

GIFT ACCEPTANCE POLICY

Revision Approved:	April 2014, President's Cabinet
Related Policies:	Smith College Endowment Investment Policy Statement (approved October 2009) Named Endowed Fund Gift Levels (approved March 2010) Naming Guidelines (approved January 2011)
Other Information:	Gift Acceptance Procedures
Office/Administrator Responsible:	Development/Vice President for Development

Introduction

Smith College educates women of promise for lives of distinction. A college of and for the world, Smith links the power of the liberal arts to excellence in research and scholarship, developing leaders for society's challenges.

The Office of Development seeks to further the mission of Smith College through the solicitation, acceptance, and administration of gifts of various kinds. In pursuing and facilitating such gifts, the Office of Development shall maximize the benefit to Smith College by acting in accordance with the policies established herein, and shall foster and steward relations so as to make the experience of donors and prospective donors as pleasant and rewarding as possible.

Any exceptions to these policies must be approved by the Vice President for Development in consultation with the Vice President for Finance and Administration and other appropriate officers of the college as needed.

Scope

This policy applies to all charitable gifts offered to Smith College by any individual, couple or organization (formal or informal).

Policy

I. General

All fundraising programs shall be conducted in a manner that does not conflict with any academic or administrative policies, and that protects the interests of Smith College. Concurrently, the interests of each donor shall be protected, and Smith shall not knowingly enter any arrangement which would jeopardize the donor's interest or contradict the donor's intent.

Gifts shall be made to the college (not to an individual faculty or staff member or student) and shall be consistent with IRS rules and regulations governing charitable gifts.

The Office of Development, in the management and reporting of gifts to Smith College, shall be guided by the standards of accounting and reporting established by the Council for Advancement and Support of Education (CASE). Annual fundraising reports shall conform to the format used in the Council for Aid to Education's (CAE) annual survey of Voluntary Support of Education (VSE) and shall be reconciled with Smith College accounting totals as approved by the Director of Accounting. Additional reporting requests will take into account CASE and CAE guidance, along with Smith business needs and be crafted in consultation with the Director of Accounting, being reconciled as appropriate.

1. Gift Acceptance Committee

A Gift Acceptance Committee serves in an ad hoc capacity to review proposed Gifts-In-Kind and other complex assets to Smith College. The Committee will represent the college's interest in evaluating the gift for a use related to the college's mission. Gifts that fall under this committee's review include tangible personal property, real property, life insurance, and other complex assets. The category "other complex assets" can include, but is not limited to, intellectual property, partnership interests, and restricted or non-publicly traded securities. The Committee reviews potential gifts utilizing the criteria set forth below.

Market Value and Marketability. The Gift Acceptance Committee must receive a reasonably current appraisal of the fair market value of the property and interest in the property the college would receive if the proposed gift were approved. Gift officers will inform the donor that, if the gift is completed, the IRS will generally require a qualified independent appraisal made within sixty days of the date of gift. In the event that there is no immediate use for the proposed gift, the appraisal and other information must indicate clearly and convincingly that there is a market for the asset under consideration and that the asset can be sold within a reasonable period of time.

Limitations and Encumbrances. The existence of any and all mortgages, deeds of trust, restrictions, reservations, easements, mechanic liens and other limitations of record must be disclosed. No gift of an interest in such property will be accepted until all mortgages, deeds of trust, liens and other encumbrances have been discharged, except in very unusual cases where the fair market value of the college's interest in the property net of all encumbrances is substantial or where a separate agreement to pay any such encumbrances which might be charged to the college has been executed by a financially responsible party.

Carrying Costs. The existence and amount of any carrying costs, including but not limited to property owners' association dues, country club membership dues and transfer charges, taxes and insurance, must be disclosed.

The Gift Acceptance Committee has delegated review of the following gifts types to the following responsible parties: gifts of books and collections for the library are reviewed by appropriate Library staff, works of art are reviewed by the Museum's Curatorial Council, and in-kind gifts to the Botanic Garden are reviewed by the Director of the Botanic Gardens.

