**\**Below is a sample gift acceptance policy co-created by Kidpower and Mind the Gap Consulting.*** Gift acceptance policies are about consistency, clarity and protecting your organization’s reputation. It is about having standards and being able to fall back on those standards if you need to reject a gift. In some situations, a donor may try to use their gift to you to enhance their bad reputation. The organization should be mindful if it is being used, while also balancing the interests of its constituents. Make sure you clarify potential harms to the nonprofit organization. In order to inoculate yourself against accusations about donor influence, you can share your policy publicly and also consider a blind trust to receive the gift. You can also limit perks to the donor to a certain time frame. For questions, email me at [sean@mindthegapconsulting.org](mailto:sean@mindthegapconsulting.org) or go to Nonprofitfixer.com. Check [out this link](https://ssir.org/articles/entry/the_dirty_money_dilemma) for more help.

**Gift Acceptance or Rejection Policy (Draft - Example March 2022)**

[Kidpower Teenpower Fullpower International (Kidpower)](http://www.kidpower.org)

Kidpower is the global nonprofit leader in personal safety education for all ages,

teaching skills for strong relationships and the prevention of harm.

NOTE about the overall tone

The mission of Kidpower is to provide effective and empowering child protection, positive communication, advocacy, personal safety, and self-defense skills for all ages, abilities, cultures, beliefs, genders, and identities, locally and around the world. [To learn more visit our website](https://www.kidpower.org/about-us/mission-values/).

1. **Purpose of the Gift Acceptance Policy**

* To maintain consistency in the acceptance and administration of gifts to Kidpower, and to define and characterize the types of assets that Kidpower will accept as gifts.
* To provide guidance and education to Kidpower’s trustees and staff regarding critical issues and requirements with respect to acceptance of certain types of gifts.
* To preserve and protect the relationship with donors and potential donors in the event certain types of gifts are refused for not meeting the policy requirements. Transparency about what gifts we can accept helps build trust with supporters.

1. **Recommendation to Donors to Seek Advice from Legal and Tax Professionals**

As a duly certified 501(c)3 charitable organization, Kidpower will recommend to all donors considering gifts to the organization that they seek the advice of their own legal or tax consultants prior to making any gift.

1. **Donor Communications**

Kidpower 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.

Kidpower will inform potential donors that all in-kind gifts will be turned into cash for the benefit of the organization. Potential donors will also be informed that their gift might be turned down if, upon review, the intended gift will not be beneficial to Kidpower to accept it.

1. **Kidpower Use of Legal and Tax Council Prior to Gift Acceptance**

Kidpower may engage the services of legal or tax professionals in instances in which the Board believes it is necessary and appropriate to avoid conflicts of interest, where such gifts are governed by contracts or legal documents, or for any other reason that the Board deems appropriate. Conflicts of interest can include receiving gifts from organizations or entities that conflict with Kidpower’s interests, or if a donor has adverse or opposing Interests, a competing Interest, a personal gain in the use of resources, or inside information that creates a personal gain or advantage.

Here are a few examples of times when review by counsel might be necessary:

* Administration of any estate in which Kidpower is named as a beneficiary
* Any transactions with potential conflicts of interest, including the use of Board members as sales agents in transactions, leases of gift property to staff or Board, etc. Any gifts of patents or intellectual property
* Certain gifts (like closely held stock transfers) that are subject to restrictions or buy-sell agreements
* Other circumstances in which use of counsel is deemed appropriate by Kidpower’s Board of Directors.

1. **Types of Gifts Accepted**

In general, within the specifics outlined in this policy, Kidpower accepts gifts that are consistent with its mission and purpose. Gifts that are counter to, or not within the scope of the Kidpower’s mission and purpose, may be rejected. Kidpower reserves the right to refuse any gift that it deems too restrictive in purpose, or not in the organization’s best interest. The acceptance of a questionable gift or any decision to fulfill a questionable request from a donor will be brought in front of the board. In the case of Kidpower, the Board’s discussion should be guided by consistency with the mission and an attempt to preserve the organization’s goodwill in their community.

Restricted and unrestricted gifts:

Unrestricted Gifts: Within the scope of this policy are accepted.

Restricted Gifts: Within the scope of this policy are accepted provisionally:

* For a specific Kidpower program;
* For a specific business function such as, for example, donations to be directed toward employee compensation;
* For a specific purpose, such as air travel, lodging, meeting expenses, fundraising expenses, and equipment including but not limited to computers or software;
* Services, such as accounting services, tax consulting services or legal services.

Gifts that fall outside the above parameters are subject to review by the Board on a case-by-case basis. This review is necessary to ensure that the proposed gift restriction does not place undue control by the donor or any organization the donor represents over the work of Kidpower. Kidpower reserves the right to reject any gift from any source or containing any condition that would compromise the mission or the reputation of the organization or its representatives.

Types of gifts:

1. **Examples of Acceptable Gifts:**

* Cash and cash equivalents;
* Publicly traded securities, such as common stock that trades on the NYSE or NASDAQ or AMEX;
* Tangible personal property (material gifts) that can be easily liquidated, (such as vehicles). These gifts still may be subject to review by the Board.
* Charitable bequests that are not in conflict with this policy;
* Term life insurance policies in the minimum amount of $5,000 that name Kidpower as the owner and irrevocable beneficiary.

1. **Examples of Gifts Not Accepted Without Specific Approval of Trustees:**

* Closely held securities;
* Securities that trade on any exchange other than the NYSE or NASDAQ or AMEX;
* Hard to liquidate tangible personal property, such as:
  + Numismatic coinage;
  + Real Estate;
  + Art;
  + Timeshares;
* Deferred and/or Split-Interest gifts;
* Whole life insurance policies;
* Charitable gift annuities;
* Any currency other than USD;
* Any gifts that violate federal, state, or local law, statute, or ordinance
* Any gifts that contain unreasonable conditions or partial interest in the property
* Any gifts that are made with conditions that state the proceeds will be spent by Kidpower for the personal benefit of a named individual
* Any gifts that could expose Kidpower to liability

1. **Reporting Requirements:**

Form 8283: For non-cash gifts in the amount of $500 or more, Kidpower will send IRS form 8283 to the donor.

When Kidpower sells, exchanges, or otherwise disposes of tangible property worth $500 or more within two (2) years of the date of donation, Kidpower will file form 8282 with the IRS within 125 days of the date of sale, exchange or disposal.

1. **Gift Acknowledgement**

All gifts in value of $250 or more, transmitted other than electronically via credit card or other electronic means, are acknowledged contemporaneously with the standard Kidpower gift receipt form, either on paper or sent via electronic means.

Gifts less than $250 and received via electronic means are acknowledged via email.

Donor requests to acknowledge gifts to a third party are honored either in the form of a paper letter or electronically, in accordance with the donor’s request.

1. **Establishment of Gift Acceptance Committee**

This policy establishes the Governance Committee with the gift acceptance function.

1. **Reviewed Annually**

This Policy is to be reviewed annually by the Governance Committee and any revisions, changes, additions or deletions shall be presented to the Board of Trustees for approval

before the end of each calendar year. This policy shall be adopted by Kidpower’s Board of Trustees on an annual basis.

Adopted by the Kidpower Board of Trustees on [date]