

## **GIFT ACCEPTANCE POLICY**

Women of Purpose, doing business as Women at the Well (“WaW”), a nonprofit organization headquartered in San Diego, California, encourages the solicitation and acceptance of gifts to WaW for purposes that will help WaW further and fulfill its mission: To reach women with the lifesaving truth of the gospel of Jesus Christ. The following policies and guidelines govern acceptance of gifts made to WaW or for the benefit of any of its programs.

### ***I. Purpose of Policies and Procedures***

The purpose of this document is to set forth the criteria that WaW and its Board of Directors use to determine that a proposed gift is acceptable and to inform prospective donors and their advisors of the types of gifts WaW accepts. While these guidelines establish best practices, they are designed to provide flexibility as directed by the Board of Directors Gift Exceptions committee.

### ***II. Use of Legal Counsel***

WaW seeks the advice of outside legal counsel as appropriate on matters relating to acceptance of gifts. Review by legal counsel is usually sought in connection with:

- a. Closely held stock transfers that are subject to restrictions or buy-sell agreements
- b. Documents naming WaW as Trustee
- c. Gifts involving contracts, such as bargain sales or other documents requiring WaW to assume a legal obligation
- d. Gifts of patents and intellectual property
- e. Transactions with potential conflict of interest that may invoke IRS sanctions
- f. Other instances in which use of counsel is deemed appropriate by WaW’s Board of Directors.

### ***III. Communications with Donors***

WaW holds all communications with donors and information concerning donors and prospective donors in strict confidence, subject to legally authorized and enforceable requests for information by government agencies and courts. All other requests for or releases of information concerning a donor or a prospective donor will be granted only if permission is first obtained from the donor.

### ***IV. Conflict of Interest***

WaW does not provide personal legal, financial or other professional advice to donors or prospective donors. Donors and prospective donors are strongly urged to seek the assistance of their own professional advisors in matters relating to their gifts and the resulting tax and estate planning consequences. WaW endorses the Model Standards of Practice of the Charitable Gift Planner promulgated by the National Committee on Planned Giving (attached as Appendix A) and the Donor Bill of Rights promulgated by

the Association of Fundraising Professionals) (attached as Appendix B).

**V. Restrictions on Gifts**

Unrestricted gifts and gifts for specific programs and purposes may be accepted, provided they are consistent with WaW's mission, purposes and priorities. WaW will not accept gifts that are inconsistent with its mission, purposes or priorities or are judged too difficult to administer.

**VI. The Gift Exceptions Committee of WaW**

The Board of Directors also meets as The Gift Exceptions Committee and will review all non-marketable gifts to WaW, and those gifts referred to it by the Chief Financial Officer. The Gift Exceptions Committee consists of the following individuals:

Diane Lowery, CEO/President  
Roxanne Farrer, CFO & Treasurer  
Debi Baczynski, Vice President/Secretary

The Gift Exceptions Committee is responsible for regularly reporting its decisions on gift acceptance at a regularly scheduled meeting of the Board of Directors. The Committee is also responsible for reviewing these Policies and Procedures at least annually or more often as needed to ensure that they remain consistent with applicable laws and the programs of WaW.

**VII. Types of Gifts**

A. The following gifts may be considered for acceptance by WaW:

1. Cash
2. Tangible personal property
3. In-kind gifts
4. Publicly traded Stock Securities
5. Life insurance
6. Charitable gift annuities
7. Charitable remainder trusts
8. Revocable trust agreements
9. Charitable lead trusts
10. Retirement plan beneficiary designations
11. Bequests
12. Life insurance beneficiary designations
13. Unreimbursed organization related expenses which result in reduced liability of the organization
14. ACH (Automated Clearing House)
15. Mobile payments
16. Amazon/Smile
17. Employee-Employer Gift Match
18. IRA (QCD)

B. The following criteria apply to the acceptance of gifts in these categories.

1. **Cash:** Cash may be accepted in any negotiable form. Checks must be made payable to Women of Purpose dba Women at the Well and should be delivered to any Board member.

2. **Tangible Personal Property.** All other gifts of tangible personal property shall be examined in light of the following criteria:

- Does the property fulfill the mission of WaW?
- Is the property marketable?
- Are there any undue restrictions on the use, display, or sale of the property?
- Are there any carrying costs for the property?

3. **In-Kind Donations:** Any donation of goods, services or time instead of cash.

4. **Securities:** WaW can accept only publicly traded securities.

