

Gift Acceptance Policy

St. James Episcopal Church

Baton Rouge, LA

Scope

The scope of this document addresses all gifts of any kind made to St. James Episcopal Church, Baton Rouge, Louisiana (hereafter referred to as the “Church”) and St. James Episcopal School, Baton Rouge, Louisiana (hereafter referred to as the “School”). This includes any and all gifts made as part of the Annual Stewardship Campaign, the Planned Giving Campaign, the Pelican Pride Fund, and any gifts made as honorariums or memorials.

All gifts must be in compliance with current IRS rules and regulations.

All gifts must be approved based on the Church’s Gift Acceptance Policy.

The term “St. James” is used when referencing both the Church and School.

Gift Acceptance Committee

There are certain gifts within the Gift Acceptance Policy that may be accepted by the St. James Staff. All other gifts must be brought before the Gift Acceptance Committee (hereafter referred to as the “GAC”) for review and approval. Staff may request that gifts be brought before the GAC for approval if there are questions involving the gift.

The GAC is to be comprised of the following members: The Rector, Head of School (when designated for the School), Senior Warden, Church Treasurer and School Treasurer (when designated for the School) serve ex-officio with voting rights. A representative from each of the Finance Committee and Investment Committee of the Church appointed annually by the respective committees, serves with voting rights.

Types of Gifts

I. Cash

- A. St. James accepts gifts of cash, and gifts through checks, money orders and credit or debit cards.
- B. Checks and money orders shall be made payable to the Church or School. In no event shall a check or money order be made payable to an individual who represents the Church or School in any capacity.

II. Publicly Traded Securities

- A. St. James accepts readily marketable publicly traded securities.
- B. A gift of securities shall be deposited into St. James’s account and liquidated as soon as reasonably possible.
- C. For gift crediting against pledges and for internal accounting purposes, the bookkeeping value of the gift of securities in payment of a pledge is the average of the high and low prices on the date the gifted securities have left the account or control of the donor. It is the donor’s responsibility to establish a value for the gift as required by the IRS.

III. Closely Held Securities and Publicly Held Securities That Are Not Readily Marketable

- A. Non-publicly traded securities and publicly held securities that are not readily marketable may be accepted if approved by the GAC.

- B. The GAC shall determine the time, effort, cost, and estimated proceeds of liquidating the securities and based upon that determination, decide whether the acceptance of the gift is beneficial to St. James.
- C. The GAC may require the donor, at the donor's expense, to provide a qualified appraisal by an independent professional appraiser and must do so if the gift is valued in excess of \$5,000.
- D. St. James (or its representatives) shall not discuss with the donor any repurchase agreement by the donor, the donor's company, or the donor's affiliates, e.g., family members, etc. Doing so could jeopardize the nature of the donor's charitable deduction.
- E. It is the donor's responsibility to establish the value of the gift as required by the IRS.

IV. Life Insurance Policies, Including Whole Life, Variable, Term and Universal Life Policies

- A. A gift of life insurance may be accepted if the Church or School is named as the 100% owner and beneficiary and the Church or School does not assume any obligation to pay premiums. If the Church or School is named as less than a 100% owner, the policy shall be accepted if the Church or School is named as irrevocable beneficiary of a percentage of the policy proceeds equal to the Church or School's percentage ownership.
- B. If the life insurance is not fully paid up, the GAC may consider the criteria of accepting the gift and the usefulness of the gift on a case-by-case basis.
- C. If the Church or School is named as a beneficiary, but not an owner of a life insurance policy, the receipt of cash policy governs the receipt of proceeds.
- D. It is the donor's responsibility to establish a value for the gift as required by the IRS.

