

Ocean Park Association

Gift Acceptance Policy

Approved by Board of Directors
May 20, 2017

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Introduction

A written gift acceptance policy ensures that the best interests of both the donor and the Ocean Park Association (“OPA”, “the Association”) are served. It is the goal of this policy to encourage financial support of the Association by providing basic guidelines, policies and procedures, and by establishing a framework for responding to specific issues. It is recommended that the policies and procedures be reviewed periodically.

The Ocean Park Association welcomes the gifts of individuals, corporations and foundations to support and strengthen the programs and services of the Association. The task of all Association staff and volunteers shall be to inform, serve, guide or otherwise assist donors in fulfilling their philanthropic wishes, but never, under any circumstance, to pressure or unduly influence them.

Through the adoption of this Policy, the Ocean Park Association Board of Directors endorses a “Donor Bill of Rights” to ensure that the Association merits the respect and trust of the general public, and that donors and prospective donors can have the full confidence in the Association, a nonprofit corporation and cause that they are asked to support. See Appendix (A)

General Policies

Confidentiality -- The Association recognizes that it is in a position of trust with its donors regarding confidentiality. All information concerning donors, including their names, the names of their beneficiaries, the amount of gifts, size of estate, etc. will be kept strictly confidential unless permission is obtained from the donor. Gifts are personally and publicly recognized, but all requests from donors for anonymity will be honored. Donor files are confidential and will not be opened to anyone outside of the Executive Director, authorized staff or authorized representatives of the Board of Directors. Volunteers who may directly assist the Association in its fundraising efforts may be given confidential information pertinent to their effort and may be required to sign a confidentiality agreement.

Conflicts of Interest -- All personnel employed by the Association to administer or to solicit donations may not receive a commission or bonus payment related to contributions that might give such personnel an undesired personal interest in any gift or agreement. The Association’s personnel, including volunteers, will not engage in activities that conflict with their fiduciary, ethical, or legal obligations to the Association, or to the donors with whom they interact. Further, the Association will not enter into any agreements to pay a finder’s fee to third parties in exchange for locating a donor who eventually makes a contribution to the Association.

Administration and Accountability -- The administration of the Association’s fundraising and development activities ultimately rests with the OPA Board of Directors. Day-to-day administration is the responsibility of the Association’s Executive Director appointed by the Board of Directors. In general, all prospective gifts should go to the Executive Director who serves as a “gatekeeper” and who then can determine whether a gift should be accepted or whether some additional information gathering or discernment is needed before making such a decision. The Executive Director may reasonably be expected to confer with OPA Officers,

Committee Chairs and/or full committees depending on the nature of a proposed gift. Obtaining legal guidance or review may also be part of that process. Certain related duties or tasks may be delegated by the Executive Director to staff with clear communication about the nature and limits of such duties.

Donor Counsel and Advice -- Prospective donors are strongly encouraged to seek their own independent counsel regarding the tax and estate consequences of gifts to the Association. The Association will normally not pay fees to professionals on behalf of a donor for services rendered in drafting or executing gift agreements. Further, Association staff and volunteers must avoid any appearance of providing tax or legal advice.

Donor Records -- The Association will retain all correspondence and related records regarding contributions, gift records, cumulative gift histories and other data on donors' activity. This may be in electronic / digital and/or written form. This will include acknowledgement letters, billing for pledge payments, and reports regarding the Association's use of gifts. This data is solely for the use of the Association, and is to be maintained in a secure manner with appropriate limitations of access.

Gift Acknowledgement and Receipt - All donations accepted by the Association shall be acknowledged and receipted in accordance with IRS requirements.

Donor Recognition -- The Board of Directors, through its Development Committee and Executive Director, will identify appropriate means of recognizing donors. This may include establishment of giving levels with certain privileges and perquisites and may include membership in the "Legacy Circle" created to acknowledge members and friends who have made planned gifts to the Association.

Restrictions and Disclaimer for Non-Acceptance of Gifts -- Gifts may be sought and accepted only for purposes, positions and programs which are consistent with the expressed mission and goals of the Association. The Association is unable to accept gifts which are unduly restrictive in purpose or which are inconsistent with its values and priorities. The Association values and will protect its integrity and its independence, and may choose not to accept gifts which may expose the Association to adverse publicity, require expenditures beyond the Association's resources, or involve the Association in unexpected responsibilities because of their source, conditions, or purposes. Such decisions will reside with the OPA Board of Directors.