Publicly Traded Securities: Marketable securities will be electronically transferred to an account maintained at WaW's brokerage firm. As a general rule, all marketable securities will be sold upon receipt unless otherwise directed by the Board of Directors of WaW. In some cases marketable securities may be restricted by applicable securities laws; in such instance the final determination on the acceptance of the restricted securities may be made by the Board of Directors of WaW.

Options and Other Rights in Securities: The following questions apply to acceptance of warrants, stock options and stock appreciation rights:

- Is WaW required to advance funds upon exercise of the gift? If so, does WaW have the required funds?
- Is WaW at risk of loss of funds in accepting the gift?
- Are the rights restricted? And if so, does the restriction affect the ability of WaW to dispose of the asset? Does the restriction materially impact the value of the gift to WaW?
- Will acceptance of the gift and/or exercise of the option trigger any tax consequences to the donor?

5. **Charitable Remainder Trusts:** WaW encourages its donors to name the organization as a remainder beneficiary of a charitable remainder trust and will work with its donors to structure such agreements. However, WaW will not serve as trustee of a charitable remainder trust and will instead encourage the donor to use a professional fiduciary.

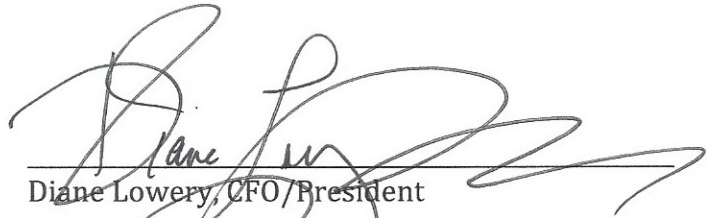
6. **Revocable Trust Agreements:** WaW encourages its donors to name the organization as a beneficiary of all or a portion of a revocable trust agreement. However, WaW will not serve as trustee of a revocable trust agreement and will instead encourage the donor to use a professional fiduciary.
7. **Charitable Lead Trusts:** WaW may accept a designation as income beneficiary of a charitable lead trust. WaW will not accept an appointment as Trustee of a charitable lead trust.
8. **Retirement Plan Beneficiary Designations:** Donors and supporters of WaW will be encouraged to name WaW as beneficiary of their retirement plans. Such designations will not be recorded as gifts to WaW until such time as the gift is irrevocable.
9. **Bequests:** Donors and supporters of WaW will be encouraged to make bequests to WaW under their wills and trusts. Such bequests will not be recorded as gifts to WaW until such time as the gift is irrevocable.
10. **Life Insurance Beneficiary Designations:** Donors and supporters of WAW will be encouraged to name WaW as beneficiary or contingent beneficiary of their life insurance policies. Such designations shall not be recorded as gifts to WaW until such time as the gift is irrevocable.

### ***VIII. Miscellaneous***

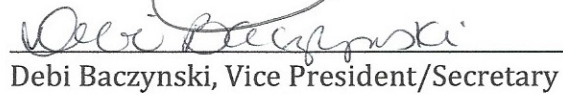
- A. *Securing appraisals and legal fees for gifts to WaW:* It will be the responsibility of the donor to secure an appraisal (where required) and the advice of independent legal, financial or other professional advisers as needed for all gifts made to WaW.
- B. *Valuation of gifts for development purposes:* WaW will record a gift received by WaW at its valuation, consistent with GAAP and IRS regulations for gift purposes on the date of gift.
- C. *Acknowledgement of all gifts made to WaW and compliance with the current IRS requirements in acknowledgement of such gifts is the responsibility of the Treasurer of WaW or her designee for income tax purposes.* IRS Publication 561 Determining the Value of Donated Property and IRS Publication 526 Charitable Contributions provide excellent guidance and can be downloaded from [www.irs.gov](http://www.irs.gov).

- D. *Disclosure provided for pooled funds.* WaW will provide all appropriate disclosures as required by the Philanthropy Protection Act of 1995 for gifts contributed to pooled funds.

Adopted by Motion on September 7, 2022.



Diane Lowery, CFO/President



Debi Baczynski, Vice President/Secretary



Roxanne Farrer, CFO/Treasurer

## APPENDIX A

# MODEL STANDARDS OF PRACTICE FOR THE CHARITABLE GIFT PLANNER

### **PREAMBLE**

The purpose of this statement is to encourage responsible gift planning by urging the adoption of the following Standards of Practice by all individuals who work in the charitable gift planning process, gift planning officers, fund raising consultants, attorneys, accountants, financial planners, life insurance agents and other financial services professionals (collectively referred to hereafter as "Gift Planners"), and by the institutions that these persons represent.

