Haven for Special People

A Wisconsin Non-profit Corporation

Gift Acceptance Policy

ARTICLE I
POLICY AND PURPOSE

The Board of Directors and staff of Haven for Special People, Inc. (HSP) solicit current and deferred gifts from individuals, corporations, and foundations to secure its future growth and accomplish its mission. These policies and guidelines govern the acceptance of gifts by HSP and provide guidance to prospective donors and their advisors when making gifts. The provisions of these policies shall apply to all gifts received by HSP for any of its programs or services. These policies are policies of the Board of Directors of HSP and may be amended by majority vote of the HSP Board.

The Executive Committee is charged with the responsibility of reviewing all proposed gifts to HSP, properly screening and accepting those gifts, and making recommendations to the Board of Directors on gift acceptance issues when appropriate. It is the purpose of this instrument to provide guidelines to the Executive Committee, so that all decisions regarding these policies and the enforcement of these policies will be vested in the Executive Committee. The Executive Committee, together with HSP legal counsel, and with appropriate HSP staff as may be pertinent, shall also adopt standard forms for agreements with donors and will annually review Acceptance Guidelines for all gifts, consistent with policies and guidelines established and approved by the Board of Directors of HSP.

1.1 General Policy

- The general policy of HSP is to inform, serve, guide or otherwise assist donors who wish to support its activities, but never under any circumstances to pressure or unduly persuade a donor to complete a gift.
- Persons acting on behalf of HSP shall encourage the donor to discuss a proposed gift with legal and/or tax advisor(s) of the donor's choice and at the donor's expense. This is to ensure that the donor receives a full, accurate and independent explanation of all aspects of the proposed charitable gift.
- Persons acting on behalf of HSP shall advise the donor that it is the donor's responsibility to obtain any necessary appraisals, file appropriate personal tax returns and defend against any challenges to claims for tax benefits.
- The President of the Board of HSP, Vice-President(s), Executive Director, Treasurer, and consultants retained by HSP for the purpose of the financial advancement of HSP, if any, are authorized to negotiate planned giving agreements with prospective donors, following guidelines outlined in this policy statement.
- Planned giving agreements requiring signed approval by HSP shall first be reviewed and approved by HSP's Legal Counsel. However, each agreement executed with a donor need not be reviewed provided it is based on a prototype agreement that has previously been reviewed and approved.
- HSP will accept charitable gift annuities only under conditions described below. HSP may appoint or employ agents and advisors to facilitate the solicitation and investment of such annuities.

- HSP may serve as trustee for irrevocable charitable remainder trusts under circumstances outlined below. Expenses related to investments and administrative services shall be charged to the respective trusts. However, HSP will not serve as trustee or co-trustee for any revocable trusts or for other trusts that are not qualified charitable remainder trusts.

ARTICLE II
PROCEDURES

2.1 Use of Legal Counsel

HSP shall seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by Legal Counsel is recommended for:

- Closely held stock transfers that are subject to restrictions or buy-sell agreements.
- Documents naming HSP as Trustee.
- Gifts involving contracts, such as bargain sales or other documents requiring HSP to assume an obligation.
- Transactions with potential conflict of interest that may invoke IRS sanctions.
- Other instances in which use of counsel is deemed appropriate by the Executive Committee.

2.2 Conflict of Interest

To assure that each donor has a complete and independent explanation of their charitable gift and to avoid any potential conflicts of interest that might arise in the explanation of a gift to a potential donor, HSP will urge all prospective donors to seek independent counsel through their own personal legal and financial advisors. HSP will comply with the Model Standards of Practice for the Charitable Gift Planner promulgated by the National Committee on Planned Giving, shown as an appendix to this document.

