



Girl Scouts[®]

Girl Scouts of Central Texas Gift Acceptance Policies

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Girl Scouts of Central Texas (GSCTX), a Texas nonprofit corporation, encourages the solicitation and acceptance of gifts for purposes that will help the Council fulfill and further its mission. The following policies and guidelines govern acceptance of gifts offered to GSCTX for the benefit of its programs.

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SECTION I: STANDARDS AND EXPECTATIONS

I. A. Purpose

(1) Mission of Girl Scouts of Central Texas (GSCTX)

Girl Scouting builds girls of courage, confidence, and character, who make the world a better place.

(2) Purpose of Policies

These policies are intended to guide the Board of Directors ('Board'), staff, and volunteers in accepting gifts to Girl Scouts of Central Texas. These policies will also ensure accountability in these efforts. The provisions of these policies shall apply to all gifts received by GSCTX for any of its programs or fundraising efforts. Specifically, with respect to planned giving, the policies are designed to ensure that, to the extent possible:

- GSCTX enters only into arrangements that are fiscally prudent;
- GSCTX enters into arrangements that both fulfill the donor's intent and are consistent with GSCTX's mission; and
- The donor's interest in making a charitable gift is served appropriately by the planned gift arrangement.

I. B. Legal Counsel and Financial Advisors

Prospective donors shall be advised to consult with their own legal counsel and/or tax advisor regarding the tax implications, financial consequences, and estate planning aspects of all proposed gifts to GSCTX. No one acting on behalf of GSCTX, including the Board, staff, volunteers, or advisors retained by GSCTX, can represent the donor in making a gift to GSCTX.

GSCTX will seek legal, financial, tax and other professional advice as necessary and appropriate, and in particular, when a proposed gift is structured in a way that varies from these policies.

I. C. Responsibility of GSCTX to Donor

GSCTX, through its Board, staff, and volunteers, will endeavor to ensure that all donors are treated with the utmost respect, consideration, and care, and that donors' interests are recognized and considered in the negotiation of any gift. The mutual interests of the donor and GSCTX will be a guiding principle of these policies. No program, agreement, trust, contract, or commitment shall be urged upon any donor or prospective donor which will knowingly benefit GSCTX at the

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expense of the donor's interest. No agreement shall be made between GSCTX and any agency, person, company or organization on any matter related to investment, management or otherwise which would knowingly jeopardize the donor's interest.

The Board, staff, and volunteers who have contact with donors are expected to demonstrate the highest possible standards of ethical behavior and shall adhere to the Donor Bill of Rights, Association of Fundraising Professionals' Code of Ethical Principles and Standards, and the Partnership for Philanthropic Giving's Model Standards of Practice for the Charitable Gift Planner. In particular, no member of GSCTX's staff shall be paid any commissions based on a dollar amount raised or a number of gifts closed, but shall be paid a salary or fixed wage.

I. D. Confidentiality

GSCTX will endeavor to maintain the level of confidentiality requested by the donor, but in the absence of a request to the contrary by a donor, GSCTX may use selected information about a gift for purposes of recognition, referral, testimonial, or example. All gift agreements, such trust documents, wills, etc., shall be marked 'Girl Scouts of Central Texas - Proprietary and Confidential' and shall be kept confidential by GSCTX's staff and Board, unless otherwise requested by a donor.

I. E. Conflict of Interest

GSCTX's staff shall not serve as executor of any estate, or successor trustee of any trust, in which GSCTX has a beneficial interest; provided, however, that GSCTX staff may always act as a fiduciary for a relative or in-law. If a proposed gift or transaction has the potential to create or form the basis of a conflict of interest, GSCTX will seek appropriate legal advice.

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I. F. Adherence to Laws

GSCTX will not knowingly accept any gift or enter into any transaction that violates Internal Revenue Code requirements or any other federal, state, or local laws. GSCTX will not knowingly accept any gift that would improperly inure to the benefit of any individual or in any manner would jeopardize GSCTX's tax-exempt status.