This statement recognizes that the solicitation, planning and administration of a charitable gift is a complex process involving philanthropic, personal, financial, and tax considerations, and as such often involves professionals from various disciplines whose goals should include working together to structure a gift that achieves a fair and proper balance between the interests of the donor and the purposes of the charitable institution.

### **I. PRIMACY OF PHILANTHROPIC MOTIVATION**

The principal basis for making a charitable gift should be a desire on the part of the donor to support the work of charitable institutions.

### **II. EXPLANATION OF TAX IMPLICATIONS**

Congress has provided tax incentives for charitable giving, and the emphasis in this statement on philanthropic motivation in no way minimizes the necessity and appropriateness of a full and accurate explanation by the Gift Planner of those incentives and their implications.

### **III. FULL DISCLOSURE**

It is essential to the gift planning process that the role and relationships of all parties involved, including how and by whom each is compensated, be fully disclosed to the donor. A Gift Planner shall not act or purport to act as a representative of any charity without the express knowledge and approval of the charity, and shall not, while employed by the charity, act or purport to act as a representative of the donor, without the express consent of both the charity and the donor.

### **IV. COMPENSATION**

Compensation paid to Gift Planners shall be reasonable and proportionate to the services provided. Payment of finders fees, commissions or other fees by a donee organization to an independent Gift Planner as a condition for the delivery of a gift are never appropriate. Such payments lead to abusive practices and may violate certain state and federal regulations.

Likewise, commission-based compensation for Gift Planners who are employed by a charitable institution is never appropriate.

## **V. COMPETENCE AND PROFESSIONALISM**

The Gift Planner should strive to achieve and maintain a high degree of competence in his or her chosen area, and shall advise donors only in areas in which he or she is professionally qualified. It is a hallmark of professionalism for Gift Planners that they realize when they have reached the limits of their knowledge and expertise, and as a result, should include other professionals in the process. Such relationships should be characterized by courtesy, tact and mutual respect.

## **VI. CONSULTATION WITH INDEPENDENT ADVISORS**

A Gift Planner acting on behalf of a charity shall in all cases strongly encourage the donor to discuss the proposed gift with competent independent legal and tax advisors of the donor's choice.

## **VII. CONSULTATION WITH CHARITIES**

Although Gift Planners frequently and properly counsel donors concerning specific charitable gifts without the prior knowledge or approval of the donee organization, the Gift Planners, in order to insure that the gift will accomplish the donor's objectives, should encourage the donor, early in the gift planning process, to discuss the proposed gift with the charity to whom the gift is to be made. In cases where the donor desires anonymity, the Gift Planners shall endeavor, on behalf of the undisclosed donor, to obtain the charity's input in the gift planning process.

## **VIII. DESCRIPTION AND REPRESENTATION OF GIFT**

The Gift Planner shall make every effort to assure that the donor receives a full description and an accurate representation of all aspects of any proposed charitable gift plan. The consequences for the charity, the donor and, where applicable, the donor's family, should be apparent, and the assumptions underlying any financial illustrations should be realistic.

## **IX. FULL COMPLIANCE**

A Gift Planner shall fully comply with and shall encourage other parties in the gift planning process to fully comply with both the letter and spirit of all applicable federal and state laws and regulations.

## **X. PUBLIC TRUST**

Gift Planners shall, in all dealings with donors, institutions and other professionals, act with fairness, honesty, integrity and openness. Except for compensation received for services, the terms of which have been disclosed to the donor, they shall have no vested interest that could result in personal gain.

*Adopted and subscribed to by the National Committee on Planned Giving and the American Council on Gift Annuities, May 7, 1991. Revised April 1999.*

## **APPENDIX B**

*The Donor Bill of Rights was created by the American Association of Fund Raising Counsel (AAFRC), Association for Healthcare Philanthropy (AHP), the Association of Fundraising Professionals (AFP), and the Council for Advancement and Support of Education (CASE). It has been endorsed by numerous organizations.*

### **The Donor Bill of Rights**

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To ensure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the nonprofit organizations and causes they are asked to support, we declare that all donors have these rights:

- I. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
- II. To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- III. To have access to the organization's most recent financial statements.
- IV. To be assured their gifts will be used for the purposes for which they were given.
- V. To receive appropriate acknowledgement and recognition.
- VI. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
- VII. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
- VIII. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
- IX. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
- X. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.