2.3 Procedures for Review of Gifts

HSP will accept unrestricted gifts and gifts for specific programs and purposes, provided that such gifts are consistent with its stated mission, purposes, and priorities. HSP will not accept gifts that are excessively restrictive in purpose. Gifts that are too restrictive are those that violate the terms of the corporate charter of HSP, gifts that are too difficult to administer, or gifts that are for purposes entirely outside the mission of HSP. All final decisions on the restrictive nature of a gift and its acceptance or refusal shall be made by the Executive Committee, as authorized by these guidelines as they may be modified from time to time by the Board of Directors of HSP. The Board of Directors reserves the right to make final determinations and decisions regarding acceptance of any gifts offered to the organization.

In reviewing gifts to HSP, the Executive Committee and/or staff will consider the following: the charitable intent and ultimate benefit of the gift, the nature of any restrictions, the permanency of the fund, the projected costs of managing the gift asset, and the fee revenues that may accrue to HSP for administering the gift.

2.4 Procedures for Review of Corporate Gifts

The following policy guidelines recognize the unique role that corporate entities play in public life and ensure that HSP provides corporate donors with respect and professionalism.

HSP is pleased to accept gifts from corporations that support our program goals and organization’s mission. This includes (a) outright gifts of cash, (b) employee driven internal events, (c) external events driven by corporate management, (d) donations of goods and services, (e) sponsorships or partnerships, (f) company matching gifts and (g) recognition gifts.

HSP will not accept contributions from corporations/industries and their respective corporate foundations whose activities limit – in any way – HSP's ability to pursue or promote its programs and mission.

HSP will offer appropriate marketing and promotional consideration to corporations that request it, but the use of the HSP logo by a corporate partner must be restricted to appropriate uses only. In some cases, "letters of agreement" between HSP and corporate donors may be required to ensure that HSP's name and reputation is not harmed or diluted by excessive or inappropriate promotion.

As with individual donors, HSP reserves the right to refuse donations from any corporate entity.

ARTICLE III
TYPES OF GIFTS

The following types of gifts may be considered for acceptance:

- Cash
- Bequests
- Retirement Plan Beneficiary Designations
- Life Insurance and Life Insurance Beneficiary Designations
- Securities or qualified stock
- Real Estate
- Remainder Interests in Real Property
- Tangible Personal Property
- Charitable Gift Annuities
- Charitable Remainder Trusts
- Charitable Lead Trusts
- Royalties and Distribution Rights
- Bargain Sales

The following criteria govern the acceptance of each gift type.

3.1 Cash. Cash is acceptable in any form. Checks shall be made payable to "HSP" and shall be delivered to HSP in care of its office.

3.2 Bequests. Donors and supporters of HSP will be encouraged to make bequests to HSP through their wills and trusts. Such bequests will not be recorded as gifts to HSP until such time as the gift is irrevocable and HSP has knowledge of such bequest. When the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

3.3 Retirement Plan Beneficiary Designations. Donors and supporters of HSP will be encouraged to name HSP as beneficiary of their retirement plans. Such designations will not be recorded as gifts to HSP until such time as the gift is irrevocable and HSP has knowledge of such designation. When the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

3.4 Life Insurance. Donors and supporters of HSP will be encouraged to name HSP as beneficiary or contingent beneficiary of their life insurance policies. Such designations shall not be recorded as gifts to HSP until such time as the gift is irrevocable and HSP has knowledge of such designation. Where the gift is irrevocable, but is not due until a future date, the present value of that gift may be recorded at the time the gift becomes irrevocable.

3.5 Securities. HSP can accept both publicly traded securities and closely held securities

(a) Publicly Traded Securities. Marketable securities may be transferred to an account maintained at one or more brokerage firms or trust companies, commercial banks or delivered physically with the transferor's stock power attached. As a general rule, all marketable securities will be sold upon receipt unless otherwise directed by the Investment Committee. In some cases applicable securities laws may restrict marketable securities. In such instance the Executive Committee shall make the final determination on the acceptance of the restricted securities.

