

GIFT ACCEPTANCE POLICY

This policy statement is designed to assure that all gifts to, or for the use of, the Jewish Community Foundation of the West (“Foundation”) are structured to provide maximum benefits for Donor and the Foundation. The Board may appoint a Gift Acceptance Committee, and in the absence of such committee, the Executive Committee shall act as such committee. Since some gift situations may be complex, or more costly than beneficial, or restricted in a manner not in keeping with the goals of the Foundation, the merits of a particular gift may require evaluation and approval by the Gift Acceptance Committee of the Foundation, [“the Gift Acceptance Committee”] while others may require approval of Foundation Board of Trustees [“the Board”]. Whenever the approval of the Board is required, it will normally act after obtaining a recommendation from the Gift Acceptance Committee.

Only those individuals designated by the Board are authorized to solicit gifts on behalf of the Foundation. Care shall be taken that each gift solicitation is an agreeable experience for the donor and reflects positively on the Foundation. All prospective donors must be advised to seek the counsel of their legal and financial advisors when considering matters relating to tax and estate planning.

I. OUTRIGHT GIFTS

A. Cash

1. Gifts in the form of cash and checks shall be accepted regardless of amount unless, as with all gifts, there is a question as to whether the donor has sufficient title to the assets or is mentally competent to legally transfer the funds.
2. All checks must be payable to the Foundation. In no event shall they be made payable to an employee, agent, or volunteer for the credit of the Foundation, nor should they be made payable to a fund.

B. Gifts of Real Estate

The following restrictions on acceptance of gifts of real estate shall be followed unless waived by the Board:

1. No gift of real estate shall be accepted without approval of the Board after obtaining a recommendation from the Gift Acceptance Committee regardless of the purpose or value.
2. No gift of real estate may be accepted without first being appraised by a qualified appraiser, approved by the Gift Acceptance Committee, who shall have no business or other relationship with the donor.
3. All gifts of real estate shall be evaluated in light of the need for an environmental audit. An environmental audit shall be performed by qualified environmental professionals selected and directed by the Gift Acceptance Committee. The cost of such audit shall be paid by the donor unless otherwise determined by the Gift Acceptance Committee. An environmental professional is an individual who, through academic training or occupational experience, is qualified to conduct such an audit. The environmental audit is to determine whether a release or threatened release of a hazardous substance is, or is likely to be, present on the property and shall contain in writing all information required by the Gift Acceptance Committee.

If the environmental audit discloses the presence or likely presence of, or a release or threatened release of a hazardous substance on the property, the transfer of the property to the Foundation will not be accepted until satisfactory documentation is provided to the Gift Acceptance Committee that Federal, State and local environmental authorities have determined that such condition has been remediated.

5. No gift of real estate encumbered by a mortgage or lien shall be accepted except in special circumstances approved by the Board.

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C. Gifts of Securities

1. Publicly Traded Securities - Securities which are traded on any recognized stock exchange shall be accepted by the Foundation and be immediately sold.
2. Closely Held Securities - Non-publicly traded securities shall be accepted only after approval of the Board, following receipt of a recommendation from the Gift Acceptance Policy.

D. Gifts of Personal Property

1. Jewelry, artwork, collections and other personal property shall not be accepted without approval of the Board. The value, determined by a qualified appraisal under the terms of the Internal Revenue Code. (Donor must complete IRS Form 8283 and all other required government documents). Donors will be informed at the time of acceptance of such a gift that the Foundation will, as a matter of policy, cooperate fully in all matters related to IRS investigations of non-cash charitable gifts. All appraisals shall be paid for by the donor unless waived by the Gift Acceptance Committee or the Board. Normally such gifts shall not be accepted unless the appraised value exceeds \$5,000.00.
2. No personal property shall be accepted under conditions which obligate the Foundation to ownership of the property in perpetuity. Except as directed by the Board, gifts of personal property will be sold.

E. Gifts of Life Insurance

1. The Foundation will encourage donors to name the Foundation as owner and beneficiary of life insurance policies which they have purchased on their lives.
2. The Foundation shall not endorse specific insurance products in promoting Foundation gifts.

F. Intellectual and Other Property

1. Intellectual and other property such as mortgages, notes, copyrights, and royalties shall be accepted only upon approval of the Board.

