

Gift Acceptance POLICY

- Operational** (Approved by SPL Board)
- Administrative** (Approved by SPL CEO)

Date Effective: 2020-07-13

Date Last Reviewed or Revised: 2023-02-15

Review Cycle: Every five years by Director, Strategy & Communication

Purpose

Saskatoon Public Library's *Gift Acceptance Policy* ensures the Library accepts Gifts that align with its vision, values and goals and in accordance with Canada Revenue Agency regulations.

The Policy does not apply to sponsorships and Gifts of Service. See the *Sponsorship Policy* for sponsorship requirements. The Policy also does not apply to donations to SPL's Special Collections.

Policy Statement

- 1) As authorized by the Board and CEO, SPL's Executive Team and appropriate Personnel may encourage Donors to make Gifts to the Library and negotiate Gift Agreements with prospective Donors and their professional advisors in accordance with the Policy and the Guidelines.
- 2) Ownership of Gifts must be vested in SPL and Gifts must benefit the Library.
- 3) All Gifts accepted by SPL follow charitable giving procedures in compliance with provincial and federal laws and regulations.
- 4) Gifts are accepted in alignment with the *Donor Bill of Rights* (Appendix A).

Donor Intent

SPL administers all funds received from a Donor in accordance with their written intent, the Policy and the Guidelines. SPL fulfils specified Donor Intent to the extent that it is legal, ethical and consistent with SPL's vision, values and goals. Should SPL become incapable of administering funds to fulfil a Donor's Intent, the Library employs its best efforts to use the Gift in such a way that its originally stated purpose is maintained as much as is reasonably possible.

Gift Documentation

Donor Intent must be documented in writing. Documentation can be in the form of a/an:

- Donor signed and dated Gift Agreement that includes an indication of Donor Intent.

- Donor signed and dated pledge form that includes an indication of Donor Intent.
- Donor signed and dated correspondence indicating intent, e.g., a memo on a cheque face or a reply to a confirmation letter.
- Electronic communication from a Donor, e.g., an email or online giving correspondence that includes an indication of Donor Intent.
- Signed and dated deferred Gift document indicating Donor Intent.
- Proposal or solicitation submitted with a Gift that includes an indication of Donor Intent.

SPL retains original Gift documents in electronic and/or hard copy form in accordance with Canada Revenue Agency regulations. Historical giving records, including names, dates, amounts and Donor Intent, are securely maintained in a Donor database.

Approval

Gifts of cash, publicly traded securities, investment funds and life insurance received without conditions or restrictions do not require approval unless there are unusual circumstances involved.

Gifts of Real Property and Personal-Use Property require Board approval.

Gifts With Restrictions

Restricted Gifts for approved projects or initiatives do not require approval, unless there are conditions or unusual circumstances involved.

Restricted Gifts for projects or initiatives not previously approved require the appropriate approval by the Board or CEO.

Gifts With Conditions

Gifts that contain conditions, e.g., for naming or recognition, require Board or CEO approval as described below:

- Gifts with conditions valued at over \$500,000 require Board approval.
- Gifts with conditions valued at \$500,000 and under require CEO approval.

Refer to the *Naming Policy* for Gifts involving conditions for naming SPL assets.

Gifts Without Restrictions or Conditions, but With Unusual Circumstances

All unusual circumstances are referred to the CEO, especially but not limited to Gifts that might:

- Expose SPL to uncertain liability.
- Be precedent setting or involve sensitive issues.
- Be perceived to come from illegal activities.
- Be perceived to come from unethical sources.
- Be from individuals or organizations whose philosophy and values could be considered inconsistent with those of SPL.

Declining Gifts

SPL may choose to decline a Gift that:

- Has features contrary to the charitable purposes and objectives of the Library.
- Contains restrictive clauses that may bring unwarranted pressure or embarrassment to the Library and its Board or Personnel.
- Contains unreasonable conditions, liens or other encumbrances.
- Presents exposure to liability of a type or level unacceptable to the Library.
- Could financially or morally jeopardize the Donor or the Library.
- Has a Fair Market Value that cannot be determined or could result in unwarranted or unmanageable expense for the Library.

- Could improperly benefit a Donor.
- Holds a condition that is revocable by the donor in any way.
- In its sole discretion, considers inappropriate.

Gifts That Are Declined

The Library does not accept Gifts that:

- Violate provincial or federal laws.
- Could jeopardize SPL's charitable status.

Definitions

- 1) **"Board"**: Saskatoon Public Library Board.
- 2) **"CEO"**: Saskatoon Public Library CEO.
- 3) **"Donor"**: Any individual, partnership, corporation, foundation or other legal entity that makes a charitable Gift to SPL.
- 4) **"Donor Intent"**: The purpose for which a Donor intends a Gift. A Donor may outline restrictions and terms for their Gift, typically noted in a Gift Agreement, e.g., the Donor designates funds for new computers for patrons and the Library agrees to use the Gift for that purpose.
- 5) **"Executive Team"**: SPL's CEO; Director, Public Services; Director, Collections & Service Infrastructure; Director, Finance & Administrative Services; Director, Strategy & Communication; Director, Reconciliation; and Director, Human Resources.
- 6) **"Fair Market Value (FMV)"**: The highest price expressed in a dollar amount that a property would bring in an open and unrestricted market between a willing buyer and a willing seller who are knowledgeable, informed and prudent, and who are acting independently of each other.
- 7) **"Gift"**: A voluntary transfer of property without expectation of recognition, acknowledgement or other promotional considerations.
- 8) **"Gift Agreement"**: An agreement between SPL and a Donor that outlines the purpose, amount and recognition requirements of the Gift and any direction or constraints on the Gift.
- 9) **"Gift of Service"**: The contribution of service, e.g., time, skills or effort.
- 10) **"Guidelines"**: *Gift Acceptance Guidelines*.
- 11) **"Library"**: SPL and its branches, permanent and temporary buildings, grounds and other spaces, including virtual spaces.
- 12) **"Personal-Use Property"**: Items owned primarily for personal use and enjoyment rather than for business purposes, e.g., furniture, art, books, collectible memorabilia, vehicles and jewellery.
- 13) **"Personnel"**: All permanent and temporary employees, Circulation Associates, Casuals, security guards, contractors, consultants, Board and volunteers employed by or working at SPL.
- 14) **"Policy"**: *Gift Acceptance Policy*.

- 15) **“Real Property”**: Land, and anything permanently attached to land, e.g., houses, buildings, gas, oil and minerals, usually bought for investment purposes or to earn income. It includes owned or leased principal residences, whether they are houses, apartments, trailers or boats.
- 16) **“Restricted Gift”**: A Gift that is received that can only be used for specific purpose. The Donor determines if the Gift is restricted.
- 17) **“Special Collections”**: SPL’s Local History, art, special loans and other special collections.
- 18) **“SPL”**: Saskatoon Public Library.

Appendices

- Appendix A: Donor Bill of Rights

References

- Canada Revenue Agency regulations
- *Income Tax Act*

Appendix A: Donor Bill of Rights

Saskatoon Public Library adheres to the Donor Bill of Rights of the Association of Fundraising Professionals. The Donor Bill or Rights can be accessed online: <https://afpglobal.org/donor-bill-rights>.