



Stark Community Foundation
GIFT ACCEPTANCE POLICY

The following policy applies to Stark Community Foundation, Stark Community Foundation, Inc., Newmarket Project, Inc., The William and Minnette Goldsmith Foundation, The Henry and Louise Timken Foundation, and Health Foundation of Greater Massillon (collectively “Foundations”) and to all other related organizations which the Foundations in the future may specify as covered by the policy.

1. The Foundations will accept all forms of donor philanthropy consistent with its mission and policies. We offer the following types of funds: Donor Advised (\$10,000 minimum), Designated (\$10,000 minimum), Field of Interest (\$10,000 minimum), Organization Endowment (\$10,000 minimum), Scholarship (\$25,000 minimum) and Supporting Foundation (\$500,000 minimum).
2. The officers of the Foundations can accept all gifts of cash, publicly traded securities, mutual funds and life insurance policies which name the Foundation as the owner and beneficiary.
3. The Foundations may accept other noncash gifts at the discretion of the Board of Directors.
4. When evaluating other noncash gifts for acceptance, the Foundations will consider the following:
 - A. Are there any issues relating to the gift that could affect the donor’s best interest that the donor should consider?
 - B. Does the donor have clear title and legal authority to make the donation?
 - C. Is the Foundation willing and able to carry out the donor’s request?
 - D. Is there any material restriction associated with the donation?
 - E. Is it in the Foundation’s best interest, as related to community goodwill and financial liability, to accept the gift?
 - F. Is the Foundation able, within a reasonable period of time, to convert the gift into cash?
 - G. What is the cost to convert the gift to cash?
 - H. What is the cost to carry the gift until it is converted to cash, which may include debt service, unrelated business income tax, insurance, maintenance, repair and other taxes?
5. The Foundations will only accept gifts which are consistent with their 501(c)(3) status.

6. The Foundations will not accept any gift of an interest in a business enterprise for a donor advised fund that would subject the Foundations to tax under section 4943 of the Internal Revenue Code, concerning “excess business holdings.” That is, the holdings of a donor advised fund in a business enterprise, together with the holdings of persons who are disqualified persons with respect to that fund, may not exceed any of the following:
 - A. Twenty percent of the voting stock of an unincorporated business
 - B. Twenty percent of the profits interest of a partnership or joint venture or the beneficial interest of a trust or similar entity

Ownership of unincorporated businesses that are not substantially related to the fund’s purposes are also prohibited.

Any proposed gifts of business holdings to a donor advised fund shall be referred to the Foundations’ counsel for an opinion on the possible application of Code section 4943.

7. The Foundations will sell all noncash gifts as soon as practical.
8. Gifts of illiquid assets shall be accepted only if they have an intrinsic charitable benefit (e.g. a gift of land for a community park) or if the donor places no restrictions on the disposal of the asset and investment of the proceeds of such disposal to provide charitable distributions. The determination of acceptance of an illiquid asset will be made after an investigation by Foundations staff and approval of the Board of Directors.
9. The Foundations will follow IRS guidelines for Noncash Charitable Contributions, and will complete IRS Form 8283 for donations exceeding \$5,000 and IRS Form 8282 when donations are disposed of within three years of receipt.
10. In the event that a donation is not accepted, the Foundations will communicate the reason in writing to the donor.
11. In the event that a bequest or trust distribution is not accepted, the Foundations will communicate the reason in writing to the executor or trustee.
12. The Foundations will apply the following guidelines and procedures to gifts of real estate;
 - A. The Foundations will accept gifts of real estate to accomplish the following objectives: the building of endowment through marketable assets, economic development, downtown development and land conservation. Property should be conveyed by warranty deed. The Board of Directors will decide the entity appropriate to receive the donation.
 - B. The Foundations prefer that real estate gifts accepted as marketable assets should be promptly saleable, free of liabilities and bear low carrying costs.
 - C. Real estate gifts accepted for economic development and downtown development should have clear objectives, a plan to accomplish the objectives, and a cost analysis of the plan. Real estate gifts

that are accepted for land conservation will be donated to an appropriate organization for management.

- D. In the case of a remainder interest in a residence, farm, or vacation property following a life interest in the property, the Foundations will prepare an agreement regarding the donor's responsibilities for taxes, utilities, maintenance, limitations of donor's rights to make changes or create liens on the property without approval of the Foundations, and the Foundations' rights to monitor the provisions of the agreement.
- E. Real estate must be in compliance with all applicable laws before it is accepted by the Foundations. Such compliance includes zoning, health, environmental, building codes and wetland delineation.
- F. The Foundations will weigh carefully its ability to manage the property. Acceptance of income-producing property may subject the Foundations to unrelated business income tax. The ability to manage includes costs of personnel time, expenditures and geographic location.
- G. The Foundations staff and the donor will meet to visually evaluate the property and answer appropriate questions on the Real Estate Check List.
- H. A discussion will take place with the donor regarding the donor's cost for donation which include:

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| Appraisal | Insurance |
| Environmental Assessment, Phase I | Taxes, including arrearages |
| Legal fees for conveyance | Judgments, fines and liens |
| Closing costs | Repair and maintenance |
| Title insurance | Environmental clean-up |
| Survey | Demolition and clean-up |
| Professional evaluation of buildings | Mortgage |
| Inspections | Unpaid utility bills |
| Wetland delineation for 5 or more acres | |

13. This policy is subject to revision by the Board of Directors.