

Gift Acceptance Policy

Approved by the FMAF Board of Directors April 2018.



FM Area Foundation
Connecting people and purpose.

The Fargo-Moorhead Area Foundation (the “Foundation”) encourages donors to make both outright and deferred gifts in furtherance of the Foundation’s charitable mission. A Gift Acceptance Policy defines the types of assets the Foundation will receive, the forms that these gifts can take and, lastly, the role of the Foundation in accepting the assets contributed. All solicitations for and acceptance of any gift and/or fund in the Foundation shall be subject to this policy as it may be amended from time to time.

It shall be the policy of the Foundation that;

1. All gifts, contributions or donations to the Foundation are irrevocable and become, upon their formal acceptance, the sole property of the Foundation.
2. The Foundation, through its Trustees and Fund Managers, has the sole right to make all investment decisions regarding gifts received subject to the applicable provisions of both its Resolution and Declaration of Trust and its corporate Bylaws, including any amendments thereto; in making gifts to the Foundation, donors give up the right to choose investments, or to veto investment choices for their gifts.
3. No gift, contribution or donation will be accepted by the Foundation if the donor, a member of the donor's family, or any donor advisor receives any material benefit, directly or indirectly, from the gift.
4. The Foundation reserves the right to accept or decline any proposed fund or gift to the Foundation.
5. If a gift is not accepted, the Foundation staff shall notify the prospective donor in writing within two (2) business days after the determination to decline the gift has been made.
6. If required by the nature of a gift, a qualified appraisal of the property shall be the obligation of the donor and that the Foundation staff will work with the donor through the valuation process.
7. Accepted gifts will be acknowledged by staff in accordance with the normal practices of the Foundation which shall, at all times, comply at a minimum with federal regulations.
8. As a general rule, the purpose of any gift establishing a new fund shall be defined in a written Fund Agreement signed by both the donor and an individual specifically authorized by the Foundation for this purpose, the exception being the creation of a Fund through a bequest.
9. In all cases and at all times, the Foundation shall comply with all legal requirements, including by way of example and not limitation, its variance power.
10. Marketable gifts (cash, cash equivalents, and publicly traded securities) shall require no prior review by the Board of Directors on acceptance, so long as the purpose and form of those gifts is in keeping with the standards set out herein.

11. Gifts of illiquid assets (tangible personal property, real estate, life insurance, non-publicly traded securities, oil and gas, and all other gifts) or gifts not in compliance with this policy shall be reviewed and approved by the Board of Directors prior to acceptance. This review shall address:
- a. The value of the asset
 - b. The likelihood the asset can ultimately be liquidated
 - c. The projected income if the gift is held as an investment
 - d. The charitable nature of the gift
 - e. The risk of accepting the gift, including but not limited to environmental issues, maintenance costs and liability
 - f. The carrying costs, including but not limited to insurance and property taxes
 - g. The unrelated business income tax consequences of retaining the asset
12. The Foundation will work with each donor to accept any reasonable gift. However, the following types of gifts are generally acceptable, subject to review of the Foundation:

- Cash and Cash Equivalents
- Securities
- Real estate
- Life insurance
- Charitable remainder trusts
- Charitable lead trusts
- Retirement plan beneficiary designations
- Bequests
- Tangible personal property
- Bargain sales
- Intellectual property
- Beneficial ownership in various legal entities
- Gas, Oil, and/or Mineral rights
- Any other form of gift deemed acceptable by the Foundation