FOUNDATION
OF CALIFORNIA STATE UNIVERSITY
MONTEREY BAY

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GIFT ACCEPTANCE POLICY

I. Introduction

Annually, CSUMB receives thousands of proposals for many types of private support including gifts, private grants, sponsorships, and partnerships. Prior to acceptance, all proposals must be reviewed to identify any aspect of the offer that might pose a potential or real risk. Some of the more common reasons for not accepting an offer of private support include:

- Prohibitive cost of sale or maintenance
- Inappropriate for CSUMB due to content, restrictions, timing, or tangible utility
- Acceptance would carry too much risk

The Foundation does not knowingly accept gifts from terrorists or terrorist organizations and does not accept gifts when the legal donor is not known.

Most gifts require very little review. Some, by their nature, require considerable scrutiny and demand full evaluation. Others may require some form of investigation, but not necessarily a full review. Examples might include getting an appraisal or obtaining feedback from a campus administrator about the utility of a proposed gift. Some types of gifts, such as real property and software, have special review and valuation requirements. Acceptance procedures for specific types of gifts are described in the Gift Processing Procedures section of the Private Gift Procedure Reference Manual.

Because every potential gift and every potential giving situation is unique, each must be closely evaluated on an individual basis to address pertinent questions and concerns. For this reason, there can be no single policy for evaluating the acceptability of all gifts. Instead, provided below is a standard procedure for the careful evaluation of all gifts offered to the University.

Generally, all gifts become the property of the Foundation. Exceptions may be made on a case-by-case basis. Title may also be transferred to the University or other entities as appropriate and allowed by the law.

University Advancement plays a key role in coordinating the acceptance process and evaluating proposals for acceptability. At the discretion of the Vice President of Development, a proposal may be directed to the Gift Review Committee for a full evaluation. Ultimately, the Foundation is responsible for determining the acceptability of all offers for private support

II. Gift Review Committee

Offers of private support that pose any question of propriety, value, or risk must be evaluated by the Gift Review Committee before the gift can be formally accepted. The Gift Review Committee reviews all aspects of the proposal and makes a formal recommendation to the Foundation Board.

A. Committee Composition – The CSUMB President appoints the members of the Gift Review Committee with general composition as follows:

1. Vice President of Development, Committee Chair
2. Provost and Vice President for Academic Affairs (or designee)
3. Vice President for Administration and Finance (or designee)
4. Vice President for Student Affairs (or designee)
5. President of Associated Students
6. Chair of the Academic Senate (or designee from the Committee on University Advancement)
7. Chair of the Foundation Board of Directors
8. Director for Sponsored Programs Office

The quorum for action will be four of the appointed members of the Committee.

Depending on the nature and potential impact of a proposed gift, other campus representatives (Chief Information Officer, Associate Vice President for Campus Planning and Development, Director of Athletics, faculty members, etc.) and professional/technical consultants may be invited, directed, or hired to assist with the evaluation process.

B. Meeting Schedule – Meetings are convened at the discretion of the Committee Chair. The Committee's ability to convene reasonably quickly in order to evaluate a time-sensitive gift's potential and viability is of the utmost importance, ideally within two weeks of initial inquiry by a prospect.

III. Review Procedures

The following denotes the general step-by-step procedures for reviewing a potential gift. Variations may apply depending on the nature of the proposal:

A. University Development identifies a proposal for private support that poses real or potential risks to the University impacting its acceptability.

B. The Vice President of Development determines that the proposal needs to be evaluated by the Gift Acceptance Committee and convenes a meeting.

C. The proposal is presented to the Committee, usually by a development officer, staff members, faculty members or campus contact. Part A of the Gift Acceptance

Form, which can be found in the Private Gift Procedure Reference Manual, can be used to organize the presentation of information. Ideally, the presenters will have obtained all pertinent documents, rulings, legal opinions, appraisals, statements, etc. before the meeting. It is the responsibility of the presenters to divulge all reasonably known risks and benefits associated with the potential gift.

D. The Committee reviews the details of the gift. Additional information might be requested as appropriate and the Committee may need to reconvene. For example, potential gifts involving changes to the Campus Master Plan require an analysis by Campus Planning and Development.

E. The Committee may consider other criteria, such as the cost of obtaining additional information, in determining acceptability and whether the proposal is consistent with CSUMB's values as depicted in the Vision Statement, Strategic Plan, or other official campus documents.

F. The Committee issues a recommendation to the Foundation Board based on all of the information available. The Committee may either vote to recommend accepting the proposal, declining the proposal, or accepting the proposal with conditions. A copy of the Committee's recommendation and the Foundation Board's ultimate decision, including all criteria, conditions, and supporting documentation will be placed in the donor file.

IV. Special Acceptance Considerations

Payments made by an individual or organization on behalf of another must be carefully evaluated for acceptability. There are strict laws and restrictions governing pass-through payments, donor-advised funds, and self-dealing through the Foundation. Legal counsel may be required in some situations.

Payments directed to a specific individual are not gifts.

Once a donation is made, the donor cannot subsequently direct or manage how the donated funds are disbursed.

For employees of CSUMB or the Foundation, donating becomes an issue when donations are given in support of their own programs at CSUMB. Such donations are only acceptable if the following conditions are met:

- There is no direct or indirect benefit to the donor,
- The individuals with signature authority for disbursing the donated funds are responsible for assuring that all expenditures comply with relevant policies, rules, regulations, and codes of ethics, and
- Deficit spending of these funds is not permitted.

V. Adoption and Review

The Foundation Board of Directors has adopted this Signature Authorization Policy, dated April 2011.

1. The Board adopted Revision B of this Gift Acceptance Policy on 13 June 2014

The Foundation Board of Directors will review this policy five years from its adoption date to determine its effectiveness and appropriateness. The policy may be evaluated before that time as necessary to reflect substantial organizational, financial, or physical change(s) at the Foundation or any change required by law or by other governing policy.

Any proposed amendments or variations of this policy would require a majority approval by the Foundation Board of Directors.

VI. Related Documents

Private Gift Procedures Reference Manual