

PROPOSED REVISION TO: POL 03.00.01 Coordination of Fundraising Activities and Acceptance of Private Donations (Gifts)

Rationale: Establish language for refusal and return of gifts that may be contrary to the integrity or best interest of the University. Clarify ability to receive and honor an anonymous gifts.

Consultation Process:

8/7/20 Vice Chancellor for University Advancement authorizes transmittal of PRR for review
- March 30, 2020

8/6/20 Office of General Counsel review - March 30, 2020 (*McConkey*)
_____ Special Committee on Donor-Funded Naming Opportunities and Special Committee
on Honorary Namings review, if applicable

8/11/20 Chancellor's Cabinet Meeting, or official with delegated authority - April 14, 2020

10/12/20 University Council (recommendation/notification), if applicable

9/10/20 Board of Trustees (approval/notification) - April 24, 2020

PRR #03.00.01

Coordination of Fundraising Activities and Acceptance of Private Donations (Gifts)

Authority: Issued by Board of Trustees. Changes or exceptions to administrative regulations issued by the _____ may only be made by the _____.

History: Formerly Coordination of Fundraising Activities, first issued September 23, 1989, and University Acceptance of Private Donations (POL03.00.03), first issued: September 11, 2009. Last Revised: April 22, 2011.

Related Policies:

[UNC Policy Manual 600.2.5.2\[R\] - Required Elements of University-Associated Entity Relationship](#)

[UNC Code: Appendix 1 Section VII – Endowments and Trust Funds](#)

[NCSU POL03.00.02 - Criteria and Procedures for Naming Facilities and Programs](#)

Contact Info: Vice Chancellor for University Advancement (919-515-3226)

1. TRUSTEE APPROVAL OF FUNDRAISING ACTIVITIES

1.1 The integrity of NC State University is a vital factor in all fundraising projects conducted by the university or intended to benefit the university by any of its affiliated organizations. To safeguard the university's integrity, all fundraising projects intended to benefit the university must be approved by the Board of Trustees except as discussed below.

2. COORDINATION OF FUNDRAISING ACTIVITIES

2.1 The success of university fundraising efforts requires that the university be knowledgeable and supportive of the special fundraising campaigns throughout the university community to ensure proper enthusiasm, support and timing for such efforts. This policy is therefore established for the coordination of fundraising efforts by the university and any of its associated entities that engage in fundraising on behalf of or in support of the university.

2.2 Capital Fundraising Campaigns

2.2.1 All major capital fundraising campaigns intended to benefit the university or any of its associated entities must be submitted to the Vice Chancellor for University Advancement for review prior to submission to the Advancement Committee of the Board of Trustees for its final review. All capital fundraising campaigns must be approved by the Advancement Committee prior to any advance gift phase. The term "capital fundraising campaign" means an effort to raise a large sum of money for endowment or capital needs in a limited period of time for specified needs. The term does not include funds solicited as part of ongoing annual fundraising. The Chancellor or Chancellor's Designee is charged with establishing and implementing procedures for the coordination of such capital campaigns.

2.3 Annual Fundraising Plans

2.3.1 Each associated entity shall establish and file an annual fundraising plan with the Vice Chancellor for University Advancement and the respective dean or entity head for approval.

2.4 Agreements with Associated Entities

2.4.1 In order to maintain its status and have authority to fundraise, each entity must enter into an agreement with the university, which shall be reviewed periodically.

3. ACCEPTANCE OF PRIVATE DONATIONS PURPOSE

3.1 The university actively encourages the solicitation and acceptance of private gifts from individuals, corporations, foundations and associations that enable it to fulfill its mission of teaching, research, extension, and engagement. This policy is intended: (a) to provide guidance to North Carolina State University community and the general public regarding the acceptance of gifts; (b) to ensure that private gifts to North Carolina State University are properly recorded and administered using appropriate internal controls and sound financial business practices; (c) to ensure that the acceptance, management, and reporting of gifts are handled in compliance with external regulations, national standards, and the University's fiduciary obligations to donors; ~~and, (d) to make certain that accepted gifts enhance the reputation and standing of the University and do not compromise or adversely impact its mission, reputation, or integrity.~~

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4. STATEMENT

4.1 A gift is personal property (cash, securities, books, equipment, life insurance, etc.) or real property provided by a private (non-governmental) donor for which no goods or services are expected, implied or forthcoming for the donor. Industry payments, made under contractual requirements, are not recognized as gifts.

4.2 A gift may be outright or deferred.

4.3 A gift may be unrestricted, restricted or for permanent endowment for use in meeting needs identified by the University, a college, department, or its associated entities.

4.4 Gifts to the university may be either for the general purposes of the university or for the specific use of one of its constituent schools, departments, institutes, centers, programs or agencies.

4.5 University Associated Entities include any of the private, non-profit organizations that are recognized to support the mission of NC State and promote the educational, charitable or other activities at the university. These entities are required to follow UNC-GA Regulation 600.2.5.2[R], "Required Elements of University-Associated Entity Relationship."

5. PRINCIPLES

5.1 The university and its associated entities will assess the financial desirability of receiving assets as private gifts from potential donors and determine whether to accept a gift as offered.

5.2 The university and its associated entities reserve the right to refuse any gift including

gifts that are too restrictive in purpose, require expenditures beyond their resources, compromise the academic freedom of the university community, or that would disparage, impair, or adversely impact the reputation, image, integrity, or otherwise be contrary to the mission or best interests of the university.

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5.3 The university and its associated entities cannot accept gifts that involve unlawful discrimination based on race, color, religion, sex (including pregnancy), national origin, age (40 or older), disability, gender identity, genetic information, sexual orientation, veteran status or any other basis prohibited by federal, state and local laws and regulations.

5.4 While valuable benefits, particularly tax and financial considerations may accrue to donors in certain circumstances, the donor must have a donative intent as a primary motive for making a gift to the university directly or to an associated entity. Donative intent is the intention to give away something of value for the benefit of the university. Funds received by the university or by an associated entity for the benefit of the university shall only be accounted for as gifts where such donative intent is present. Amounts received in exchange for services or property shall not be accounted for as gifts. Amounts received that result in tangible benefits to the donor in the form of recognition items, tickets to events, and similar forms of thank-you gifts will be accepted, processed and received in accordance with applicable IRS regulations.

5.5 At the request of a donor, the university and its associated entities may treat a gift as anonymous. In doing so, the university and its associated entities will make every effort to honor the donor's request to the extent the law allows.

5.5.1 A gift will not be treated as anonymous for the purpose of shielding the university or its associated entities from damage to their reputation or disguising a gift which would have otherwise would not have been accepted.

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5.6 The university or its associated entities may return a gift if the university and/or its associated entity determines that the gift compromises the academic freedom and/or mission of the university and/or could disparage, impair, or adversely impact the reputation, image, integrity, or otherwise be contrary to the best interest of the university.

6. REGULATIONS, RULES AND STANDARD OPERATING PROCEDURES

6.1 The Chancellor or Chancellor's Designee may adopt procedures for the acceptance of gifts to ensure that private gifts to the university are appropriately accepted in accordance with this policy, properly recorded and administered using appropriate internal controls and sound financial business practices; and to ensure that the acceptance and management of gifts are handled in compliance with external regulations and the university's fiduciary

obligations to donors. Such procedures must comply with applicable federal and state laws and be consistent with this policy and other applicable university administrative regulations.