



GIFT ACCEPTANCE POLICY

Category: Board of Trustees

Approval: Board of Trustees

Responsibility: Vice-Principal (Advancement)

Date initially approved: November 1997

Procedures Revised: February 1999

Full Review: November 2002

Approved by the Board of Trustees December 2002

Amended May 2012, March 2019

Definitions:

Gift: In general terms, for the purposes of this Policy, a gift means a voluntary transfer of money or other property irrevocably given to the university, without any expectation of advantage to the donor or third party designated by the donor. The Income Tax Act establishes relevant criteria for the receipting of gifts.

Eligible amount: The amount by which the fair market value (FMV) of the gifted property exceeds the amount of an advantage, if any, in respect of the gift.

Restricted/designated gifts: The donor has specified where in the university the gift is to be directed.

Unrestricted/undesigned gifts: The donor has not specified where in the university the gift is to be directed.

Purpose/Reason for Policy:

Ensure that informed decisions are made on the acceptance of gifts and that such gifts are receipted in accordance with the requirements of the Income Tax Act.

Ensure that efficient administrative, legal and accounting practices and procedures are followed.

Enable accurate reporting of gifts to Queen's University and eligible organizations¹.

Ensure consistent relations with donors.

Scope of this Policy:

This Policy is established to govern the acceptance of all gifts made to Queen's University and eligible organizations.

Policy Statement:

Queen's University welcomes donations, which enable it to fulfill its mission of teaching, research, and community service. This Policy is intended to guide the employees, volunteers and leaders of Queen's University on matters of gift acceptance.

Through the promotion of voluntarism and philanthropy, the Office of Advancement supports and coordinates both central and faculty/school-based fundraising support to assist the university in achieving its philanthropic goals. Federal and provincial governments encourage charitable donations to organizations such as Queen's University, and allow tax benefits to donors.

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

Queen's University at Kingston is a registered charity under the Canada Revenue Agency. Its registered charitable number is 10786 8705 RR0001.

Responsibilities:

<i>Contact Officer</i>	Executive Director, Office of the Vice-Principal (Advancement)
<i>Date for Next Review</i>	May 2022
<i>Related Policies, Procedures and Guidelines</i>	Queen's University's Naming Policy Charitable Giving Policy and Procedure Guidelines (under developed)
<i>Policies Superseded by This Policy</i>	Queen's University Control and Use of the Charitable Registration Number Queen's University Gifts of Securities

¹ Eligible organizations may include Queen's Affiliates and other intermediaries. An intermediary, as defined by the Canada Revenue Agency, is a person or non-qualified donee that the charity works with to carry out its own activities.

1. GIFT ACCEPTANCE

- 1.1 Queen's University holds itself to the highest standard of ethical conduct, both within its own community of scholars, students and employees and in all of its external relationships and interactions - with alumni, friends and donors, with businesses and commercial enterprises and with other external organizations. 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 and values.
- 1.2 Queen's University values and will protect its integrity, autonomy and academic freedom, and will not accept gifts when a condition of such acceptance would compromise these fundamental principles.
- 1.3 All employees, volunteers and members of the Queen's community will conduct themselves in accordance with accepted professional standards of accuracy, truth and integrity. They will inform, serve, guide and otherwise assist donors who wish to support Queen's activities but will not pressure or unduly persuade.
- 1.4 All employees, volunteers and members of the Queen's community working with donors or prospective donors to the university will keep all information, data, or other communications strictly confidential.
- 1.5 All employees, volunteers and members of the Queen's community working with donors or prospective donors to the university will collect, use, and disclose personal information of donors or prospective donors in accordance with the Policy on Access to Information and Protection of Privacy.
- 1.6 The professional standards and code of behaviours set out by the Association of Fundraising Professionals (AFP) in the [Donor Bill of Rights](#) will serve as the ethical guidelines when raising funds for the university.
- 1.7 When initiating a gift on behalf of the institution, individuals must consult with the [Department of Development](#) to ensure due diligence prior to making a decision to accept.
- 1.8 Queen's University may elect to accept or decline any gift. The final decision to decline a gift rests with the Board of Trustees. Queen's University reserves the right to decline a gift in any circumstance, including:
 - the gift does not accord with the university's objectives;
 - the gift exposes the university to liability or unacceptable risk;
 - the donor applies unacceptable restrictions or conditions on the gift;
 - the gift will be difficult to administer;
 - the gift may have come from illegal activities;
 - the gift is precedent setting or involves sensitive issues;
 - the gift could improperly benefit any individual;
 - the gift violates the Ontario Human Rights Code and relevant university policies on Equity and Human Rights;
 - the gift does not comply with the Canada Income Tax Act and Canada Revenue Agency guidelines;
 - the gift could reasonably compromise the university's public image, reputation or commitment to its academic mission and values.