I. G. GSCTX's Right to Decline or Dispose of Any Gift

GSCTX retains the right to disclaim or refuse any gift for any reason, including, but not limited to:

- The gift is inconsistent with GSCTX's stated purposes and/or mission;
- The gift would compromise GSCTX in any manner;
- The gift poses unacceptable risks or liabilities; and/or
- The gift is too restrictive in purpose or is too difficult to administer.

In addition, GSCTX retains the right to liquidate or dispose of any gift. To the extent possible, GSCTX will use the proceeds for the purpose intended by the donor. If, in the opinion of the Board, circumstances change so that the purpose for which the gift is given becomes illegal, impractical, or no longer able to be carried out to meet GSCTX's needs, the Board may designate an alternative use for the gift to further GSCTX's stated mission. In selecting an alternate use, the Board will consider the donor's special interest as evidenced by the original purpose of the gift.

I. H. Review and Acceptance of Gifts

The Gift Review Committee will consist of:

- Chief Executive Officer
- Chief Financial Officer
- Chief Development Officer

When necessary and appropriate, the Gift Review Committee will consult with the Board of Directors, legal counsel and/or other advisors.

For all non-cash gifts and securities as defined in section II.D valued at \$4,999 or less, the Chief Development Officer will review and approve every prospective gift to GSCTX. For all non-cash gifts and securities as defined in section II.D valued at \$5,000 or more, the Gift Review Committee will review every prospective gift to GSCTX. Either the Chief Development Officer and/or the Gift

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Review Committee will evaluate the appropriateness of GSCTX's accepting the proposed gift, always using as the primary determining factor the best interests of GSCTX. In reviewing proposed gifts, the Gift Review Committee will determine the appropriate disposition of the gift based upon GSCTX's needs and its ability to receive, manage, or administer the gift effectively.

I. I. Authorized Signatures

On behalf of the Board, the following GSCTX representatives may sign any gift agreement that has been recommended by the Gift Review Committee. It is understood that any two signatures from the following list of three fully commits GSCTX, its assets and integrity to the conditions of the agreements signed.

The authorized representatives are:

- President of the Board;
- Board Treasurer; and
- Chief Executive Officer.

I. J. Exceptions

The Gift Review Committee may recommend to the Board exceptions to these policies when appropriate. Upon a majority vote of the Board, or in appropriate circumstances a recommendation from the Executive Committee, any clause in the above section may be adjusted to serve the best interests of GSCTX.

SECTION II: GIFT ACCEPTANCE POLICIES

II. A. Charitable Tax Deduction for Gift

GSCTX is a tax-exempt charitable organization [501 (c)(3)], and gifts to GSCTX are generally tax-deductible (Federal Tax ID number 74-1109644). The value of a deduction associated with a particular gift can only be determined by the donor, after consultation with his or her advisor(s) and review of relevant Internal Revenue Service regulations.

II. B. Gift Agreements

All restricted gifts, deferred or planned gifts, real and personal property gifts, and other gifts reviewed by the Gift Review Committee shall be evidenced by a written gift agreement signed by the donor(s) and authorized GSCTX representatives. This agreement should include:

- Amount, timing, and type of gift;
- Intended use of the gift;
- Obligations of parties, including donor recognition and reporting responsibilities; and
- GSCTX policies that may apply.

II. C. Outright Gifts of Cash

Unrestricted gifts of cash in any amount will be accepted. Checks shall be made payable to 'Girl Scouts of Central Texas.'

II. D. Securities

(1) Publicly Traded Securities

Stocks, bonds, notes or other securities for which value can be determined in the financial market place may be transferred to GSCTX. Donors are encouraged to consult with their own advisor to determine the most advantageous method of giving securities. Internal Revenue Service guidelines are followed in establishing the date and value of the donated securities. GSCTX will sell donated securities by the end of the first full working day following receipt of the gift. The timing of the sale will not impact the donor recognition value.

