



Gift Acceptance Policy

Purpose of Gift Acceptance Policy

The Eager Free Public Library is governed by a volunteer Board of Trustees. This Board of Trustees has responsibility for the organization's financial giving process along with related management and reporting requirements.

This Gift Acceptance Policy is intended to provide guidance to the Board of Trustees regarding acceptance of gifts. It also offers guidance to donors and their professional advisors regarding gifts to the Library. Gift funds collected by the Library are subject to this policy along with a separate *Fiscal Accountability and Investment of Gift Funds Policy*.

Mission of the Eager Free Public Library

The Eager Free Public Library opens doors for curious minds by encouraging literacy, inspiring learning, and connecting people.

Gifts are Essential to the Eager Free Public Library

Gifts made from donors to the Library are an essential part of meeting the continued and diverse needs of the Library's patrons. The Library wants to work with donors to make donations happen. It invites donors and their professional counsel to join it in the exploration of opportunities, costs and alternatives surrounding financial giving decisions to assure the goals of the Library and the donors are met.

Gifts are only used for Library Purposes

The Library gift funds are only used for the benefit of the Library and are used in a manner that is separate and distinct from any taxpayer funds otherwise provided for operational support of the Library.

Tax Deductible

Gifts to the Library are tax deductible. Donors are encouraged to consult their own legal and/or tax advisors to ensure an independent evaluation of a proposed gift. Donors of gifts valued at more than \$500 are required to complete an Eager Free Public Library Gift Form.

Confidentiality

The Library maintains donor confidentiality throughout the entire giving process. Pertinent information will only be shared to the extent that is necessary with professional counsel, Eager Free Public Library Board of Trustees, staff and officers. Information which is not of public record will not be made public without the express written permission of the donor.

Guidelines for Gift Acceptance

Unfortunately, the Library cannot accept every gift offered to it. The Board of Trustees and Library Director will evaluate gifts on a case-by-case basis. The Board of Trustees has final determination on acceptability of any proposed gifts. The Board of Trustees reserves the right to refuse any gifts and to seek legal counsel before acceptance of a gift.

As a general rule, gifts of money, real estate, library books or other materials, equipment, or services to the Library may be accepted when such a gift or its acceptance:

1. Contributes to the achievement of the Library's Strategic Plan.
2. Does not conflict with the Library policies.
3. Does not impose any restriction on the Library as a condition of donation, unless such restriction is formally accepted by Board of Trustee action.
4. May be used or disposed of at the discretion of the Library, unless otherwise mutually agreed to by the donor and the Board of Trustees at the time of the donation.
5. Does not result in excessive expense, risk of expense, or administrative effort, as determined in the sole discretion of the Board of Trustees.

Gifts for Certain Purposes

1. Unrestricted Gifts

Donations for unrestricted, general purposes are encouraged due to the flexibility they provide in meeting the Library's greatest needs.

2. Restricted Gifts

Gifts subject to donor restrictions, directives, or expenditure requirements may be accepted when consistent with the Library's mission and priorities, and not burdensome to administer. Gifts may be declined if subject to unacceptable requirements. Once a gift is accepted, any directives or restrictions imposed by the donor(s) will be honored by the Library to maintain the intent of the donor(s).

3. Named Gifts

A contribution in a spendable or pledged amount of \$5,000, or an endowed fund of \$15,000 or more, may be placed into a named gift fund and will be used for the purposes intended by the donor, after review and approval by the Board of Trustees.

4. Gifts to a Capital Campaign

All gifts to a capital campaign will be recognized as such. Unless otherwise stated under the terms of the campaign, gifts of \$1,000 or more can be pledged over 5 years.

Gift Types

1. Cash

Gifts in the form of cash, check, or credit card will be accepted. Checks should be made payable to the “Eager Free Public Library.”

2. Securities

The Eager Free Public Library may accept donations of shares of stock of corporations or limited partnership interests only if the Library has received appropriate assurances that such assets can be liquidated. Unless otherwise directed by Board of Trustees, all marketable securities will be sold upon receipt to benefit the Library. As a general rule, the Library will not accept securities that are not publicly traded. However, the Board of Trustees may, in its sole discretion, choose to do so after consideration.

3. Tangible Personal Property and Intangible Personal Property

Tangible personal property includes books, historical documents, art, furniture, jewelry, collections or any other personal property owned by a donor.

Tangible Personal Property: All gifts of tangible personal property shall have no undue restrictions on the use, display, or immediate or subsequent sale by the Library. Books and other library materials that are not added to the collection may be sold, offered to other libraries, or otherwise disposed of at the Library’s discretion. Donors may consult with the Library Director for more information on library materials.

Intangible Personal Property: This includes intellectual property, royalties, contracts, and promissory notes. These may be accepted with evidence of marketability or an income stream. A qualified appraisal may be required.

4. Charitable Remainder and Charitable Lead Trusts

Distributions shall be made in accordance with the donor's intent with respect to trusts having assets in excess of \$10,000, subject to the approval of the Board of Trustees. The Library shall not act as personal representative or trustee. Donors should select an outside institutional trustee, such as a bank, to name the Eager Free Public Library as the sole or primary charitable beneficiary. The charitable beneficiary of the trust, namely Eager Free Public Library, cannot be changed during the term of the trust.