II. DEFERRED GIFTS

A. Bequests

1. Testamentary gifts shall be actively encouraged by the Foundation. All bequests should conform to the policies set out in Section I of this policy statement.
2. Intended bequests of property other than cash or marketable securities should be brought to the attention of the Gift Acceptance Committee and every reasonable attempt made to persuade donors to accept Foundation policy regarding such bequests.
3. Gifts from estates of deceased donors, which do not conform to the Foundation's policies may be accepted or rejected by the Board and such decision communicated to the legal representative of the estate. If possible, a mutually agreeable plan shall be worked out between the Board and the representative to make the gift acceptable.

B. Charitable Trusts

1. In other than exceptional circumstances, the Foundation will not serve as co-trustee of a charitable remainder or lead trust. This policy may be waived only by the Board.
2. The Gift Acceptance Committee and other employees and volunteers acting on behalf of the Foundation should become familiar with the types of property generally accepted by corporate fiduciaries as suitable contributions to charitable trusts. Property not in keeping with such guidelines shall not be encouraged as gifts to charitable trusts.
3. Neither the Gift Acceptance Committee nor any employee or other person, acting on behalf of the Foundation, shall recommend any corporate fiduciary.

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C. Charitable Gift Annuities

1. No Gift Annuities or Deferred Gift Annuities shall be accepted without approval by the Board.
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3. The minimum initial contribution for a Gift Annuity shall be \$25,000.00.

D. Life Estate Gifts

Such gifts may be accepted by the Board when the Board is satisfied that the donor is fully aware of the possible future ramifications of the transaction. Such gifts must be approved by the Board.

III. RESTRICTED GIFTS/ENDOWMENT

A. Gifts to the Foundation may be restricted in their use if such restriction is compatible with the aims and policies of the Foundation.

1. Such gifts are subject to the policies of the Foundation as set out in this Policy Statement.
2. The Board reserves the right to change the designated purpose or purposes of any restricted gift if the restriction does not fulfill the donor's intentions or becomes impractical, unnecessary or undesirable in the sole discretion of the Board.

Approval of such a change shall be dependent on a two-thirds affirmative vote of all Foundation Trustees whether or not present or voting. To the extent possible, potential donors will be made aware of this discretion, and no changes will be made before a reasonable effort is made to hold a discussion with the donor, or if then deceased, his or her surviving spouse or children, or such other persons designated by the donor.

B. Types of Restricted Gifts

1. Designated support gifts of any size may be made to any existing endowment fund of the Foundation.
2. A new Designated Program may be established to support a program of interest to the donor with a minimum contribution as agreed upon by the Board and the recipient organization.
3. A Named Endowment gift may be established, carrying the name or names of the donor with a minimum gift in accordance with policy, assuming the purpose of the endowment is acceptable to the Board and the recipient organization.

IV. PAYMENT OF FEES RELATED TO GIFTS

A. Finders Fee or Commissions

The Foundation shall pay no fee or commission to any person as consideration for directing a gift to the Foundation.

B. Professional Fees

1. The Foundation may pay reasonable fees for professional services rendered in direct connection with the completion of a gift to the Foundation. Such fees will be paid only with prior written approval of the Board and approval by the donor.
2. The Board shall ascertain the reasonableness of legal, accounting and other professional fees prior to payment. An hourly breakdown of time shall normally be requested.
3. If the Foundation is asked to pay fees to persons initially employed by the donor, the donor shall be notified that the payment of such fees may result in taxable income to the donor in the amount of fees paid.
4. Where advisers retained by the Foundation prepare documents or render service of any kind to the Foundation and/or a donor to the Foundation, the donor shall be informed that

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the professional involved is in the employ of the Foundation and is not acting on behalf of the donor and that any advice given or documents prepared should be reviewed by counsel for the donor prior to completion of the gift.

V. RECOGNITION AND REVIEW

- A. The Foundation shall acknowledge all gifts and donations in an appropriate manner, with dignity and respect, to honor them in perpetuity to the credit of the donor, the program and the Foundation.
- B. All other Board approved internal guiding documents are deemed to be incorporated into this gift acceptance policy.
- C. This policy statement shall be reviewed not less than every five years.