

**PIERPONT COMMUNITY & TECHNICAL COLLEGE BOARD OF GOVERNORS
MEETING OF May 14, 2024**

ITEM: Policy PP-2035: Gift Acceptance

COMMITTEE: Committee of the Whole

RECOMMENDED RESOLUTION: Resolved that the Pierpont Board of Governors approve the 30-day public notice of changes to Policy PP-2035: Gift Acceptance.

STAFF MEMBER: George H. Perich; Vice President, Human Resources & Org. Dev.

BACKGROUND: The language in the existing policy requires language changes to reflect changes in operations.

The last revision of the Pierpont Community & Technical College's Gift Acceptance Policy was last approved in September 2017 and does not reflect the institution's revised institutional guidelines.

PUBLIC COMMENT PERIOD: May 16, 2024 to June 15, 2024

All comments are to be made in writing to:

*Amanda Hawkinberry
Executive Assistant to the President
Pierpont Community & Technical College
500 Galliher Drive
Fairmont, WV 26554
bog@pierpont.edu*

*The proposed policy will be available for public viewing on the
Pierpont Community & Technical College website at
<https://www.pierpont.edu/about/board-of-governors/policies/>*

PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
POLICY # 35
TITLE: GIFT ACCEPTANCE

Effective Date: April 21, 2005
Amended: September 19, 2017
Repealed:

SECTION 1: GENERAL

POLICIES FOR GIFT ACCEPTANCE AND SOLICITATION

- 1.1 All gifts of cash, securities, real estate, personal property, or equipment intended for the benefit of Pierpont Community & Technical College (Pierpont) must be made to the Pierpont Foundation, Inc.
- 1.2 In order to ensure coordination and focus of institutional fundraising efforts, no general or group solicitation of funds may be undertaken by any individual or department of Pierpont Community & Technical College on behalf of Pierpont or any of its subdivisions without explicit written approval by the President of the institution or the President's designee (for any solicitation of off-campus entities or individuals) or the Office of the President (for any solicitation that takes place solely on campus).
- 1.3 In order to avoid multiple appeals, the solicitation of large gifts from individuals, foundations, or corporations must be cleared through the President of the institution or the President's designee.
- 1.4 The President of the institution or the President's designee and the Foundation Board of Directors require the explicit written terms on all donated assets or funds by a donor with a prior stipulation that these assets are given for a restricted purpose or use by the Foundation, including language that will permit a different or modified use, if changed conditions indicate the need for it.
- 1.5 Restrictive clauses that violate any federal or state laws pertaining to discrimination on the basis of race, creed, color, nationality, or sex will not be allowed.

SECTION 2: GIFTS-IN-KIND

- 2.1 Gifts-in-kind are non-cash donations of materials or long-lived assets. Gifts of material or long-lived assets that serve the purpose of the organization should be reported at their fair-market value. Gifts-in-kind might include such items as equipment, software, printed materials, and food or other items used for hosting dinners. For items such as equipment and software, report the discounted value, if any—that is, the value the organization would have paid if it had purchased the item outright from an outside vendor.

- 2.2 Caution should be exercised to ensure that only gifts that are convertible to cash or that have value to the organization are accepted. Gifts with fair-market values of more than \$5,000 should be recorded at the values placed on them by qualified independent appraisers, as required by the IRS for valuing non-cash charitable contributions. Gifts of \$5,000 or less may be reported at the value declared by the donor or, if there is expertise on the staff other than that of the development officer, as placed on the gift by such an expert. Organizations may obtain the appraiser's calculated amount from IRS Form 8283, on which the donor must obtain the donee's signature for all such gifts.
- 2.3 An offer of a gift of tangible property may be accepted initially and conditionally on behalf of the Pierpont Foundation with the understanding that the following shall ordinarily govern:
- 2.3.1 The gift is made in accordance with regulations of the Internal Revenue Service;
 - 2.3.2 The acceptance of such gifts of tangible property shall not involve significant additional expense for their present or future use, display, maintenance, or administration unless such expenses are covered by funds provided for that purpose;
 - 2.3.3 No financial or other burdensome obligation or expense is or will be directly or indirectly incurred by the Pierpont Foundation as a result thereof;
 - 2.3.4 The acceptance of such gifts of real property will be accompanied by a recent Phase I Environmental Audit, which will typically include three components (1) site reconnaissance, (2) town record inspection, and (3) state record inspection. The purpose of an environmental audit is to detect the presence of toxic waste or hazardous materials;
 - 2.3.5 Sufficient space is available;
 - 2.3.6 Gifts of tangible personal property (such as equipment and books) will not be accepted if made on the condition, or understanding or expectation, that the items will be loaned back to the donor or persons designated by the donor for life or extended periods of time to be determined by the donor;
 - 2.3.7 As a general rule, the Pierpont Foundation officers and Pierpont employees should not furnish valuations or appraisals to donors in connection with gifts-in-kind to the Pierpont Foundation.
- 2.4 **Important Note:** Since gifts of tangible property could create a hardship to Pierpont as explained in Section 2.3 above, gifts-in-kind must be reviewed and approved by the President's Cabinet and be recommended for acceptance by the President of the institution or the President's designee.

