

# American Liver Foundation Gift Acceptance Policy - Draft

## Purpose of Policy

The American Liver Foundation solicits unrestricted and restricted gifts from individuals, corporations, foundations and other private/governmental entities to secure the financial growth and fulfill the mission of The American Liver Foundation. The purpose of this Gift Acceptance Policy is to define the practices and policies governing the acceptance of gifts by The American Liver Foundation and to provide guidance to prospective donors and their advisors when making gifts to The American Liver Foundation, so as to ensure that all accepted gifts meet established standards.

## General Policy

The American Liver Foundation will accept all unrestricted gifts and gifts restricted for specific programs and purposes, provided that such gifts are consistent with its stated mission and do not violate the terms or spirit of its corporate charter, its policy entitled “Delegation of Power and Authority to Accept Restricted or Conditional Gifts” or this policy. The American Liver Foundation reserves the right to refuse any proposed gift.

## Gift Acceptance Requirements:

**Mission-related benefit:** The gift provides a meaningful mission-related benefit to the general public or particular constituencies of The American Liver Foundation.

**Independence and Control:** The American Liver Foundation exercises independent judgment in all its decision making related to any gift and retains complete control of and right of approval over all content related to the event or program activity.

**Consistency:** The gift is consistent with The American Liver Foundation’s principles, public positions, policies, and standards.

**Balance:** The American Liver Foundation evaluates on an annual basis the total amount of revenue from each major source of public support (i.e. corporations, individuals, foundations) as a percentage of total revenue.

## Types of Acceptable Gifts

The following types of gifts are acceptable:

- Cash
- In-Kind
- Tangible personal property
- Securities
- Real estate
- Stock
- Life insurance policies
- Charitable gift annuities
- Charitable trust distributions
- IRA & retirement plan beneficiary designations
- Bequests
- Life insurance beneficiary designations

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## **Types of Acceptable Donors**

- individuals
- partnerships
- corporations
- foundations
- government agencies
- other entities

## **Criteria for refusal**

- Gifts that violate any federal, state, or local statute or ordinance or and policy and procedure of The American Liver Foundation
- Gifts that would, or appear to, create a conflict of interest
- Gifts that contain unreasonable conditions (e.g., a lien or other encumbrance) or gifts of partial interest and property
- Gifts that are financially unsound
- Gifts that could expose The American Liver Foundation to liability

## **Evaluating Gifts:**

The American Liver Foundation Board of Directors provides oversight of this policy. The Board may appoint a Gift Acceptance Committee (or other appropriate committee) to implement this policy.

## **Use of Legal Counsel**

The American Liver Foundation shall seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

- Closely held stock transfers that are subject to restrictions or buy-sell agreements
- Transactions with potential conflict of interest that may invoke IRS sanctions
- Other instances in which use of counsel is deemed appropriate

## **Gift Acceptance Committee Responsibilities**

- Review gifts offered to The American Liver Foundation that are covered in this policy.
- Evaluate proposed gifts in accordance with this policy.
- Seek legal counsel as necessary.
- Report regularly to the Board of Directors, summarizing committee activities and highlighting any unusual or potentially controversial gifts accepted or refused.
- Make recommendations to the Board on revisions to the gift acceptance policy.

## **Revisions to Gift Acceptance Policy**

The National Board of Directors or Executive Committee must approve any exceptions to policy provisions. The Executive Committee will periodically review these policies and make recommendations for revisions.

Adopted September 2017