



## COLORADO CHAUTAUQUA ASSOCIATION GIFT ACCEPTANCE POLICY

The Colorado Chautauqua in Boulder (“Chautauqua”) was founded in 1898 as a summer mountain retreat for cultural and educational activities. It continues to this day to be a retreat experience providing respite and enrichment, now year-round.

Two not-for-profit corporations organized under laws of the State of Colorado and recognized by the Internal Revenue Service as 501(c) 3 tax exempt charitable organizations play stewardship roles on behalf of Chautauqua: the Colorado Chautauqua Association (“the Association”) and the Colorado Chautauqua Foundation (“the Foundation”).

The mission of the Association is to preserve the site and perpetuate the spirit of the historic Chautauqua in Boulder, building community through unique cultural, educational, social and recreational experiences. The Association focuses on Chautauqua’s strategic direction, operations and financial management.

The primary purpose of the Foundation is to receive, hold, invest and administer funds and property and to make expenditures to or for the benefit of the Colorado Chautauqua Association. The Foundation can make no budgetary or policy decisions regarding the operation of the Association, but makes decisions limited to the solicitation, administration, investment and distribution of funds for the furtherance of the goals and objectives of the Association.

The Association seeks gifts to fund Association-specified projects, programs and operations. The Foundation focuses on creating long-term financial sustainability for Chautauqua through development of an endowment. The Foundation’s endowment currently is professionally administered by the Community Foundation Serving Boulder County.

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

These policies and guidelines govern the acceptance of gifts by the Association and provide guidance to prospective donors and their advisors when making gifts to the Association. The provisions of these policies shall apply to any gift proffered to the Association for any project, program, or operation. *Prospective donors are urged to review this policy in its entirety and to confer with the Gift Acceptance Committee before assuming any irrevocable commitments.*

## **II. Preferred Gifts; Restrictions on Gifts**

- A. The Association prefers to receive (1) unrestricted gifts and (2) gifts for Association-specified projects, programs or operations.
- B. Other proposed restricted gifts to the Association must have a minimum value of \$25,000 in order to be eligible for consideration.

Regardless of amount, the Association will not accept a gift that is too restrictive in purpose or that may jeopardize the nonprofit/charitable status or public image of either organization. Gifts that are too restrictive are those that violate the terms of the Association's articles of incorporation or bylaws, gifts that are too difficult to administer, or gifts that are for purposes outside of the Association's mission and current strategic focus. All final decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Association Board of Directors. All conditions of acceptance shall be mutually agreed in writing signed by the donor and the Association Board president and Executive Director.

## **III. The Gift Acceptance Committee**

The Gift Acceptance Committee is charged with the responsibility of reviewing all unrestricted gifts in excess of \$10,000 and all proposed restricted gifts, properly screening those gifts, and making recommendations to the Association board, including regarding any conditions or details regarding acceptance. Unrestricted cash gifts up to and including \$10,000 will be automatically deposited to the Association's account.

The Gift Acceptance Committee shall consist of:

- 1) the Association Board President,
- 2) the Association Board Vice-President, and
- 3) the Association Board Treasurer

The Executive Director of the Association shall be an ex officio member of the Gift Acceptance Committee.

#### **IV. Types of Gifts**

Only the following gifts can be accepted:

- 1) Cash
- 2) Bequests
- 3) Retirement Plan Beneficiary Designations
- 4) Life Insurance Beneficiary Designations
- 5) Chautauqua Cottages
- 6) Real Property
- 7) Tangible Personal Property
- 8) Publicly Traded Securities
- 9) Charitable Remainder and Charitable Lead Trusts
- 10) Other gifts as determined appropriate by the Gift Acceptance Committee.

The following criteria govern the acceptance of each gift form:

1) Cash. Cash is acceptable. Checks shall be made payable to the Colorado Chautauqua Association and shall be mailed or delivered to the Chautauqua administrative offices in the Academic Hall, Chautauqua Park, 900 Baseline Road, Boulder, CO 80302.