Gifts for Today

1. **Cash** – Cash is the most common way to make a gift to the Association. Cash gifts may be made by writing a check, using a credit card on-line or by telephone, or by authorizing a wire transfer (contact OPA for instructions). Checks should be made payable to the Ocean Park Association, and never to an individual representing the Association.
2. **Publicly Traded Securities** – The Association will accept readily marketable securities, such as those traded on a stock exchange. The contribution of appreciated securities (stocks, bonds and mutual fund shares) may have tax benefits to the donor. Most often, such securities are held in electronic form and can be easily transferred to the Association brokerage account. (See Exhibit xx for electronic transfer instructions.) The acknowledged value of the gift will follow IRS Guidelines based on the average of the high and low selling prices quoted on the day the stock is effectively received by the Association. Donors should be made aware that the Association’s general policy is to sell all donated securities immediately. Exceptions to this policy must be approved by the OPA Board of Directors, upon the review and recommendation of the Association’s Treasurer and/or the Administration and Finance Committee, acting as the Association Investment Committee.
3. **Closely-Held Securities** -- “Closely held stock” is corporate stock that is not traded on a public exchange. While non-publicly traded securities may be accepted, they often have unique or special issues. The Treasurer and/or the Administration & Finance Committee must review the donation of all closely-held securities and shall make a recommendation regarding acceptance to the OPA Board of Directors.
4. **Real Estate** -- A gift of real estate to OPA may provide similar benefits similar to gifts of securities if the donor has owned the property for a longer period of time and if it has increased in value during that time. Any gift of real estate must be examined on its individual merit and must be accepted by the Board of Directors, upon the review and recommendation of the Administration and Finance Committee, and/or the Property Committee, if appropriate. The Association reserves the right to refuse any gift of real estate. Normally the donor will be responsible for obtaining and paying for an appraisal of the property by an independent and professional agent as well as related expenses such as title searches, title clearance and environmental studies. Issues such as clear title, third party interests, environmental concerns and marketability must be thoroughly reviewed prior to acceptance.
5. **Tangible Personal Property** -- Tangible personal property, i.e., physical property other than real estate, may be accepted by the Association. This can take many forms such as art, collections, antiques or other valuable objects. Decisions regarding acceptance of such gifts will depend upon the asset’s marketability or its intended use and benefit by the Association. Normally gifts of tangible personal property should have a use related to the Association’s tax-exempt purpose and mission. Such gifts may be used by or sold for the benefit of the Association, and are subject to all IRS requirements in connection with

disposing of gifts of tangible personal property and for filing of appropriate tax reporting forms.

6. **Life Insurance** -- The Association encourages gifts of life insurance, however each case shall be reviewed on its individual merit and the particular details of the proposed gift. Acceptance of gifts of life insurance will be made by the Board of Directors. Normally the Association must be named as both the beneficiary and irrevocable owner of an insurance policy before a life insurance policy can be accepted and recorded as a gift. IRS regulations govern the value to be credited.

7. **Retirement Funds** -- Donors and supporters of the Association are encouraged to name the Association as a beneficiary of their retirement plans. Such designations will not be recorded as gifts to the Association 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. IRS regulations permit donors to contribute all or a portion of Required Minimum Distributions (RMD) from retirement accounts; the Association welcomes such contributions.

Gifts for the Future: Planned Giving and Deferred Gifts

While an outright or immediate gift may benefit the Association immediately, some donors may find that they can support the Association at a more substantial level with a planned or deferred gift. There are a variety of mechanisms which may provide the donor with significant tax relief, while at the same time providing for the future of the Association. At the present time, the Association will respond to proposed planned gifts on a case-by-case basis, and may decline gifts if it does not have the capacity to properly administer them. The Association may develop more formal planned or deferred gift programs in the future.

1. **Bequests** -- A bequest is a gift of any cash, property, or other asset made to the Association in a donor's will or living trust. While the gift may be arranged now, it is received by the Association upon the donor's passing. Bequests may be made for a specific dollar amount in cash, specific securities, specific articles of tangible personal property, or a percentage of the residue of the estate. Bequests will be accepted and acknowledged by the Board of Directors, and subject to the same review regarding restrictions as other gifts. The use or allocation of bequests will be made by the Board of Directors, upon the recommendation of the Administration & Finance Committee. Bequests which are unrestricted in their nature are of the greatest use to the Association; the Association may choose not to accept a bequest if the terms or restrictions of the bequest are not consistent with the Association's mission or too burdensome to administer.