- 1.9 In accordance with CRA guidelines, the university will typically not accept gifts that would require the university to give special consideration for employment to the donor, or to anyone designated by the donor, or that would allow the donor to inappropriately influence student admission, teaching, learning or scholarship of a student, professor or program. In addition, the university will not accept gifts that give special consideration to the procurement of products or services associated with the donor.
- 1.10 Acceptance of any gift which involves a proposal to name is subject to the [Naming Policy](#) and is conditional on the final approval of the naming by the Board of Trustees.

1.11 Responsibility

- 1.11.1 The Vice-Principal (Advancement) is responsible for ensuring that acceptance of donations is consistent with this Policy and other policies of the university. The Vice-Principal (Advancement) shall seek the approval of the Board of Trustees before accepting any gift where consistency with this Policy is in question.
- 1.11.2 The Office of Advancement, under the direction of the Vice-Principal (Advancement) or designate, has the authority and responsibility to develop operational policies and procedures, including documentation standards, to support the solicitation, review, acceptance, receipting and recognition of gifts to Queen's University. All policies and procedures, whether current or emerging, will be periodically reviewed and approved by the External Relations and Development Committee (ERD) and senior officials of Queen's University.
- 1.11.3 The Board of Trustees authorizes the Vice-Principal (Advancement) or designate, to establish and chair the Advancement Gift Review Committee to consider gifts that are not specifically covered by this Policy, are complex or may be of potential concern. In addition, the Committee will review gifts of real estate, and those with special considerations. The Committee will include members of the Advancement Leadership Team with input from other university staff who have a vested interest in each specific case under review.
- 1.11.4 There is the potential for emerging gift types that have aspects or characteristics that do not conform to this Policy. Under these circumstances, the Office of Advancement may recommend the establishment of specific policies for these gifts, or conduct an individual review on a case-by-case basis through the Advancement Gift Review Committee. The decision to accept or decline new gift types rests with the Board of Trustees. Case-by-case decisions will not be considered precedent setting.

1.12 Approvals

- 1.12.1 The Board of Trustees approval is required for gifts of \$10 million and over.
- 1.12.2 For gifts under \$10 million the Principal has delegated authority from the Board of Trustees to make decisions concerning acceptance of gifts in

accordance with this policy and is accountable to the Board of Trustees for such decisions.

1.12.3 The Principal may seek input and advice from other members of the senior administration and/or the ERD on behalf of the Board of Trustees.

1.12.4 The Principal may delegate authority to accept or reject gifts valued at or below \$2 million to the Vice Principal (Advancement) with approval from the appropriate Dean/Designate.

1.13 Gift Agreements

1.13.1 All gifts will be recorded between the donor and Queen's University. All gift agreements that are created external to the university will be reviewed by the university's legal counsel where deemed appropriate by the Vice-Principal (Advancement).

1.14 Restricted and Unrestricted Gifts

1.14.1 It is possible for a donor to stipulate certain restrictions on a gift or designate it to a specific purpose. The university will review the restrictions in order to ensure that it is able to comply and to clarify its duties in fulfilling the restrictions. The Office of Advancement, in consultation with other university departments, may request that the terms of the gift be revised, be subject to a power to vary, or recommend to the appropriate individual that the gift be declined.

1.14.2 Undesignated gifts shall be used at the discretion of the Principal for such purposes as to best advance the university's mission.

1.15 No Advice to Donors

1.15.1 The university does not provide any legal, accounting, tax or financial advice to donors with respect to gifts to the university. Donors are encouraged to seek independent legal, accounting, tax or financial advice from professionals and are responsible for all costs incurred in relation to obtaining such independent professional advice. 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:

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

2. GIFT TYPES AND ELIGIBILITY

2.1 The following types of gifts are eligible for acceptance by the university subject to the requirements of section 1.11.3:

- gifts of cash and cash equivalents;
- gifts-in-kind including gifts of real estate;

- gifts of life insurance;
- gifts of residual interest;
- publicly traded securities;
- charitable remainder trusts;
- bequests;
- Canadian Cultural Property.

3. GIFT RECEIPTING

- 3.1 Accepted gifts to the university may qualify as “tax receiptable gifts” or may be “non-receipted gifts”:
- Tax receiptable gifts - These gifts (or portion of gifts) which the university determines meet the CRA guidelines for issuance of a charitable gift tax receipt to donor. Such gifts also qualify for appropriate donor recognition by the university.
 - Non-receipted gifts - These gifts do not qualify for issuance of a charitable gift tax receipt under CRA guidelines, but are nevertheless gifts to the university and subject to appropriate donor recognition.
- 3.2 Charitable tax receipts for Queen's University shall be issued solely by the Office of Advancement, through the Gift Services office.
- 3.3 Eligible amounts for receipting purposes for all gift types will be done in accordance with CRA regulations and administrative guidelines.
- 3.4 The Office of Advancement will ensure that CRA regulations are followed so that the university's charitable status is maintained.