SECTION 3: DONATIONS OF MATERIAL TO RUTH ANN MUSICK LIBRARY

- 3.1 The Ruth Ann Musick Library (Library) welcomes gifts of books, archival materials, or other appropriate items that support the mission of the Library of Pierpont Community & Technical College and Fairmont State University. Gifts appropriate for the general collection should support the curriculum or build the general academic stature of the Library. Gifts that are accepted for the Archives generally should relate to the cultural heritage and historical development of West Virginia, and in particular, the service area of Pierpont Community & Technical College and Fairmont State University.
 - 3.1.1 The Library accepts donations that will strengthen the collections. In some instances, it is appropriate for a librarian to examine the materials prior to acceptance. Materials that duplicate existing holdings or are not appropriate will not be added to the collections, and may be offered to other libraries or to students and faculty.
 - 3.1.2 The Library reserves the right to determine the retention of all items in a major donation. Items not added to the collections will be given to other libraries, offered to students and faculty, or discarded. Items not added to the collection may be returned to the donor, upon the special request of that donor.
 - 3.1.3 The appraisal of donations to the Library is the responsibility of the donor. The Library, as an interested party, cannot make appraisals of donations made to it. For any gifts valued at over \$5,000, for which an external appraisal is necessary, the Pierpont Foundation is responsible for officially receiving the gift and for handling paperwork for the Internal Revenue Service.
 - 3.1.4 The Library will acknowledge all donations with a letter from the Director of Library Services with a general description of the donation. It is the responsibility of the donor to provide a detailed inventory of the donation or a listing of titles if these are desired. Unusual or unique gifts will be acknowledged publicly unless the donor requests anonymity.
 - 3.1.5 When appropriate, the Director of Library Services will request that the Pierpont Foundation acknowledge unique or unusual gifts.
 - 3.1.6 The Library shall determine the type of cataloging, the location of materials, and the circulating status after receiving the donation. The Library does not necessarily keep multiple items in a donation together as a unit.
 - 3.1.7 The Library will provide a bookplate and notice in the online catalog acknowledging the donation if the donor so desires.
 - 3.1.8 All materials donated to the Library will be accessible by the public, either in the general collections or for research in the Archives.

- 3.1.9 Researchers using material in the Archives have the right to make single copies of items within the restrictions of the fair use copyright guidelines.
- 3.1.10 It is the responsibility of the donor to make arrangements for the transportation of the material to the Library.
- 3.1.11 All major donations are accepted subject to the final approval of the Director of Library Services.

Any exceptions to this policy must be agreed upon in writing prior to the receipt of the donation.

ATTACHMENT 1
PIERPONT COMMUNITY & TECHNICAL COLLEGE
Board of Governors Policies and Procedures
PP- 8035

TITLE: GIFT ACCEPTANCE

EFFECTIVE DATE:

AMENDED: May 14, 2024

REPEALED:

REVIEWED:

Deleted: September 19, 2017

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- 1.4 The President of the institution or the President's designee and the Foundation Board of Directors require the explicit written terms on all donated assets or funds by a donor with a prior stipulation that these assets are given for a restricted purpose or use by the Foundation, including language that will permit a different or modified use, if changed conditions indicate the need for it.
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 - 2.3.7 As a general rule, the Pierpont Foundation officers and Pierpont employees should not furnish valuations or appraisals to donors in connection with gifts-in-kind to the Pierpont Foundation.

2.4 **Important Note:** Since gifts of tangible property could create a hardship to Pierpont as explained in Section 2.3 above, gifts-in-kind must be reviewed and approved by the President's Cabinet and be recommended for acceptance by the President of the institution or the President's designee.

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