2. Policy on Confidentiality of Information

Smith is committed to protecting the privacy of people whose personal information is held by the college through responsible information management. This includes information on constituents (alumnae, donors and potential donors) that is held by the Smith College Office of Development. Confidential information about Smith College constituents as well as confidential college information in oral form or on electronic, magnetic, or print media is protected to foster a trusting relationship between the constituent and the institution. In response to this trust, the college requires adherence to the college's Code of Conduct and particularly its statement of confidentiality. This policy applies to all employees, including part-time, temporary, contractual and student employees, paid and unpaid interns, and agents of the college who assist in the college's fund-raising and alumnae outreach mission. Each person with access to confidential information is personally responsible for the protection of it.

II. Prohibited Gifts

Smith College reserves the right not to accept a proposed gift for reasons including, but not limited to, the following:

The gift or gift transaction involves an illegality.

The gift or gift transaction in some manner conflicts with Smith policies or with Smith's mission.

The benefit of the gift is outweighed by the potential of negative publicity for Smith that would result from the transaction.

The gift or gift transaction inhibits Smith from seeking donations from other donors.

The benefit of the gift is insufficient to offset the extent of administrative and/or legal effort involved.

The donor, or other prohibited party, wishes to exert control over how the donated funds are used beyond the gift agreement.

III. Accepted Gifts

1. Cash

Gifts in the form of cash, checks, credit cards, wire transfers and ACH transactions will generally be accepted as long as they conform to all Gift Acceptance Policies. Gifts will be credited and receipted to the legal donor. Recognition credit can be provided as appropriate.

Checks are to be made out to Smith College or our legal name, The Trustees of the Smith College. In no event shall a check be made payable to an employee, agent or volunteer who represents Smith College.

2. Bequests and Estates

Donors interested in discussing a potential bequest gift should contact the Office of Gift Planning at 413-585-2051, gift_planning@smith.edu, or Smith College, 33 Elm Street, Northampton, MA 01063.

Realized bequests which adhere to the Gift Acceptance Policy are accepted by the Controller's Office. Executors and attorneys in the process of distributing estates should contact the Smith College Controller's Office at 413-585-2200, bequests@smith.edu, or College Hall 204, 10 Elm Street, Northampton, MA 01063.

3. Gifts-In-Kind

Gifts-In-Kind with a value less than \$5,000 shall be recorded on the college's financial records at the donor's estimated value or at fair market value if independent verification of that value of the gift is provided. Independent verification may include written qualified independent appraisal of the donated property in accordance with IRS regulations, a vendor's invoice indicating the item's cost to the vendor in order to substantiate the fair market value of the goods donated or the donor's original purchase price.

Gifts-In-Kind with a value exceeding \$5,000 shall be recorded on the college's financial records at the appraised value. The Gift Acceptance Committee shall request the donor to provide a copy of the qualified written appraisal of the donated property in accordance with IRS regulations in order to substantiate the fair market value of the goods donated.

A. Marketable securities

Securities which are traded on any recognized stock market and are readily marketable shall be accepted by Smith College and immediately sold. In the case of a multimillion dollar donation of securities, the Treasurer may choose to extend the timeline for liquidating the asset to ensure an orderly transaction. Securities gifts will be valued for recognition value and for Smith College records based on the fair market value on the date the college takes possession of the security, in accordance with IRS regulations. (Restricted or non-publicly traded securities will be reviewed by the Gift Acceptance Committee.)

B. Tangible personal property

Gifts of tangible personal property (books, paintings, musical instruments, etc.) can be accepted if they further the mission of Smith College. The Gift Acceptance Committee may, at their discretion, choose to accept a gift of tangible personal property that is readily marketable for the purpose of liquidating the asset. Property for the use of the college with an appraised or estimated fair market value of less than \$500 may be accepted by the receiving department in consultation with a Development Officer. Gifts of property valued at \$500 or more must be approved by the Gift Acceptance Committee.