V. Tangible Personal Property

- A. The staff of St. James may accept gifts of tangible personal property on behalf of the Church or School if 1) the tangible personal property is to be used in keeping with the Church's or School's tax exempt purpose within the program or ministry, 2) the gift is valued at less than \$5,000, and 3) the receipt of such gift is approved by the Rector.
- B. All gifts of tangible personal property valued at greater than \$5,000 shall be referred to the GAC prior to acceptance. The GAC shall assess the tangible personal property for its value to the Church or School utilizing the following guidelines: usefulness within the tax-exempt purpose and/or determine the time, effort, cost, marketability, and estimated proceeds of liquidating the tangible personal property and, based upon those determinations, decide whether the acceptance of the gift is beneficial to the Church or School.
- C. The gift of a vehicle of any type must be referred to the GAC for evaluation and approval before acceptance.
- D. The GAC may require the donor, at the donor's expense, to provide a qualified appraisal by an independent professional appraiser and must do so if the gift is valued in excess of \$5,000.
- E. It is the donor's responsibility to establish a value for the gift as required by the IRS.

VI. Real Property

- A. Gifts of real property may be accepted only if approved by both the Bishop of the Episcopal Diocese of Louisiana and the Vestry at the recommendation of the GAC.

- B. The GAC shall determine if the real property is better accepted for use by St. James in accordance with a ministry and tax-exempt status or if it is better to accept the property and promptly liquidate it.
- C. If the GAC determines it is in the best interest of St. James to accept the real property, either to sell or keep, the following due diligence steps must be followed:
 - 1. Gather information regarding the real property that is currently required by the Bishop in connection with acceptance of real property.
 - 2. The GAC may require the donor, at the donor's expense, to provide a qualified appraisal performed by an independent professional appraiser and must do so if the gift is valued in excess of \$5,000.
 - 3. It is strongly advised that the GAC engage the services of a professional qualified to conduct an environmental study of the real property to determine that there are no currently existing environmental issues associated with the property. Failure to do so could lead to St. James becoming liable for environmental hazards upon acceptance of title to real property. A decision not to conduct such a study should be thoroughly documented by the GAC.
- D. If, after due diligence, the GAC is willing to accept the gift, such proposal will be referred to the Vestry for approval. If approved at this level, the request to approve the acceptance of such property will be referred to the Bishop for final approval.
- E. The title to real property is to be held in the name of St. James Episcopal Church of Baton Rouge.
- F. It is the donor's responsibility to establish a value for the gift as required by the IRS.

The 1844 Society: Planned Legacy Giving

- I. Planned Legacy Gifts are gifts made to the Church's Endowment Funds by those who wish to make a bequest or other planned gift from their estate. These can be gifts of any size and may be structured as a dollar amount or as a percentage. These gifts may be funded through a number of sources, including but not limited to, life insurance policies, annuities, IRA and 401(k) or 403(b) accounts, charitable remainder trusts, charitable lead trusts, and bequests.
- II. The Church or its agents shall not act as an executor (personal representative) for a donor's estate. A member of the St. James staff serving as a personal representative for a member of the Church or School does so in a personal capacity and not as an agent of the Church or School.
- III. The Church shall not act as trustee of any trusts donated to the Church's Endowment Funds through the 1844 Society unless it is the sole beneficiary of such trust.
- IV. When donors are provided planned gift illustrations or form documents, all materials, illustrations, letters, or other correspondence, shall include the following disclaimer:
We strongly urge that you consult with your attorney, financial advisor, and tax advisor to review and approve this information which the Church has provided to you without charge or obligation. This information in no way constitutes advice. We will gladly work with your independent advisors to assist you in your decision-making process.
- V. All information obtained from or about donors or prospective donors shall be held in the strictest confidence by the Church, its staff, and volunteers. The name, amount, and conditions of any gift shall not be published without the express written consent of the donor and/or beneficiary.

- VI. The Church will seek qualified professional counsel in the exploration and execution of planned gift agreements if deemed necessary. The Church recognizes the right of fair and just remuneration for such professional services.
- VII. The GAC reserves the right to decline any gift that does not further the mission or goals of the Church. Also, any gifts that would create an administrative burden or cause the Church to incur excessive expenses may be declined.
- VIII. It is the donor's responsibility to establish the value of the gift as required by the IRS.

Many thanks to St. David's Episcopal Church of Austin, Texas for allowing St. James to use their Gift Acceptance Policy as the framework for ours.