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Name:	Gift Acceptance Policy
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Responsibility:	Vice-President, Advancement
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1. Introduction

Saint Mary's University's mission is to offer undergraduate, graduate and life-long learning programs, engage in research and disseminate its results and serve the community from the local to the international level. In achieving its mission, the Saint Mary's community is guided by core values that articulate its distinctive contribution to civil society, locally and globally. These values are highlighted in the Santamarian Signature: pursuing academic growth, demonstrating resilience, developing intercultural competence, engaging our alumni and community; and exercising ethical wisdom. Saint Mary's University welcomes gifts to help us achieve our mission.

Saint Mary's University holds itself to the highest standard of ethical conduct, in its own community and in all of its external relationships and interactions – with alumni, friends and donors, with businesses and commercial enterprises and with other external organizations.

Through the promotion of philanthropy, the Office of Advancement supports and coordinates all fundraising plans and activity to assist the University in achieving its philanthropic goals.

2. Statement of Purpose

The purpose of this Policy is to guide members of the university community on matters of gift acceptance. This Policy will ensure the University can respond quickly and appropriately to all gift offers while protecting the interests of both the University and its supporters.

In order to ensure that this Policy continues to be effective, it shall be reviewed periodically by the Office of Advancement (every five years at minimum).

3. Policy

This Policy governs the acceptance of gifts¹ made to Saint Mary's University:

- All gifts will be subject to review prior to acceptance.
- The University will not accept gifts, enter into relationships, or accept external support that could reasonably compromise its public image, reputation or commitment to its academic mission, principles and values.
- Saint Mary's University values and will protect its integrity, autonomy and academic freedom in all of its activity, representing individual community members and the institution, and will not accept gifts when a condition of such acceptance would compromise these fundamental principles.
- Acceptance of a gift will be conditional on compliance with law, university policy and procedures and university governance, particularly as it relates to processes that govern academic matters at the university.

Saint Mary's University reserves the right to decline a gift in any circumstance, including:

- a. the donor applies unacceptable restrictions or conditions on the gift;
- b. the gift will be difficult to administer;
- c. the gift exposes the University to liability or unacceptable risk; including but without limitation, violation of the Nova Scotia Human Rights Act and relevant university policies on Equity and Human Rights;
- d. the gift may have come from illegal activities;
- e. the gift could improperly benefit any person; and
- f. the gift does not comply with the Canada Income Tax Act and Canada Revenue Agency guidelines (charitable and non-charitable).

4. Authority to Accept Gifts

While the University may elect to accept or decline any gift, the Board of Governors has delegated authority to the President & Vice-Chancellor to make decisions concerning the acceptance of gifts and they are accountable to the Board of Governors for such decisions.

The President & Vice-Chancellor has the ultimate authority to make decisions to accept or reject gifts valued in excess of \$250,000 and less than \$2 million. Board of Governors approval is required for gifts of \$2 million or more. The President & Vice-Chancellor may delegate their authority to accept or reject gifts valued at below \$250,000 to the Vice-President, Advancement.

5. Authority to Solicit, Negotiate and Receipt Gifts

The Office of Advancement has the primary authority to solicit, negotiate, create gift agreements and receipt gifts on behalf of the University. It is also the responsibility of the Office of Advancement to ensure the highest standards of professionalism and ethics are followed in working with donors.

An individual outside of the Office of Advancement who wishes to engage in fundraising activity on behalf of the University must consult with the Office of

¹ A gift is a voluntary transfer of property without valuable consideration, as defined by the Canadian Revenue Agency. Generally, a gift is made if all three of the conditions listed below are satisfied:

- a. some property — usually cash — is transferred by a donor to a registered charity;
- b. the transfer is voluntary; and
- c. the transfer is made without expectation of return. No benefit or advantage may be provided to the donor or to anyone designated by the donor, except where the benefit is of nominal value.

Advancement and follow university policies, procedures and guidelines, including internal guidelines of the Office of Advancement, to ensure consistency, compliance and professionalism in all dealings with donors. An individual who is approached by a potential donor should refer such donor to the Office of Advancement, or report the gift, including gifts of material goods (gifts-in-kind) and services to the Office of Advancement and work with the Office of Advancement regarding the negotiation, documentation, acceptance and receipting of the gift.

Gifts of material to the Patrick Power Library are subject to additional review and approval by the University Librarian and such university policy, procedures or guidelines that may be developed in consultation with the University Library.

