

Approved: 11/18/10

Gift Acceptance Policy

The Elting Memorial Library is a not-for-profit organization chartered by the New York State Education Department. The Library is reliant on public support and actively solicits gifts to further the goals of the organization.

All gifts that the Library accepts must contribute to further the organization's mission. Gifts must not conflict with federal or state law and with the rules and regulations of the New York State Attorney General or the Internal Revenue Service.

Who May Solicit or Accept Gifts

Generally, members of the Board of Trustees and the Director may solicit and accept gifts only in accordance with the policy outlined below. Volunteers may solicit gifts or funds on behalf of the Library only at the express and limited direction of the Board or the Director.

Staff members may solicit gifts for the Library's collection or as part of fundraising campaigns or projects, but may do so only with the Director's permission.

Although staff members may receive gifts brought into the Library, they cannot accept gifts.* However, the Coordinator of the Haviland-Heidgerd Historical Collection (HHHC) may, in consultation with the Director, accept monetary gifts and gifts of historical documents, objects, artifacts and ephemera as described below.

Monetary Gifts

Unrestricted cash gifts will be accepted and used for general Library purposes. Gifts with donor-imposed restrictions will be received and accepted as stipulated under "Donor Restricted Gifts" below.

Securities

The Library will accept securities such as stocks and bonds. All gifts of securities will be sold upon receipt in the Library's brokerage account. If there is a compelling reason to do otherwise, the Board must vote to make an exception to this policy. The vote and the reasons for the exception must be documented in the minutes of the meeting at which the vote occurs.

Books and Other Media

The Library welcomes gifts of books and other media with the understanding that they will be evaluated in accordance with the same criteria applied to purchased materials. Factors such as

**In the context of this policy, "acceptance" entails that an accepted gift becomes the property of the Library and may be incorporated into the Library's collection or be otherwise used in accordance with the guidelines set forth in this document.*

duplication, lack of sufficient community interest, processing costs, condition of the item(s) or inadequate shelf space may prevent their addition to the collection or permanent retention.

Gifts of materials which are not added to the collection will be sold at the library Fair or other similar event or disposed of at the discretion of the Board or Director. At the Director's discretion, donated materials may also be returned to the donor. The proceeds from the sale of items as outlined above will be used for benefit of the Library. The Director will ensure that donors understand these conditions.

Historical Documents, Objects, Artifacts and Ephemera

Gifts of historic documents, objects, artifacts and ephemera must comply with the guidelines set forth in the Collections Management Policy, and conform to all relevant laws and regulations governing not-for-profit organizations and libraries. Items offered for inclusion into the Haviland-Heidgerd Historical Collection that are within the scope of the collection and understood to be valued at less than \$1,000 may be accepted by the Coordinator of the Collection in consultation with the Director. The acceptance of items valued at \$1,000 or more shall be determined by a vote of the Board of Trustees after receiving a recommendation from the Director. For a gift to be accepted into the Haviland-Heidgerd Collection, that gift must be accompanied by a deed of gift, signed by the donor and either the HHC Coordinator or the Director. The deed of gift must include a designation as to the gift, assignment, or transfer of copyright interest. Items not accepted by the library will be returned to the would-be donor.

Additionally, *the* donor must provide an independent appraisal of items valued at \$5,000 or higher, in accordance with IRS regulations (see IRS Publication 526). The donor must submit Form 8283 to the Director. The signature of the Treasurer will be obtained, a signed copy will be retained by the Library and the original signed form will be returned to the donor. The completion of this process will be reported to the Board.

Art and Furnishings

Gifts of personal property, art objects, portraits, antiques and collectibles not for Haviland-Heidgerd Historical Collection may be accepted at the discretion of the Director or the Board of Trustees. For a gift to be accepted, that gift must be accompanied by a deed of gift, signed by the donor and Director. The deed of must include a designation as to the transfer (or non-transfer) of copyright interest. Gifts are accepted with the understanding that they may be used as the Library wishes. Items not needed for library use or for the permanent collection may be sold at events such as the library Fair or

disposed of at the discretion of the Board or the Director. This information will be given to donors who state that the donated materials are for the Library's collection. Any proceeds derived from such disposal will be used by the Library to support its mission and service to the community.

Real Property

Real property may only be accepted with consent of the majority of the Board. Decisions about the acceptance of real property should be governed by whether or not the acceptance of the gift will reasonably support or enhance *the* library's mission. Under no circumstances will the Library accept mortgaged property. Furthermore, any deed restrictions or clauses that are a condition of receipt of a gift of real property must be reviewed by legal counsel prior to acceptance.

Other Items

The Library may solicit and accept gifts of other items for use in the library and for fundraising purposes such as the Library Fair.

Memorial or Honorary Gifts

When the Library receives a cash gift for memorial or honorary books or media, the final selection will be made by the Director in consultation with appropriate staff. Cash gifts for other memorial and honorary purchases, such as plaques, landscaping and furnishings, will be accepted after consideration by the Board in consultation with the Director. In all cases, consideration will be given to the donor's wishes and to the needs and appearance of the library.

Bequests

The Board must vote to accept bequests. Bequests that include restrictions, directions or specific wishes of the donor will be handled as outlined in "Donor Restricted Gifts" below.

Donor Restricted Gifts

Donor restricted gifts of \$1,000 or less may be accepted by the Director and subsequently reported to the Board. Gifts of more than \$1,000 on which the donor places restrictions or special conditions outside the scope of library's Board-approved operating budget may be accepted only by vote of the Board. In making these decisions, the Board will be guided by whether or not the donor's restrictions are consistent with the Library's mission and goals. Similarly, endowments, which are essentially restricted gifts, will be accepted and will be utilized at the discretion of the Board of Trustees.

In the case of cash gifts, the Treasurer, after acceptance by the Board and in consultation with the

Director, will create the reporting and tracking mechanisms necessary to ensure that the gift is used in a manner consistent with the donor's wishes.

Communication with Donors

In the case of monetary gifts or material gifts accepted into the collection, donors will receive a written acknowledgement within 30 days of making a gift.

When a gift is received that must be accepted by vote of the Board, the Director or President of the Board will be responsible for communicating the approval process to the donor.

Similarly, if follow-up communication with the donor is required, the Director or President of the Board will ensure that the donor is informed of the Board's decision.

Donor Privacy

The Library accepts gifts that are given anonymously and will follow the donor's wishes as agreed at the time the gift is accepted.

Potential for Controversy

Staff and Board members soliciting, receiving and/or accepting gifts should be mindful of any potential controversy that might result from the solicitation or receipt of a particular gift. Staff members should bring any questions or concerns to the immediate attention of the Director.

Should the Director or any individual Board member have a concern or question, it should be brought to the attention of the Board who will consider the situation and vote to either solicit, accept or decline the gift in question.

Gifts to Trustees and Employees

No trustee or employee may accept or receive any gift (whether in the form of money, service, loan, travel, entertainment, hospitality, thing or promise or in any other form) under circumstances in which it could reasonably be inferred that the gift was intended to influence him or her in the performance of his or her official duties. Trustees and employees may accept gifts valued at \$25 or less as an expression of gratitude.