

GIFT ACCEPTANCE POLICY

APPLIES TO: STLS Board of Trustees, STLS Staff

REFERENCES: STLS Materials Selection Policy
STLS Mission Statement
STLS Conflict of Interest Policy
Guidelines for Implementing Gift Acceptance Policy

The mission of the Southern Tier Library System is to “expand and improve public library service” within the five county service area. To this end, STLS will accept gifts with the following considerations:

1. STLS will accept new or used library materials, such as books, electronic media, etc. if they are in good physical condition and if, in the opinion of the System staff responsible for selection they meet objective criteria for the selection of library materials as specified in the STLS Materials Selection Policy.
2. Although donors are encouraged to make gifts of monies, personal property, real property, securities, or equivalent to The Foundation For Southern Tier Libraries, gifts of this sort may be accepted by STLS. STLS will convert gifts of real property and securities to cash in a timely manner.
3. Cash gifts in memory or honor of individuals will be accepted by STLS and will be used to enhance System resources.
4. All forms of gifts or donated properties may be subject to review prior to acceptance as noted in the attached implementation guidelines. STLS will seek the advice of legal counsel in matters relating to the acceptance of gifts when appropriate.

In accordance with the STLS Conflict of Interest Policy, in no case shall a Southern Tier Library System Trustee or staff member accept personal gifts, gratuities, or favors from any person, firm, or corporation doing business with, or seeking to do business with STLS that might appear to influence his or her actions affecting the Southern Tier Library System.

GIFT ACCEPTANCE POLICY IMPLEMENTATION GUIDELINES

The President of the STLS Board of Trustees will review all restricted gifts and gifts over \$500 in value prior to presentation to the Board of Trustees for the normal approval process.

The Southern Tier Library System (STLS) will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

1. Gifts of securities that are subject to restrictions or buy-sell agreements.
2. Documents naming STLS as trustee or requiring STLS to act in any fiduciary capacity.
3. Gifts requiring STLS to assume financial or other obligations.
4. Transactions with potential conflicts of interest
5. Gifts of property which may be subject to environmental or other regulatory restrictions.

GIFTS GENERALLY ACCEPTED

- A. Cash gifts are acceptable by check, money order, or online payment.
- B. MARKETABLE SECURITIES. In some cases marketable securities may be restricted, for example, by applicable securities laws or the terms of the proposed gift; in such instances the decision whether to accept the restricted securities shall be made by the Board of Trustees. Marketable securities may be transferred electronically to an account maintained at one or more brokerage firms or delivered physically with the transferor's endorsement or signed stock power (with appropriate signature guarantees) attached. All marketable securities will be sold promptly upon receipt.
- C. BEQUESTS AND BENEFICIARY DESIGNATIONS UNDER REVOCABLE TRUSTS, LIFE INSURANCE POLICIES, COMMERCIAL ANNUITIES AND RETIREMENT PLANS. Donors may make bequests to STLS under trusts, life insurance policies, commercial annuities and retirement plans.(see below.)
- D. CHARITABLE REMAINDER TRUSTS. STLS will accept designation as a remainder beneficiary of charitable remainder trusts which will receive the assets of a trust when the donor dies.
- E. CHARITABLE LEAD TRUSTS. STLS will accept designation as an income beneficiary of charitable lead trusts, which will allow STLS to receive income from a trust until the donor dies.
- F. TANGIBLE PERSONAL PROPERTY. The STLS Board of Trustees shall review and determine whether to accept any gifts of tangible personal property in light of the following considerations: Does the property further the mission of STLS? Is the property marketable? Are there any unacceptable restrictions imposed on the property? Are there any carrying costs for the property for which STLS may be responsible? Is the title/provenance of the property clear?
- G. LIFE INSURANCE. STLS will accept gifts of life insurance where STLS is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premiums owing on the policy.
- H. REAL ESTATE/REAL PROPERTY. All gifts of real estate are subject to review by the STLS Board of Trustees. Prior to acceptance of any gift of real estate STLS shall require an initial environmental review by a qualified environmental firm. In the event that the initial review reveals a potential problem, the organization may retain a qualified environmental firm to conduct an environmental audit. Criteria for acceptance of gifts of real estate include: Is the property useful for STLS's purposes? Is the property readily marketable? If there are structures on the property, has a safety inspection been performed by a licensed inspector? Are there covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property? Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property? Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation?

Adopted by STLS Board of Trustees April 17, 2012.