

General Institution

AP 3820 GIFTS

Reference:

Education Code Section 72122

The Advancement Office is responsible for the receipt and coordination of gifts and pledges including cash, securities, trusts, insurance policies, real estate and in-kind donations. In accordance with BP 3820 Gifts, the Board of Trustees shall consider all gifts, donations and bequests made to the District. The Advancement Office is responsible for presenting all gifts, donations and bequests to the Board of Trustees for consideration.

Restricted Gifts

Acceptance of restricted gifts imposes a legal obligation to comply with the terms established by the donor. The Advancement Office will review the terms of each restricted gift to ensure that the nature and extent of this obligation be clearly understood and that the gift retains its original usefulness and beneficial qualities. If a gift is deemed unacceptable because of the restrictions the donor has placed on its use, the donor will be counseled by the Advancement Office to remove or modify the restrictions.

Gifts-in-Kind

The Advancement Office will ensure that gifts-in-kind (e.g., property, equipment, securities, real estate, artworks) are reviewed to ensure that the gift will be of benefit to the District and that acceptance of the gift will not involve financial commitments or other obligations to the District that are disproportionate to the gift. Employees interested in soliciting equipment or other gifts-in-kind shall check with the Advancement Office prior to approaching the contributor to ensure District policy is followed. Gifts-in-kind to the District must be approved as designated on the **Memo of Intent to Accept Non-Cash Gift** form and only after a determination has been made that there is a need or desire for the item or items and that the item(s) will not involve financial commitments or other obligations to the District that are disproportionate to the gift.

It will be the responsibility of the donor to assign a monetary value to the item(s) donated. Gifts-in-Kind (non-cash) with a value of \$5,000 or more require an appraisal form from the donor as well as an itemized list of item(s) donated, and the name and address of the donor sent to the Advancement Office.

It shall be the responsibility of the Advancement Office to record and acknowledge receipt of gifts made to the District, including cash, pledges, securities, real estate and gifts-in-kind.

1. All donations and pledges shall be received, processed and acknowledged first by the Advancement Office. The COM Contribution Form is on the Advancement Office webpage.

Deposits of private funds of any kind and for any purpose in a private bank account in the name of the department program, faculty or staff is prohibited.

2. All private funds contributed to any department or program of the District must be forwarded to the Advancement Office with copies of all documentation for review and approval no later than ten (10) days after receipt of monies or at the conclusion of the event or activity.
3. The Advancement Office will then forward all contributed funds and documentation to Fiscal Services for processing.

Refused or Returned Gifts

Gifts will be refused or returned by the Advancement Office or staff if solicited by staff, under the following circumstances:

- The purpose of the gift is inappropriate or not conducive to the best interests of the District.
- The gift obligates the District to undertake responsibilities, financial or otherwise, which it may not be capable of meeting for the period required by the terms of the gift.

See also BP 3820 Gifts, BP/AP 3280 Grants, and the Advancement Office Fundraising Guidelines and Procedures

Office of Primary Responsibility: Advancement

Date Approved: April 18, 2017

Date Reviewed/Revised: September 19, 2023