C. Gifts of service

Gifts of services, while often considered helpful to the mission of the college, are not considered charitable gifts by the IRS and cannot be recorded or receipted by the college.

D. Donations in Lieu of Reimbursement

A Smith College volunteer may choose to submit for reimbursement those expenses the college would have otherwise expended. The volunteer may then choose to give an equal amount to the college in a separate transaction.

Alternately, volunteers can choose not to submit a request for reimbursable expenses. In this case, volunteers may save their receipts and consult with a tax advisor to determine whether the expenses are deductible as charitable on their tax returns. Upon request, and at its discretion, the college will provide volunteers with a letter acknowledging their non-reimbursed expense, but with no dollar amount specified, which the volunteer may use to substantiate their donation.

E. Gifts of Materials to the Libraries

Gifts of books and other materials have greatly enriched the Smith College Libraries' collections. Generally, only pre-approved gifts that meet the curricular and research needs of the college will be accepted. Please review the current Library specific gift acceptance policies online at www.smith.edu/libraries/friends/about/gifts

F. Gifts of Art

The Smith College Museum of Art generally accepts gifts of art for its permanent collection. Gift offers are reviewed by the Curatorial Council, which considers the quality of the work, its appropriateness to the Museum's holdings and value for teaching purposes, and the artwork's provenance (its history of legal ownership). Please review the current SCMA specific gift acceptance policies online at www.smith.edu/artmuseum/membership-matters/give

G. Gifts to the Botanic Garden

Using the Landscape Master Plan and the Collections Policy as a guide, the Director prioritizes the needs for the Botanic Garden. To learn more about current opportunities and guidelines, please visit <http://www.smith.edu/garden/Giving/donations.html>

H. Life Insurance

All gifts of life insurance must be reviewed by the Gift Acceptance Committee. While not encouraged, the college will generally accept gifts of life insurance as long as the college is named as owner and beneficiary of the policy. In addition, the college shall request a copy of the contract and a current vanishing in-force illustration for its review. If a policy is not fully paid, the college should also request a second illustration assuming a 1-2% reduction in interest or dividend rates.

If a policy is a "vanishing premium" policy, then the gift officer shall clarify with the donor the risk of "reappearing premiums" if assumed interest rates or dividends decrease. Often premiums vanish only to reappear later when an economic environment becomes less favorable. Annual illustrations shall be requested for these types of policies.

The college may choose whether to continue making premium payments, with offsetting gifts from the donor, or to surrender a policy for cash. Smith College prefers that the college pay the premiums when notices come to the college as owner, with the donor then making a gift to the college in the amount of the premium. This process will maintain a clear audit trail for the substantiation of gifts. The college will not give Smith Fund credit for funds used to offset a premium.

The donor is responsible for obtaining a qualified appraisal if the gift was valued at greater than \$5,000, per IRS regulations.

4. Gifts Of Real Property (Real Estate)

The college will consider gifts of real property including single- and multi-family residences, condominiums, apartment buildings, and other income-producing property, farms and ranches, and possibly other real estate assets as well. The college will also accept partial interests in such real estate, provided that such interests can be readily sold. Smith College will consider outright gifts of real property as well as gifts subject to a retained life estate, gifts for a charitable remainder trust, gifts in exchange for a charitable gift annuity, and bargain sale gifts after assessing the expenses and risks associated with receiving a gift of property in comparison to the value of the gift to the college. In particular, donors considering real estate gifts will be asked to understand that the college must pay special attention to environmental liability risks, marketability risks, and the possible costs of holding real estate pending sale.

The college retains the right to refuse a gift during negotiations without incurring cost or liability. Possible exposure to environmental liability and possible challenges in marketing the property could be reasons for such a refusal to consider a gift.

When considering potential gifts of real estate, the college will take into account all expenses it might incur, and will project likely net proceeds to come to the college, whether by way of an outright gift or a deferred gift. The net value of the gift to the college – taking into account all appropriate expenses -- discounted to present value (today's dollars), should be at least \$50,000 for the college to consider the gift.

The general practice of the college is to sell all gifts of real estate as soon as possible.