(b) Closely Held Securities. Closely held securities, which include not only debt and equity positions in non-publicly traded companies but also interests in limited partnerships and limited liability companies or other ownership forms, can be accepted subject to the approval of the Executive Committee. However, gifts must be reviewed prior to acceptance to determine:

i. There are no restrictions on the security that would prevent HSP from ultimately converting those assets to cash;

ii. The security is marketable; and

iii. The security will not generate any undesirable tax consequences for HSP.

iv. To be accepted, closely held securities must have a qualified appraisal performed by an independent professional appraiser at the expense of the donor. If potential problems arise on initial review of the security, further review and recommendation by an outside professional may be sought before making a final decision on acceptance of the gift. Following advice by legal counsel, the Executive Committee shall make the final determination on the acceptance of closely held securities. Every effort will be made to sell closely held securities as quickly as possible. If not immediately marketable, the stock will be kept in a secure area until such securities can be redeemed.

3.6 Real Estate. Gifts of real estate may include developed property, undeveloped property, or gifts subject to a prior life interest. The real estate being gifted must be titled to the donor(s). When appropriate, a title binder shall be obtained by HSP prior to the acceptance of the real property gift. The cost of this title binder shall be at the expense of the donor. Prior to acceptance of real estate, donor is requested to advise HSP of any environmental issues that may be readily identified. The HSP Board of Directors may, at its own discretion, require or waive an environmental audit of the property. The cost of the environmental audit shall be at the expense of the donor, although HSP may consider covering this cost at the discretion of the Executive Committee. Prior to acceptance of the real property, the gift shall be approved by the Executive Committee of HSP and by HSP's Legal Counsel. The Board of Directors, at its discretion, may refuse any gift of real estate. Criteria for acceptance of the property shall include:

- Is the property useful for the purposes of HSP?
- Is the property marketable?
- Are there any restrictions, reservations, easements, or other limitations associated with the property?
- Are there carrying costs, which may include insurance, property taxes, mortgages, or notes, etc., associated with the property?
- Does the environmental audit, if required, reflect that the property is not damaged?

Remainder Interests in Property. HSP will accept a remainder interest in a personal residence, farm, or other property subject to the provisions of paragraph 6 above. The donor or other vested occupants may continue to occupy the real property until the expiration of their rights to occupy said property. At the death of the donor, life occupant or tenant, HSP may use, lease or sell the property. Where HSP receives a gift of a remainder interest, expenses for maintenance, real estate taxes, and any property indebtedness are to be paid by the donor or primary beneficiary(ies) when that is practical or desirable.

3.7 Tangible Personal Property. All gifts of tangible personal property shall be considered based upon the following criteria:

(a) Does the property help fulfill the mission of HSP?

(b) Is the property marketable or will it be in the foreseeable future?

(c) Are there any undue restrictions on the use or sale of the property?

(d) Can the property be sold readily and profitably?

(e) Are there undue costs associated with transportation, storage, selling, maintenance or repair of or for the property?

The Executive Committee will make the final determination on the acceptance of tangible personal property gifts after consideration of the above and other relevant factors.

3.8 Charitable Gift Annuities. HSP will not offer charitable gift annuities at this time.

3.9 Charitable Remainder Trusts. HSP may accept designation as remainder beneficiary of a charitable remainder trust. It is the stated policy that HSP will accept appointment as trustee of a charitable remainder trust only under the following conditions:

- HSP must have a 75% beneficial interest as the remainderman of these trusts, with the trust having a minimum value of $200,000
- HSP will not accept real estate or interests in limited partnerships as assets for the creation of these trusts; exceptions, however, can be made depending on the nature of the gift/trust.
- The Executive Committee will accept the trust only after thorough review of the proposed trust agreement by the Legal Counsel of HSP.
- If HSP accepts the role of trustee, HSP may serve directly as trustee or appoint an agent to serve as trustee. For example, HSP may contract with a trust company as its agent, paying the same fees as it may normally receive as a trustee.