(2) Closely Held Securities

Securities for which a value cannot be easily determined in the financial marketplace, such as privately or closely-held stocks or stocks on which a restriction on transfer is placed, may be accepted on a case-by-case basis after review by the Gift Review Committee. GSCTX will try to determine an estimate of fair market value and any restrictions on transfer. The donor should consult with his or her own advisor for guidance regarding valuation of the gift for tax purposes. Prior to acceptance, GSCTX will explore methods of liquidation for the securities through redemption or sale. Every effort will be made to sell the non-marketable securities as quickly as possible.

The Gift Review Committee will evaluate prospective gifts of securities that are privately or closely held or for some other reason are not immediately marketable. The Gift Review Committee, in evaluating such gifts, will consider factors including but not limited to:

- Whether there are restrictions on transfer of the securities;
- Whether a full or partial ownership of the securities is being offered;
- Whether any liability could attach to GSCTX as a result of holding such securities until they are marketable; and
- Whether they are convertible within a five-year timeframe.

II. E. Real Property

All gifts of real property, including but not limited to real estate, mineral rights, water rights, and wind rights, will be reviewed on a case-by-case basis and must be approved by the Gift Review Committee. The Gift Review Committee will retain necessary real estate and/or environmental counsel and/or consultants to provide appropriate expertise for this review. In order to protect the donor's charitable contribution deduction and to limit any liability to GSCTX, it is the donor's responsibility to obtain and pay for appraisals, title histories, environmental assessments, etc.

The Gift Review Committee will evaluate a proposed gift of real property, considering factors including, but not limited to:

- Is the property useful for the purposes of GSCTX?
- Is the property marketable?
- Is the property mortgaged or otherwise encumbered with insurance, property taxes, or other limitations? If so, what are the prospects for removing such encumbrances?
- Is the title to the property clear?

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- Are there any potentially adverse environmental conditions on the property?

A deed of gift and all necessary legal documents will be prepared and executed to complete a gift of real property. These documents will be prepared by the donor and reviewed by the Gift Review Committee and legal counsel when appropriate. In order for property gifts to be recognized, complete transfer of ownership must have occurred. Property encumbered by a mortgage or other indebtedness will not be accepted as a gift.

GSCTX reserves the right to sell and convert all property gifts received to cash, as deemed necessary, for the benefit of Girl Scouting, with approval from the Board of Directors as listed within the GSCTX Delegation of Authority Policy.

II. F. Gifts of Service

Gifts of service are contributions of actual, billable service directly related to the business or profession of the provider that offset existing budget items. Evidence of a gift of service will be a voided or canceled invoice stating the date, type of service rendered, quantity cost, total cost, and amount to be contributed or forgiven. A Gift In-Kind Donation Form will be executed by the donor for each gift of service with an estimated value of over \$250 accepted by GSCTX.

II. G. Personal Property

Gifts of personal property, such as art collections, antiques, etc., may be accepted following review by the Gift Review Committee based on one or more of the following criteria:

- Does the property align with the mission of GSCTX?
- Is the item marketable?
- Are there restrictions on the use, display, or sale of the property?
- Are there carrying costs for the property?

Donors of personal property gifts must seek their own legal and tax counsel in regard to all gifts. GSCTX reserves the right to refuse gifts of personal property when it is determined that the donor has not complied with IRS appraisal requirements. Donors of personal property will receive an acknowledgment of the gift only when complete transfer has occurred. The acknowledgment will not include any reference to the value of the gift. A Gift In-Kind Donation Form will be executed by the donor for each gift of tangible personal property with an appraised or estimated value of over \$250 accepted by GSCTX.

II. H. Wills or Living Trusts

GSCTX will encourage gifts through wills or revocable living trusts. If the will or living trust involves securities, real property, or personal property, the appropriate policies for such gifts will be followed.

