



Gift Acceptance Policy

1. Introduction

This Gift Acceptance Policy ("Policy") is intended to guide the acceptance of gifts made to Appalachian Sustainable Development (ASD). The purpose of this Policy is to ensure that all gifts received by ASD align with its mission, values, and strategic priorities while also complying with applicable laws and regulations.

A gift is any item of value given to ASD by a donor who expects nothing significant of value in return other than recognition and disposition of the gift in accordance with the donor's wishes. In general, the following characteristics describe a gift:

1. A request may be submitted to the potential donor that includes a description of the proposed activities, with the understanding that the description of proposed activities is not intended as a commitment to a specific line of inquiry.
2. Gifts may be accompanied by an agreement that restricts the use of the funds to a particular purpose. Beyond that, no contractual requirements are imposed (beyond the requirements of responsible stewardship) and no "deliverables" to the donor, e.g., no rights to tangible or intellectual property.
3. There is no formal fiscal accountability to the donor beyond periodic progress reports and summary reports of expenditures. These reports may be requirements of stewardship, and, as such, may be required by the terms of a gift. They are not characterized as contractual obligations or "deliverables."
4. ASD agrees to use restricted gifts as the donor specifies, and does not accept gifts that it cannot use as the donor intends. If circumstances change such that a gift cannot be used as the donor specified, the donor must approve a change in the original restriction, or ASD must receive court approval to waive the restriction (if the donor cannot be contacted).

Gift Transmittals Approval Requirements	
<i>Gift Value</i>	<i>Requirement</i>
Less than \$20,000	No approval required
Between \$20,001 and \$99,999	Approval required from Director of Development (DOD)
Between \$100,000 - \$249,999	Approval required from DOD & Chief Executive Officer (CEO)
\$250,000 or greater	Approval required from CEO

2. Compliance with Tax Laws and Requirements

ASD shall comply with all tax laws and other legal requirements regarding gifts. ASD will not knowingly facilitate a donor claiming an improper tax deduction or other benefit. No proposed gift shall be accepted if it generates an improper private benefit for the donor or is an excess benefit transaction (as defined under section 4958(c) of the Internal Revenue Code of 1986, as amended).

“An excess benefit transaction is a transaction in which an economic benefit is provided by an [applicable tax-exempt organization](#), directly or indirectly, to or for the use of a disqualified person, and the value of the economic benefit provided by the organization exceeds the value of the consideration received by the organization.”

ASD shall comply with all Internal Revenue Service reporting requirements. ASD shall acknowledge all gifts in writing to the extent required by law. Donors are responsible for obtaining appraisals of gifts for the donor’s tax return where required. ASD does not select the appraiser, hire the appraiser, or pay for such appraisals. Donors are responsible for seeking independent legal and tax advice in advance of making a gift to ASD.

3. Types of Acceptable Gifts

ASD may accept the following types of gifts:

- Cash contributions
- Marketable securities
- Real estate

- Tangible personal property
- Bequests and life income gifts
- Other gifts as deemed appropriate by the Board of Directors

4. Criteria for Acceptance

Before accepting any gift, ASD will consider the following criteria:

- Consistency with ASD's mission, goals, and values
- Legal and financial considerations, ensuring compliance with applicable laws and regulations
- Potential impact on ASD's resources, operations, and reputation
- Any restrictions or conditions attached to the gift

5. Gift Agreements & Pledges

A gift agreement is required for all gifts and pledges of \$100,000 or more and may be required for gifts or pledges below that level. The pledge payment schedule for a particular gift will be recorded in the applicable gift agreement.

6. Naming Rights & Time Limit

ASD maintains a list of current naming opportunities for the capital campaign. Naming of any building, structure, space, or program is twenty (20) years. The organization reserves the right to extend or terminate the name after (20) years. The Chief Executive Officer and Board of Directors must review and approve all naming gifts.

All naming right opportunities must have pledges fulfilled within (3) years of the gift commitment. A gift commitment is to be completed for any naming opportunity.

Should the donor want to amend the spelling or format of the naming opportunity, it will require full board approval, and the donor to incur the cost. The donor can not completely change the name.

In the event that the relationship between ASD and the Named Donor changes and values are no longer aligned as they were upon the acceptance of the naming, both parties reserve the right to retract the named asset and/or rename it. The donor's funding will not be returned in the event that a naming opportunity is terminated unless ASD feels that is the appropriate course of action.

7. Restrictions on Acceptance

ASD may decline gifts under the following circumstances:

- If the gift would compromise the integrity or independence of ASD
- If accepting the gift would pose a conflict of interest
- If the gift is subject to unacceptable restrictions or conditions

8. Valuation of Gifts

All gifts will be valued in accordance with applicable laws and regulations. ASD may seek the assistance of qualified professionals for the valuation of non-cash gifts.

9. Acknowledgment of Gifts

ASD will promptly and appropriately acknowledge all gifts, in compliance with legal requirements. However, ASD will not appraise the value of non-cash gifts for the purpose of tax deductions.

10. Board Approval

Gifts over \$100,000 or gifts with significant restrictions may require approval from the ASD Board of Directors. Real estate and any other tangible assets will require approval from the ASD Board of Directors.

11. Privacy

Donor contact information will be collected and stored in the organization's database to acknowledge a donation for tax purposes. Information is not shared for any other purpose.

12. Amendments to the Policy

The ASD Board of Directors may amend this Policy as necessary. All amendments will be documented and communicated to relevant stakeholders.

13. Conclusion

This Gift Acceptance Policy is a guiding document that ensures the responsible acceptance of gifts by Appalachian Sustainable Development. By adhering to these principles, ASD aims to build and maintain the trust of its donors and the community.

Appalachian Sustainable Development
January 29, 2024