5. Planned Gifts

A. Charitable Gift Annuities

An income beneficiary must be sixty (60) years old in order to be issued an immediate charitable gift annuity. Deferred payment gift annuities will be issued to donors of any age who are interested in deferring payments until age 60 or later. The minimum amount for a charitable gift annuity is \$10,000. Donors with existing Smith College annuities may be issued additional annuities at a minimum amount of \$5,000.

Typically cash and marketable securities will be accepted to fund a charitable gift annuity. In some cases, the college will accept gifts of real property in exchange for a gift annuity. In those cases, the college follows all policies for acceptance of real property. In addition, if a gift annuity is issued in exchange for a gift of real property, the annuity rate offered is discounted at the discretion of the Vice President for Finance in order to compensate the college for the uncertainty of the time period required to sell, the time period to realize proceeds from the sale and to cover the costs associated with marketing and selling the property.

B. Pooled Income Funds

An income beneficiary must be fifty (50) years of age to participate in either Smith's Income-Oriented or Smith's Growth-Oriented Pooled Fund. In the case of a two-life arrangement, the college allows for the survivor beneficiary to be somewhat younger, typically no younger than age 45. The minimum for a new pooled income fund gift is \$10,000, and additions to the fund may be made in minimum amounts of \$5,000.

Cash and marketable securities are accepted into either pooled income fund with the exception of municipal (tax-free) securities which by law cannot be accepted or held by a pooled income fund trust. Real property or tangible personal property is not acceptable in a pooled fund since the assets are not readily liquid and cannot immediately generate income.

C. Charitable Remainder Trusts

There is no minimum age for the beneficiary of a Smith College charitable remainder trust. The college reviews each proposed trust taking into consideration the age of the beneficiary(ies), the payout rate and the effects both have on remainder value. A remainder value of 25% or more is expected. Additions may be made to unitrusts in any amount, while annuity trusts, by law, cannot accept additions.

Smith College will give credit for the portion of a charitable remainder trust held outside of the college for which the college is named as irrevocable beneficiary. If Smith is asked to draft a trust document using the college's retained legal counsel, the college requires that it be named at least 50% irrevocable remainder beneficiary of the trust.

Cash, marketable securities and real property are all acceptable in a charitable remainder trust. In the case of real property, a Net Income with Makeup Unitrust or a Flip Trust can be used in order to allow time for the trustee to sell the property and reinvest the proceeds in an income-producing asset. A donor is asked, when funding a trust with real property, to make an additional cash gift(s) to the trust to cover insurance, maintenance and taxes on the property for as long as the trustee feels it will reasonably take to sell the property.

6. Matching Gifts

Smith College accepts gifts from companies which sponsor matching gift programs for their employees or former employees. Any matching gift received is used for the same purpose as the original gift unless limitations are imposed by the issuing company/foundation that prohibit an identical use.

IV. Gift Administration

1. Endowed Funds

A. General Information

Endowed funds are held in perpetuity, with the principal invested for long-term growth. The use of the income from endowed funds may be either unrestricted or restricted to a specific purpose. Income is determined by a spending policy set by the board of trustees and reviewed annually, please see 'Smith College Endowed Investment Policy Statement' for more.

Use of the income must meet the restrictions set forth in the fund description. For that reason, fund descriptions must be written with care, preferably including as few restrictions as possible. When writing fund descriptions, it is important to consider whether the fund will still be useful 100 years from now. All new or updated fund agreements will include the Smith College contingency clause which provides the board of trustees the power to adjust fund agreements should they become impractical to administer in the future.

Many endowed funds underwrite departmental budgets, in which case they are not available to fund new expenses. For example, a new scholarship fund will neither bring an additional financial aid student to Smith nor increase the college's financial aid budget. The college may increase the budget by some amount, in recognition of the new endowed fund, especially if the fund is particularly large.

Income which is not used during one year will accumulate for use in the future unless the gift instrument dictates otherwise. For example, a lecture fund which generates \$5,250 per year will accumulate about \$15,750 if not used for three years. That amount may be used to pay a particularly distinguished lecturer.

