

POLICY

Policy Title	Gift Acceptance
Policy Holder	Director, Advancement and External Relations
Policy Approver(s)	Senior Team
Related Policies	Gifts in Kind Naming Prospect Clearance Sponsorships, Donations & Attendance at External Event
Related Procedures	Gift Acceptance Naming Procedure
Appendices	
Storage Location	Website - https://www.confederationcollege.ca/policies-and-procedures
Effective Date	2024-09-10
Next Review Date	2025-09-10

Purpose

Confederation College (hereafter ‘the college’) welcomes the donation of charitable gifts which enable it to fulfill its mission of enriching lives through learning. While the College appreciates the generosity of prospective donors, the College may not be able to accept every gift.

The purpose of this policy is to provide guidance on matters of fundraising approval and gift acceptance, including the types of gifts we will accept, and the roles and responsibilities of those involved in gift acceptance.

Scope

This Policy applies solely to philanthropic Gifts made to or considered by the college including:

- Gifts of cash and cash equivalents;
- Gifts-in-kind including Gifts of real estate and Sacred Items;
- Certified Canadian Cultural Property, as defined by CRA;

- Designated Beneficiary Accounts (i.e. life insurance, annuities, retirement, pension and other registered savings funds);
- Gifts of residual interest;
- Publicly traded securities;
- Charitable remainder trusts; and
- Bequests.

This Policy applies to all Gifts to the college and to eligible organizations as defined by the CRA, which may include affiliates and other intermediaries.

This Policy applies to all Gifts to the college, even where a Donor is not eligible for or is not seeking an official donation receipt for tax purposes.

This Policy does not apply to other forms of financial support to the college, such as:

- Sponsorships, where the funding party receives a substantial advantage in return for the funding, in the form of a permitted association with the college;
- Government funding; and
- Sponsored Research.

Definitions

Donor

A person or entity making a Gift to the college.

Gift

Any voluntary transfer of real or personal property, including in kind property, from individuals, organizations, or other sources (“donor”) to the college. A gift is made without expectation of return or benefit to the donor or any individual or organization designated by the donor because of acceptance of the gift.

Gift In Kind

Also known as non-cash gifts, can be gifts of real property or other tangible or intangible items such as artwork, equipment, securities, cultural or ecological property. Note: per the Canada Revenue Agency, a contribution of service, that is, of time, skills or efforts, does not qualify for charitable receipt.

Policy

Means this Gift Acceptance Policy and all its related procedures as amended from time to time.

Reputation

Overall quality or character, as seen or judged by the Board of Governors or its delegates.

Restricted Gift

A Gift must be used for a specific purpose, directed by the Donor and agreed upon by the college. Sometimes referred to as designated. Undesignated or unrestricted Gifts may be used for any legal purpose the college deems appropriate.

Sacred Item

As defined by the Canada Revenue Agency (CRA), an object of Indigenous material culture deemed holy or sacrosanct by virtue of its ritual or ceremonial association. Depending upon the nation in question, Sacred Items can include a range of objects connected with drumming, dancing, smoking rituals, vision questing, fasting or traditional healing and sweat lodge rites.

Governing Laws and Regulations

[Registered Charities and Income Tax Act](#)

Policy Statements**1. General**

- 1.1 The following principles guide decisions made under this policy:
 - 1.1.1 Gifts should advance the reputation, mission, and priorities of the college in accordance with its values, guiding principles, governing documents, and the law.
 - 1.1.2 Each donor must be of such a reputation and standing that an association with that individual or organization would not reasonably compromise the college's reputation, mission, priorities, values, guiding principles, autonomy, integrity, or legal compliance.
 - 1.1.3 Gifts should not have restrictions placed on them by the donor that are incompatible with the college's mission, priorities, values, guiding principles, governing documents, or the law, in particular, human rights or tax law.
 - 1.1.4 The ownership and management of all gifts resides with the college, whether for the benefit of the college generally or for some specific purpose.
 - 1.1.5 Gifts should not entail unacceptable financial or other risk and burden on the college.

- 1.1.6 Decisions under this policy are independent of appointment, admission, curriculum, and other academic and business decisions. Without limiting the generality of the foregoing, gifts will not require the college to give special consideration for employment, student registration or business transactions with the donor or any designate, or allow the donor to influence the teaching, learning or scholarship of a student, professor, or academic program.
 - 1.1.7 The college does not provide any legal, accounting, tax, or financial advice to Donors with respect to Gifts to the college.
 - 1.1.7.1 Donors are encouraged to seek independent legal, accounting, tax or financial advice from professionals and are responsible for all costs incurred in relation to obtaining such independent professional advice.
 - 1.1.8 The professional standards and code of behaviors set out by the Association of Fundraising Professionals (AFP) in the Donor Bill of Rights serves as the ethical guideline for college representatives working with Donors or raising Gifts on behalf of the college.
 - 1.1.9 Decisions under this policy are strictly confidential until the college makes a public announcement.
 - 1.1.10 The college is committed to ensuring the Gift is used for its intended purpose. If circumstances make the specified use of this Gift impractical, impossible, or inadvisable for all or part of the Gift to be applied to the purpose(s) described within the Gift Agreement, or if the purpose(s) cannot be achieved because of a future change in law, change in college practices, policies or academic priorities, or unforeseeable circumstances, the Gift may be used for any related purpose which, in the reasonable opinion of the college (in consultation with the Donor where possible), will most nearly accomplish the Donor's wishes or is consonant with the spirit and intent of the Gift.
- 1.2 The acceptance of gifts under this policy must comply with all applicable laws, college policies and procedures. Without limiting the generality of the foregoing, the college will ensure that it maintains its charitable status by following all legislation, regulations and guidance issued by the CRA in relation to its charitable activities.

