

GIFTS

References: *Education Code Section 70902, 72122, 72205, 76062, 76063*

The Southwestern College Foundation (Foundation) has been designated by the Superintendent/President to be responsible for the acceptance, processing, and stewardship of gifts, as well as the coordination of all fundraising activities for the College District.

Generating private support for the College District is one of the major institutional priorities of the College District. To be most effective and serve the best interests of the College District, fundraising efforts must be related to the College District purpose, mission, vision, and values; be carefully coordinated; and be aligned with the College District's annual planning and evaluation processes.

Gift Solicitation

In order to ensure proper coordination, gift solicitations of funds or property in the name of the College District must be preapproved by the Foundation. This may exclude fundraising activities resulting from the sale of a product, ticket or services sponsored by College District departments or programs, the Associated Student Organization (ASO) or by other student groups. ASO will, however, communicate annually with the Foundation regarding fundraising activities.

The purpose of coordinating fundraising activities through the Foundation includes:

- A. To ensure that all the contributions are received through 501(c)3 nonprofit organization and comply with Internal Revenue Service (IRS) regulations.
- B. To ensure that all gifts are properly acknowledged.
- C. To avoid conflict and duplication of efforts in the fundraising programs.
- D. To ensure that accurate records of all gifts are maintained.
- E. To ensure gift use is in agreement with donor intent.
- F. To maximize the contributions from each donor.
- G. To provide continuity for understanding of and support for funding needs through the College District.

Faculty, staff, and students are encouraged to undertake fundraising and solicitation activities. Anyone who seeks to engage in any fundraising activity in the name of the College District from individuals, business, industry, foundations, community organizations, or others must follow the guidelines set forth in this policy.

Before pursuing formal discussions with any potential donor for support of the College District, approval is required by the Southwestern College Foundation Executive Director.

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This includes approval of any written documents, mailing lists, and other related documents used for solicitation.

Gift Acceptance

All gifts that the College District accepts will be processed by the Foundation. Gifts received through the sale of a product or services that generate a personal benefit to the donor will not be processed through the Foundation (i.e. ticket sales).

Only in extremely unusual circumstances, with the approval of the Superintendent/President, will gifts be deposited in a College District trust account. In that circumstance, the name, address, amount of gift, and purpose will be provided to the Foundation.

- A. The purpose for which the gift is given must be consistent with the stated purpose, goals, objectives, and educational philosophy of College District.
- B. All gifts must be within IRS regulations governing charitable contributions and cannot be restricted for the donor's benefit.
- C. No gift shall be accepted with an intent that is so restrictive as to make the gift's use unnecessarily difficult.
- D. The nature of the gift, the identity of the donor, and the kind of program that the gift is intended to support must be carefully evaluated in order to avoid placing the College District or the foundation in an undesirable position.
- E. The cost of accepting a noncash gift must be considered in advance (i.e. delivery, storage, permanent installation, operation, and maintenance). If Foundation or general College District funds are needed to secure, store or install, operate, or maintain the gift, these funds must be requested and obtained before accepting the gift.
- F. Noncash donations (art, furniture, equipment, etc.) with a value of more than \$500 must be approved by the Vice President for Business and Financial Affairs before acceptance. Additional IRS documentation is required for noncash gifts valued at more than \$500.

Board Notification of Gifts

The Foundation will report to the Governing Board annually the gifts accepted by the Superintendent/President for the benefit of the College District.

See also 3050 BP – Institutional Code of Professional Ethics.