B. Reaching the Endowed Fund Minimum

The minimums to establish a named endowed fund at Smith College are set by the board of trustees. Please see 'Named Endowed Fund Gift Levels' for more information.

If a donor is interested in reaching the fund minimum over time, a statement of intent form must be completed at the time of the initial gift. This statement of intent is to be approved as part of the fund agreement.

The college will generally not accept new endowments where fundraising is required to reach the fund minimum. However, if such a fund is approved, the fund agreement must include a deadline for reaching the minimum and a contingency clause indicating how the fund will be utilized if the endowed fund minimum is not reached (spent out for the restriction indicated, or transferred to another fund, etc.).

2. Expendable Funds

Expendable Funds are those funds that will be expended over a set time period, often one to three fiscal years.

A. Named Expendable Fund Minimums

Fund Type	Minimum Level	Comments
Existing Smith Program	\$10,000	General support for existing programs
Scholarship	\$25,000*	Restrictions limited to: General, Ada Comstock or International
New Program, Program Enhancement or Restricted Scholarship	To be determined commensurate with the nature of the program/scholarship.	Requires approval by the Vice President for Finance and Administration and the Vice President for Development after consultation with any other appropriate senior administrator.

*Scholarship fund minimum must be reached in one year for alumnae in the 25th reunion class and older. Otherwise fund minimums may be reached over two years with a signed statement of intent.

3. Naming Guidelines

Smith College naming guidelines are established and reviewed by the board of trustees. Please see 'Naming Guidelines' for the most recent policies and procedures.

4. Gift Date Policy

Smith College does not records a gift date for contributions received. Smith records a date processed to reflect when the college has taken possession of the asset and recorded it for our internal purposes. Donors are encouraged to consult their personal tax advisor for guidance on how to record a gift for tax deduction purposes.

V. Pledge Policies

1. General

For pledges of \$50K or greater, Smith College strongly prefers a written Statement of Intent (or similar written documentation) signed by the donor, which includes a specific dollar amount, gift designation(s) and fixed time schedule.

For pledges under \$50k, email documentation with the donor or some other non-signed documentation (like direct mail reply form or staff documentation of a conversation) is considered sufficient.

Pledges are typically booked with payment schedules of up to five years.

2. Smith Fund

Smith Fund pledges are typically recorded for the current fiscal year and typically paid in the current fiscal year. Any Smith Fund pledge that is not established specifically as a multi-year pledge and is not paid by the end of the fiscal year is written off. Any exceptions must be approved by the Director of Annual Support.

3. Bequest Intentions

For the duration of the Women for the World campaign, bequest intentions will be recorded for donors age 75 and older (or will turn 75 by December 31, 2016), under the following conditions: the donor makes an immediate gift of \$50,000 or more (may be pledged over five years); and the donor documents a bequest intention of \$1 million or more for Smith College. Donor must sign a Documentation of Bequest Intention for Smith and include a copy of the relevant provision of their will or trust, a copy of their beneficiary designation form, or other third party confirmation.

Effective July 1, 2014, bequest intentions will be recorded for reunion recognition only for donors in their 50th reunion cycle (46th year post graduation) or older under the following conditions: the donor makes an immediate Smith Fund gift of at least \$500 and the donor documents a bequest intention of \$10,000 or more for Smith College by signing a Reunion Bequest Intention Counting Form. Credit will be discounted depending upon the age of the donor according to the following schedule: 50th reunion pledges will receive 50% credit, 55th reunion pledges will receive 55% credit, 75th reunion will receive 75% credit, etc. These bequest intentions will be counted for reunion recognition only. They will not be included in campaign, Smith Fund or financial audit totals.

VI. Student Fundraising

All students interesting in fundraising for a Smith College club, organization or other campus purpose must do so under the supervision of the Office of Student Engagement and must adhere to the policies and procedures of that office. The only exception made is the Senior Campaign of the Smith Fund which occurs under the supervision of Smith Fund staff.