2. Roles and Responsibilities

- 2.1. The decision to accept or decline a gift ultimately rests with the Board of Governors or the committee or individual to which/whom the authority has been delegated (most often the Director of Advancement) by the Board in accordance with this policy or by resolution. Prior approval by specific resolution or motion of the Board (or its designated committee) will be required with respect to the acceptance of:
 - 2.1.1. any gift the value of which exceeds \$5 Million;
 - 2.1.2. any gift which in the opinion of the President or Director: Advancement & External Relations exposes the college to an uncertain and potentially significant liability;
 - 2.1.3. any gift which in the opinion of the President or Director: Advancement & External Relations is precedent-setting and involves sensitive issues;
 - 2.1.4. any gift which in the opinion of the President or Director: Advancement & External Relations is of above-average complexity, including gifts involving real property, residual interests, charitable remainder trusts, assets with low liquidity, or certified cultural property.
 - 2.1.5. any gift which a member of the Board of Governors requests be brought before the Board for approval.
- 2.2. For gifts that do not meet the above criteria, the college President has the authority or can delegate this authority to the Director: Advancement & External Relations to accept the gift, provided the approvals under other applicable college policies. This delegation is as follows:
 - 2.2.1. The Director: Advancement & External Relations has the delegated authority to approve or decline the acceptance of Gifts if less than \$1 million.
 - 2.2.2. The President has the delegated authority to approve or decline the acceptance of Gifts if less than \$5 million.
 - 2.2.3. The President has the delegated authority to approve or decline the acceptance of Gifts deemed to be a Sacred item.
- 2.3. Notwithstanding any other provision of this Policy, the Board of Governors and its delegates may decline a Gift in any circumstance, including but not limited to if the gift:

- is not in accordance with the Principles of this Policy;
 - exposes the college to unacceptable risk or liability;
 - will be difficult or costly to administer;
 - may be funded through illegal or unethical activities;
 - is precedent setting;
 - could reasonably compromise the college's public image, Reputation or commitment to its academic mission and values;
 - involves thinly traded/illiquid securities;
 - does not align with the college's values around Indigeneity, equity, diversity, inclusion, accessibility, and anti-racism;
 - the legal or moral authority of the transferee to convey the gift is in question;
or
 - could jeopardize the college's registered charity status.
- 2.4. It is the college's general policy to dispose of all Gifts of publicly traded securities as expeditiously as possible. Thus, the college will attempt to sell, as soon as reasonably practical, all Gifts of securities at a reasonable price, consistent with market conditions. The value of the official receipt will be determined by the fair market value of the security by referring to the closing market price on the date the security is transferred to the college, as per CRA guidance.
- 2.5. There is the potential for emerging Gift types that have aspects or characteristics that do not conform to this Policy. Under these circumstances, the Department of Advancement & External Relations may recommend the establishment of specific policies for these Gifts or conduct an individual review on a case-by-case basis.
- 2.6. Case-by-case decisions will not be considered precedent setting.
- 2.7. To support a coordinated approach to college fundraising and resource allocation, pre-approval for projects for which funds will be raised is required.
- 2.8. The Office of Advancement & External Relations is responsible for researching and securing gifts that meet the requirements of this Policy and ensuring their appropriate approval, receipting, acknowledgement, and recording.
- 2.9. Except as set out herein, members of the college community at large will not engage in any overt fundraising activities and have no authority to accept a gift on behalf of the college.
- 2.10. The Department of Advancement & External Relations has primary responsibility for the negotiation, review and signing of gift agreements.
- 2.11. The Department of Advancement & External Relations is solely responsible for issuing charitable tax receipts for all charitable gifts received by the college. Gift

processing will be handled in accordance with the donor’s wishes consistent with college policies, Canada Income Tax Act regulations governing charitable organizations, and CRA guidelines on charitable donations. All gifts received by any office of the college must be processed through the Department of Advancement & External Relations, where they will be received, acknowledged, and recorded for audit, historic and recognition purposes.

- 2.12. Endowed gifts will be managed in accordance with the agreement with the donor, the Endowment Guidelines, and the applicable Statement of Investment Policies & Procedures. Naming’s associated with an endowed gift are governed by the Policy, Naming of College Assets.
- 2.13. The Director: Advancement & External Relations or delegate is responsible for ensuring that the acceptance of gifts by the college is consistent with this policy. As part of the ongoing report of activities to the Board of Governors, the report will include a summary of gifts accepted valued at or above \$500,000, or those deemed to have a high cultural or other significance to the college.

Non-Compliance

If this Policy is not followed, it could lead to legal and ethical issues, misallocation of funds, and potential harm to the college’s reputation. It may also result in financial penalties, loss of donor trust, and jeopardize future fundraising efforts, ultimately impacting the support and resources available for our students and programs.

Revision History

Version	Change	Author	Date of Change
Original		Director, Advancement and External Relations	2024-09-10