, all to be paid for by the donor.

Prior to acceptance of a gift of real property, the Endowment and the donor must agree, in writing, on arrangements for paying expenses associated with the property between the date of donation acceptance and the sale of the property, including taxes and assessments, insurance coverage and maintenance costs.

In addition to the considerations listed above, commercial properties and businesses will be examined in relationship to the potential for exposure of the Endowment to unrelated business taxable income.

A completed IRS Form 8283 (Noncash Charitable Contributions) must accompany gifts of real property.

The GAC will report all accepted gifts of real property to the Board of Directors within 30 days of acceptance at the first meeting of the board following acceptance or via an email notice to the Board, whichever means satisfies this requirement.

- **Royalties & Distribution Rights** – The Endowment may accept gifts of non-oil and non-gas royalties or distribution rights on published works (e.g. books, films) where there is clear evidence of marketability or assurance of an income stream. A qualified appraisal is required.

A completed IRS Form 8283 (Noncash Charitable Contributions) must accompany gifts of non-oil and non-gas royalties or distribution rights.

- **Planned/Testamentary Gifts** – The Endowment accepts planned/testamentary gifts whose benefits do not fully accrue to the Endowment until some future time (such as death of the donor or other income beneficiaries or the expiration of a predetermined period of time).

Donors using planned and testamentary gifts shall specify the Endowment in their wills, trusts or other planned giving documents as the charitable recipient and name the General Fund of the Endowment as the designation for the gift.

Gifts of this type may include:

- A. **Bequests** – The simplest form of a deferred gift is made when a donor makes a gift to the Endowment in a will or trust that takes effect at his or her death. A specific bequest is a bequest that stipulates a specific dollar amount or a specific percentage of the estate. A residuary bequest stipulates an amount left over after the specific bequests are made. A contingent bequest stipulates the gift is dependent upon the occurrence or nonoccurrence of a specific event.

The Endowment encourages donors to inform it of the bequest through wills and trusts. However, no representative of the Endowment will draft or prepare the will, trust or other estate planning documents.

A bequest through will or trust to the Endowment shall include the following:

- 1) The name of Crossings Community Endowment, Inc., an Oklahoma not-for-profit corporation with principal offices in the City of Oklahoma City in said State.
- 2) A designation of *General Fund*.

A bequest will not be accepted if there are pending claims against the will or the estate.

The Endowment reserves the right to decline any bequest or planned gift if it is determined that the gift is not in the best interest of the Endowment and its mission.

- B. **Insurance Policies and Proceeds** – Donors may designate the Endowment as the beneficiary of a life insurance policy. Approved types of life insurance include whole life, universal life by its numerous trade names, and variable life. A donor may designate the Endowment as a beneficiary on a term insurance policy, but ownership by the Endowment of straight term insurance is not allowed.

A gift of life insurance may be in the form of an existing policy that is paid up, a new policy, or an existing policy (with both of the last two options having premiums payable). Donors may transfer ownership of premium-due policies to the Endowment and make income tax deductible contributions to the Endowment in the amount of the premiums. (The donor must provide written evidence to the Endowment of the transfer of ownership.) In either case, the Endowment shall be the owner and permanent beneficiary of the policy and retain the policy in its offices. Upon redemption, the value of the policy will be added to the General Fund of the Endowment.

Contributions for premium-due policies must be made by direct payment to the Endowment a minimum 10 days prior to the premium due date. The Endowment will not assume delinquent premium payments. If a donor elects to not continue making contributions required to cover the premium payments at any future time, the policy will be surrendered and any cash value derived from the policy surrender will be added to the General Fund of the Endowment.

Donation of policies written for a year-end tax purpose must have a certifiable date from the insurance company to be a qualified donation for that tax year.

The Endowment does not enter into charitable reverse split dollar agreements, nor will it endorse any specific insurance product, company or agent.

- C. **Retirement Assets** – Retirement plans of an “account” type, in which a balance accumulates as principal, may be gifted to the Endowment. These include Individual Retirement Accounts (IRAs), 401(k), 403(b) and other defined contribution plans. (Defined benefit plans that are “annuity” plans, in which retirement benefits are paid out as income and principal does not accumulate, generally cannot be used for charitable gifts.)

Gifting retirement assets may be accomplished by naming the Endowment as successor or contingent beneficiary for all, or part, of the assets upon death of either the retirement asset owner or spouse. Spousal consents will be requested as required by law.

Gifts Types Generally Not Accepted by the Endowment

The following gift types will not be accepted by the Endowment:

- ❖ Tangible personal property other than gold. Examples include furniture, vehicles, art, jewelry, any type of equipment, boats, collectibles and such other property that is movable.
- ❖ Bargain sales of property.
- ❖ Oil, gas, and mineral interests.
- ❖ Bitcoin or any other such digital currency.
- ❖ Closely-held securities.
- ❖ Remainder interests in property.

Donor Responsibilities

A letter of understanding from a donor of a non-cash gift may be required along with proof of outside advice being rendered before such a gift will be accepted. Although representatives of the Endowment will provide all appropriate assistance, the ultimate responsibility regarding evaluations, tax deductibility and/or such counsel as the donor may wish to secure is the responsibility of the donor.

Any planned gift that does not meet the requirements of this policy must be reviewed and approved by the Endowment’s Board of Directors. If a planned gift is accepted that legally obligates the Endowment, the officers of the Endowment are the authorized signatories. The GAC and/or the directors of the Endowment reserve the right to decline any bequest or planned gift if it is determined that the gift is not in the best interest of the Endowment and its mission.

Donors are advised to seek their own counsel, including tax advisors, in all aspects of a proposed gift. Endowment representatives do not offer tax advice. Legal counsel will be used by the Endowment as determined by the GAC and/or directors.

Should a planned gift type require a trustee, donors are encouraged to use an individual or corporate trustee of their choice. The Endowment will not act as a trustee.

Accounting

Generally accepted accounting principles will govern in all matters related to the Endowment’s accounting practices.

The Donor Bill of Rights

Generosity is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To ensure that generosity merits the respect and trust of the members of Crossings Community church and that donors and prospective donors can have full confidence in Crossings Community Endowment, we declare that all donors have these rights:

- I. To be informed of the endowment's mission, of the way the organization intends to use donated resources and of its capacity to use donations effectively for their intended purposes.
- II. To be informed of the identity of those serving on the organization's governing board and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- III. To have access to the organization's most recent financial statements.
- IV. To be assured their gifts will be used for the purposes for which they were given.
- V. To receive appropriate acknowledgement and recognition.
- VI. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
- VII. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
- VIII. To be informed whether those discussing the potential of donations are volunteers or employees of the endowment.
- IX. To have the knowledge that their names will never be shared in mailing lists or other such lists by the endowment.
- X. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.