5. Real Estate

The Eager Free Public Library may accept real estate under certain circumstances but reserves the right to decline. The Board of Trustees reserves the right to inspect any potential gift of real estate prior to a decision to accept it. The Library, prior to acquiring title to any real estate, may request an Environmental Impact Statement/ inspection report from the donor that is satisfactory to the Board of Trustees..

6. **Retained Life Estate:** A letter of agreement approved by the Board of Trustees will be required for the enactment of a retained life estate agreement. Unless otherwise stated, the donor will be responsible for payment of taxes, capital repairs, maintenance, insurance, and other fees related to the donated property. The paragraphs above regarding real estate gifts also apply here.

7. **Bargain Sales:** Bargain sales of real estate (i.e., transfer of property to the Library at less than fair market value) are subject to the same policies governing all other financial gifts and gifts of real estate.

8. Testamentary Gifts: Bequests, Wills, or Trusts

Donors are encouraged to name the Eager Free Public Library as beneficiary in their wills or trusts and are also encouraged to make unrestricted bequests. Bequests should be specified to "Eager Free Public Library, 39 West Main Street, Evansville, Wisconsin 53536."

The Library may accept testamentary gifts either made outright or through trusts. Any gifts made to the Eager Free Public Library through a probate or trust administration shall be subject to the gift policies set forth herein, including the point that the Library may, in its sole discretion, choose to decline the gift.

9. Life Insurance

Donors are encouraged to name the Eager Free Public Library as beneficiary or contingent beneficiary of their life insurance policies. The Beneficiary should be stated to be: "Eager

Free Public Library, 39 West Main Street, Evansville, Wisconsin 53536.”

The Eager Free Public Library may accept the irrevocable transfer (ownership) of whole life insurance policies where it is named as beneficiary of 100% of the policy. The Library will not accept ownership of term life insurance or gifts of life insurance encumbered by loans against them.

10. Retirement Plan Beneficiary Designations

Donors are encouraged to name the Eager Free Public Library as beneficiary of their qualified retirement plans and IRAs. The Beneficiary should be stated to be: “Eager Free Public Library, 39 West Main Street, Evansville, Wisconsin 53536.”

11. Charitable Gift Annuities

A charitable gift annuity is a way to make a gift to the Eager Free Public Library and still receive an income for yourself or others. It is a contract under which the Library, in return for a transfer of cash or other property, agrees to pay a fixed sum of money for a period measured by one or two lives. The Remainder Beneficiary of the Annuity should be stated to be: “Eager Free Public Library, 39 West Main Street, Evansville, Wisconsin 53536.”

12. Gifts-In-Kind

The Library welcomes gifts of goods and services that are consistent with the objectives of the Library, its operation, or the improvement of its amenities. The Library requires the donor to place a value on gifts-in-kind. The Library does not place value on gifts-in-kind.

13. Additional Gift Options:

The Library seeks to satisfy the charitable giving needs of all donors and is willing to explore alternative gift options. Gifts which require administrative and financial obligations on the part of the Library must first be approved by the Board of Trustees.

Gift Recognition,

Thank you letters are sent in response to most donations and are prepared by the Library Director. Receipts as required by IRS rules are also provided. Unless the donor agrees otherwise, donor information remains anonymous, subject to any legal or other requirement for disclosure. However, the identity of all donors must be known by the Library Director and, at the time of the gift, the Board of Trustees.

Valuation, and Taxes

In general, donors should consult with their own advisors with respect to determining the value of any non-cash donations. In order for Eager Free Public Library to formally credit a donation as part

of a gift, an appraisal is required. Appraisals are the responsibility of the donor. Donors considering a tax deduction should have an appraisal prior to making the donation. The Eager Free Public Library reserves the right to secure a current appraisal of any marketable gift property. The cost of an appraisal may be tax deductible. In accepting an appraisal, Eager Free Public Library is not undertaking to determine that it is a “Qualified Appraisal” as required by the Federal Income Tax Regulation.

Records, Retention, Accounting, and Report

The Library keeps records of donations received. The Treasurer of the Board of Trustees of the Eager Free Public Library shall maintain a master list of all giving agreements and all written expressions of intent to make testamentary gifts to the Library.

The Treasurer of the Board of Trustees shall, on a monthly basis, provide an accounting of the gift accounts to the Board of Trustees. Such accounting shall include a report of the balance of any gift fund accounts as of the first day of the month in which the meeting occurs and the deposits and withdrawals made during the preceding month. The Board of Trustees of the Eager Free Public Library shall then review the accountings and move to approve the status of the gift accounts after satisfactory review thereof.

Federal tax law does not permit donors to dictate or restrict investment decisions with regard to irrevocable gifts. For gifts of \$15,000 or more, the Library may, in its discretion, furnish a year-end account of the gift and its uses, but the gift will not be in a separate identifiable account.

Investment Policy

The Board of Trustees has the sole discretion when it comes to how gifts to the Library are invested. Eager Free Public Library has a *Fiscal Accountability and Investment of Gift Funds Policy* defining general guidelines the Library abides by relative to gift accounts it holds.

There are two kinds of ledger accounts established:

- General funds— which consists of all unrestricted contributions
- Designated funds— which consist of donations restricted to one or more programs, or special initiatives of the Eager Free Public Library

Notwithstanding the above, the Library understands that the Trustee of any charitable trust naming the Eager Free Public Library as a beneficiary will have total discretion for the investment of such trust.

Revised and adopted by the Eager Free Public Library Board of Trustees on July 26, 2022.