Gifts of material to the Saint Mary's University Art Gallery or University Art Collection are subject to additional review and approval by the Art Gallery Director/Curator and such university policy, procedures or guidelines that may be developed in consultation with the Art Gallery.

Where appropriate, gift agreements will be recorded between the donor and Saint Mary's University, preferably using templates developed by the Office of Advancement.

The following people will be engaged as signatories for all gift agreements, including documentation relating to the administration of estates:

- a. Vice-President, Advancement or designate;
- b. Official(s) of the university, as identified or delegated by way of university signing authority; and
- c. Academic or administrative leader(s) of the unit(s) receiving the gift, as appropriate.

Acceptance of any gift that involves a proposal to name is conditional upon final approval of the naming by the Board of Governors, with the exception of named scholarships, bursaries and awards.

The Office of Advancement is solely responsible for issuing official charitable receipts for the eligible amounts of all charitable gifts received by Saint Mary's University consistent with the requirements of the Canada Income Tax Act, Canada Revenue Agency (CRA) guidelines and in accordance with procedures established by the University.

6. Eligible Gifts

The University generally accepts charitable gifts in the form of cash (cheque, credit card, payroll deduction, electronic fund transfers), marketable securities, gifts-in-kind or deferred gifts, which include will bequests, life insurance policies, gift annuities, and charitable remainder trusts. Gifts-in-kind are non-cash and include capital property and real estate.

If the Office of Advancement, following internal consultation, is uncertain whether a donation qualifies as a charitable gift, an opinion will be sought from a professional advisor. In cases where the opinion is not definitive, a ruling may be sought from CRA.

7. Fundraising Priorities

Gift solicitation is informed by and must advance the University's mission and academic priorities as set by the collegial processes that govern academic matters at Saint Mary's University. Decisions regarding fundraising priorities are the responsibility of the President & Vice-Chancellor acting on the recommendation of

the Vice-Presidents and Deans, with particular consultation with the Vice-President, Advancement.

Advancement staff shall ensure consultation with the appropriate university leaders prior to gift solicitations to determine priority of projects and appropriate terms of reference.

8. Designation of Unrestricted Gifts (including deferred gifts)

The President & Vice-Chancellor, in consultation with Executive Management Group, has the authority to direct all undesignated gifts (including deferred gifts) to area(s) of strategic priority and need at the University. This decision is reviewed annually to ensure that the identified area(s) and/or projects continue to be relevant. Undesignated gifts of more than \$100,000 will be reviewed as they are received and may be allocated to other projects, at the discretion of the President & Vice-Chancellor, in consultation with the Vice-President, Advancement.

The President & Vice-Chancellor will direct undesignated gifts by way of memorandum to the Vice-President, Advancement, setting out the project(s) to be supported and time period, generally a 3-year timeframe. The Vice-President, Advancement will reconfirm the direction of undesignated gifts annually in discussion with the President & Vice-Chancellor. Should the area of highest need change before the 3-year timeframe expires, a new memorandum from the President & Vice-Chancellor will initiate the change of direction. Financial Services will be consulted to ensure appropriate accounting procedures are in place.

9. Use of Professional Advisors

The University does not provide any legal, accounting, tax, financial or other advice to donors with respect to gifts to the University. Professional staff and Board members shall in all cases encourage donors to discuss proposed gifts with an independent professional advisor of the donor's choice and at their own expense to ensure the donor receives a full and accurate explanation of all aspects of the proposed gift. The University cannot suggest or endorse a third party as a source of gift advice. Where necessary, donors will be requested to provide the University with an acknowledgement that:

1. independent professional advice has been obtained; or
2. independent professional advice has been waived though recommended by the University; or
3. the University is released from any liability that may arise in relation to the making of the gift.

10. Transparency

As a public institution, Saint Mary's University is committed to principles of accountability and transparency of policy and process. In addition, the University is subject to legislation which can change over time. Such legislation includes the Freedom of Information and Protection of Privacy Act (FOIPOP) in Nova Scotia.

The terms and conditions governing the use of donations are matters of public record, except for information which is personal or proprietary. Saint Mary's University makes every effort to protect private and personal information. Donors will be made aware that information associated with their gift and gift agreements with the University are considered public documents.

A list of all gifts of more than \$5,000 is provided by the Vice-President, Advancement to the Board of Governors and Senate at least annually.