2) Bequests. Donors and supporters of Chautauqua are encouraged to make bequests to the Association under their wills and trusts. Such bequests will not be recorded as gifts to Chautauqua until such time as the gift is irrevocable. When the gift is irrevocable but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

3) Retirement Plan Beneficiary Designations. Donors and supporters of Chautauqua will be encouraged to name the Association as beneficiary of their retirement plans. Such designations will not be recorded as gifts until such time as the gift is irrevocable. When the gift is irrevocable but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable. Please contact your plan administrator before contacting the Association.

4) Life Insurance Beneficiary Designations. Donors and supporters of Chautauqua are encouraged to name the Association as beneficiary or contingent beneficiary of their life insurance policies. Such designations will not be recorded as gifts until such time as the gift is irrevocable. When the gift is irrevocable but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable. Please contact your insurance agent before contacting the Association.

5) Chautauqua Cottages. Owners of Chautauqua cottages may convey all right, title and interest in and to their cottages to the Association for Association use or sale, in the discretion of the Association board of directors, via a bill of sale of all personal property and any other documentation deemed necessary by the Association's legal counsel.

6) Real Property. Gifts of real property may include fee simple interest in developed property, undeveloped property, or gifts subject to a prior life interest. Prior to acceptance of real property, the Association shall require an initial environmental review of the property to ensure that the property has no environmental damage. The initial environmental review form is attached as an appendix to this document. In the event the initial inspection reveals a potential problem, the Association shall retain a qualified inspection firm to conduct an environmental audit. The cost of the environmental audit shall generally be an expense of the donor. A title insurance commitment shall be obtained prior to the acceptance of the real property gift. The cost of the title insurance commitment generally shall be an expense of the donor. Criteria for the Gift Acceptance Committee's consideration of a proffered gift of real property shall include:

- a) Is the property useful for the Association's purposes?
- b) Is the property marketable?
- c) Are there any restrictions, reservations, easements, or other limitations associated with the property?
- d) Are there any carrying costs, which may include but are not limited to insurance, property taxes, mortgages or notes, associated with the property?

- e) Are there any contingent liabilities (environmental or otherwise) associated with the property?

7) Tangible Personal Property. Gifts of personal property shall be accepted in the sole and absolute discretion of the Gift Acceptance Committee. Proffered gifts of tangible personal property shall be examined in light of the following criteria:

- a) Does the property fulfill the Association's mission?
- b) Is the property marketable?
- c) Are there restrictions on the use, display or sale of the property?
- d) Are there any carrying costs for the property?

8) Publicly-traded Securities. Marketable securities may be transferred to an account maintained by the Association at one or more brokerage firms or delivered physically with the transferor's signature or stock power attached. As a general rule, all marketable securities shall be sold upon receipt. In some cases, marketable securities may be restricted by appropriate securities laws; in such instances, the final determination on the acceptance of the restricted securities shall be made by the Gift Acceptance Committee.

9) Charitable Remainder and Charitable Lead Trusts. The Association may accept designation as remainder beneficiary of a charitable remainder or charitable lead trust with the approval of the Gift Acceptance Committee. The Association may not accept appointment as trustee of a charitable remainder trust or charitable lead trust. Please contact your attorney before contacting the Association.

## **V. Use of Legal and Other Counsel**

The Association shall seek the advice of legal or other counsel in matters relating to acceptance of gifts when appropriate. Costs of counsel shall generally be borne by the donor.

## **VI. Conflict of Interest**

The Association urges all prospective donors to review IRS Publication 526 "Charitable Contributions" and to seek the assistance of personal legal and financial advisors in matters relating to their gifts and the resulting tax and estate planning consequences. The Association will comply with the Model Standards of Practice for

the Charitable Gift Planner promulgated by the National Committee on Planned Giving.

**VII. Miscellaneous Provisions**

- 1) Securing appraisals for gifts to Chautauqua. It will be the responsibility of the donor to secure an appraisal (where required) for all gifts made to the Association.
- 2) Valuation of gifts. Unless otherwise specified, the Association will record a gift at its valuation for gift purposes on the date of receipt of the approved gift.

**VIII. Changes to Gift Acceptance Policies**

These policies and guidelines shall be reviewed annually by the Gift Acceptance Committee and changes approved by the Association's board of directors.

Approved by the Board of Directors this 19<sup>th</sup> day of September, 2005  
Board of Directors, Colorado Chautauqua Association