GSCTX will recommend language as requested to a prospective donor and/or his or her advisor(s) for including GSCTX in a will or living trust or other estate planning document.

Generally, GSCTX will request that estate administrators, including trust officers, executors, etc., liquidate in-kind gifts and gifts of real property and forward cash to GSCTX to satisfy a bequest. However, GSCTX reserves the right to examine any and all in-kind gifts and gifts of real property on an item-by-item basis.

II. I. Retirement Plans

GSCTX can be named as beneficiary of any type of qualified retirement plan asset. The proper name for use in beneficiary designation forms is 'Girl Scouts of Central Texas, a Texas nonprofit corporation.' The donor shall be advised to consult with his/her advisor(s) regarding the tax implications, financial consequences, and estate planning aspects of such gifts. GSCTX will make an evaluation as to whether any excise taxes will be due from GSCTX and make an assessment as to any impact on the value of the gift.

II. J. Life Insurance

GSCTX will accept gifts of life insurance, including those where it is only a partial beneficiary. GSCTX will accept gifts of life insurance contracts in the forms below.

The proper name of GSCTX for use in policy applications or transfer forms, whether as owner or beneficiary, is 'Girl Scouts of Central Texas.'

- New policies: GSCTX can be named owner and irrevocable beneficiary or as beneficiary only. Premium payments are the responsibility of the donor(s). If the premiums are not paid, GSCTX will evaluate the best decision to make regarding the asset, including whether or not to make the premium payments.
- Existing policies: GSCTX may be named owner and irrevocable beneficiary or as beneficiary only. Premium payments are the responsibility of the

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donor(s). If the premiums are not paid, GSCTX will evaluate the best decision to make regarding the asset, including whether or not to make the premium payments. The policy should be unencumbered.

- Paid-up policies: GSCTX will accept gifts of ownership of paid-up policies and may cash in such policies.

II. K. Life Estate Gifts

GSCTX will review offers from donors who wish to make a remainder interest gift of their home or farm while retaining the right to live in their homes for their lifetimes. As with any gift, GSCTX has the right to determine the disposition of a home or farm at the end of the lifetime interests. Real Property guidelines will apply as listed in II.E - Real Property.

II. L. Charitable Remainder Trusts

GSCTX will welcome assignment as a beneficiary of a charitable remainder trust but will not serve as trustee.

II. M. Charitable Lead Trusts

GSCTX will welcome designation as a charitable beneficiary of an income stream from a charitable lead trust, but it will not serve as trustee of any type of charitable lead trust.

II. N. Charitable Gift Annuities

GSCTX, through its partnership with GSUSA in the Charitable Gift Annuity Program as set forth in a Memorandum of Understanding (MOU), will welcome designation as a charitable beneficiary of an income stream from a Charitable Gift Annuity. The Program will be guided jointly by the GSUSA National Board of Directors Fund Development and Finance Committees, the GSUSA Chief Development Officer and GSUSA planned-giving staff.

II. O. Miscellaneous Provisions

(1) Appraisal Requirements

Appraisals will be required for all gifts of closely held securities and real and personal property, and may be required for other gifts reviewed by the Gift Review Committee. When required, appraisals must be provided by a qualified independent appraiser. The appraiser cannot be associated with GSCTX, any of its employees, or the donor. All costs associated with obtaining a qualified appraisal will be borne by the donor. An independent, qualified appraiser paid by the donor shall determine the fair market value of the property.

(2) IRS Form 8282 – Donee Information Return

The Chief Financial Officer of GSCTX is responsible for filing IRS 8282 upon the sale or disposition of any asset sold within two years of receipt when the value of the item is more than \$5,000.

(3) Partnerships

Gifts of interests in partnerships, family limited partnerships, limited liability corporations or other businesses will be evaluated on a case-by-case basis by the Gift Review Committee.

(4) Gift Acknowledgement

Acknowledgement of all gifts made to GSCTX and compliance with current IRS requirements is the responsibility of the Chief Development Officer of GSCTX.