The Association may provide suggested bequest language (see Exhibit C), but it should be understood that it is only a suggestion as to content, and that it should be written or adapted by the donor's legal counsel to fit the donor's individual situation. The OPA's staff and volunteers should be careful to avoid any conflict of interest in working with an individual in the drafting of a will, and specifically will encourage the donor to have the will prepared by the donor's attorney, decline to act as a witness for the donor, and decline to be named as a personal representative for the donor.

2. **Beneficiary Designations** -- Similar to a charitable bequest, a beneficiary designation involves a transfer of assets to the Association upon a donor's passing. OPA may be designated as a beneficiary of any of the following:
 - IRA or a qualified retirement plan, such as a 401(k) account
 - Life insurance policy
 - Savings or checking account
 - Investment Account
 - Annuity contract

Beneficiary designations are typically easy to arrange, are flexible and are revocable. Donors are urged to consult their legal and tax advisors.

Changes to Gift Acceptance Policies -- These policies and guidelines have been reviewed and accepted by the OPA Board of Directors. The Board of Directors must approve any change to or deviation from these policies.

Approved on the _____ day of _____, 2017.

_____ President, Ocean Park Association

Exhibit A: **Donor Bill of Rights**

Donors have these rights:

- I. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
- II. To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- III. To have access to the organization's most recent financial statements.
- IV. To be assured their gifts will be used for the purposes for which they were given.
- V. To receive appropriate acknowledgement and recognition.
- VI. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
- VII. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
- VIII. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
- IX. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
- X. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Exhibit B. Stock Transfer Instructions

OCEAN PARK ASSOCIATION (OPA)

INSTRUCTIONS FOR STOCK TRANSFERS

A transfer of stock or other publicly-traded securities may be made to the Ocean Park Association (OPA) using the following directions.

DEPOSITORY TRUST COMPANY (DTC) for DTC eligible securities

Agent Bank Name	The Northern Trust Company
Agent Bank Participant Number	2669
Our Custodian Account Number	17-32742
Our Account Name at Northern:	First State Trust Company / Portland Trust
<i>For further credit to</i>	Ocean Park Association

To the Delivering Firm:

Before delivering any gifts of stock, please e-mail the name and address of the donor, and the name, ticker and number of shares of the security being delivered to jgosselin@oceanpark.org and Elizabeth.Reilly@PortlandTrust.com

Please do not hesitate to call Elizabeth Reilly with any questions, 207-558-6220

Ocean Park Association
P.O. Box 7296, 14 Temple Ave.
Ocean Park, ME 04063
(207) 934-9068
e-mail: opa@oceanpark.org
website: www.oceanpark.org

Exhibit C. **Suggested Bequest Language**

When remembering the Ocean Park Association in your estate plans, you may use the following language:

I give to the Ocean Park Association, a nonprofit corporation located in Ocean Park, Maine, federal tax ID #01-0223014, [insert here: a dollar amount; percentage (%) of estate, or a description of the property you intend to bequeath] for its general program purposes.

OPA strongly encourages donors to consult with their legal advisor re. language and other details in preparing their wills and estate plans.

Exhibit D. **“Mission Statement”**

The Ocean Park Association was founded in 1881 as a summer retreat under Charter granted by the State of Maine. The purpose of the Ocean Park Association is to affirm the traditions and spiritual heritage of which we are heirs:

- through a summer assembly program where Christian worship, principles and ideals are at the focus;
- where diversity is celebrated and the dignity of all is embraced and respected;
- where the natural beauty of our seaside resort is conserved and enhanced; and
- where programs centered on religion, education, recreation, and culture provide opportunities for individual growth and family enrichment.

Exhibit E. **Contact Information for the Ocean Park Association**

Ocean Park Association
P.O. Box 7296
(14 Temple Avenue)
Ocean Park, ME 04063-7296

Phone: (207) 934-9068

Fax: (207) 934-2823

Website: www.oceanpark.org

General e-mail: opa@oceanpark.org

Executive Director: Lori K. Gramlich