3.10 Charitable Lead Trusts. HSP may accept a designation as income beneficiary of a charitable lead trust at any time. However, the Board of Directors of HSP will not accept an appointment as trustee of a charitable lead trust.

3.11 Royalties and Distribution Rights. HSP may accept gifts of royalties or distribution rights on published works (such as books or films) where there is clear evidence of marketability or assurance of an income stream. The Executive Committee will determine whether such a gift should be accepted after receiving a qualified appraisal, the cost of which shall generally be borne by the donor.

3.12 Bargain Sales. HSP will enter into a bargain sale arrangement in instances only when it furthers the mission and purposes of HSP. All bargain sales must be reviewed and approved by the Executive Committee. Factors used in determining the appropriateness of the transaction include:

- Obtaining an independent appraisal to substantiate the value of the property.
- Determining that if HSP assumes debt with the property, the debt ratio is less than 50% of the appraised market value.
- Determining that there is a market for sale of the property, allowing sale within 12 months of receipt.
- Determining the costs to safeguard, insure, and cover other expenses of the property (including property tax, if applicable) during the holding period.

ARTICLE IV
GIFT ADMINISTRATION

4.1 Donor Acknowledgement

All gifts greater than $250 to HSP will be acknowledged at the close of the fiscal year. An ongoing master list of gifts will be maintained by HSP.

4.2 Confidentiality of Gifts

All information concerning donors and prospective donors shall be held in strict confidence by HSP, subject to legally authorized and enforceable requests for information by government agencies and courts. HSP will not disclose the amount of any gift through any publication or other public document without the permission of the donor, unless the disclosure is required by law.

4.3 Designated and Restricted Gifts

Unless expressly approved in writing by the Board of Directors, all donor designations shall be considered non-binding suggestions. HSP will not accept gifts that:

- Violate the corporate charter;
- Threaten HSP’s 501(c)(3) tax-exempt status;
- Are unduly difficult or costly to administer relative to their value;
- Would result in unacceptable consequences for HSP; or
- Are for purposes outside HSP’s mission.

HSP retains full discretion and control over the use of all donated funds and reserves the right to redirect designated funds if the original purpose becomes illegal, impossible to fulfill, or impractical. In such cases, funds will be applied to purposes that most closely align with the donor’s original intent, as determined by the Board of Directors.

If a designated fund remains unused for a specified period (e.g., ten years) or the designated project has been completed or terminated, the Board of Directors may deem the restriction no longer applicable and reallocate the remaining funds to the general fund or other purposes consistent with HSP's mission.

If a donor designation is not accepted or is deemed unviable, HSP may, at its discretion, contact the donor to discuss alternative allocations, including the return of the gift or redirection to another charitable organization.

All decisions regarding restricted donations will be made in accordance with applicable laws of the State of Wisconsin.

4.4 Miscellaneous Provisions

(a) Securing appraisals and legal fees for gifts. Costs for appraisals and/or legal fees will be borne by the donor, although in exceptional situations and with the consent of the Executive Committee, such costs may be borne by HSP.

(b) Valuation of gifts. HSP will record a gift received by HSP at its current market valuation for gift purposes on the date of gift.

(c) Responsibility for IRS Filings upon sale of gift items. The Treasurer of HSP is responsible for filing IRS Form 8282 upon the sale or disposition of any asset sold within two years of receipt by HSP when the charitable deduction value of the item is more than $5,000. The form must be filed within 125 days of the date of sale or disposition of the asset. Acknowledgement of all gifts made to HSP and compliance with the current IRS requirements in acknowledgement of such gifts shall be the responsibility of the Board of Directors of HSP. IRS Publication 561 Determining the Value of Donated Property and IRS Publication 526 Charitable Contributions are currently (12/24) the most appropriate documents.

(d) HSP agrees to sign IRS Form 8283 upon the request of the donor, provided however the appraiser of donated assets has completed and signed the pertinent section of the form, if applicable.

ARTICLE V
CHANGE TO GIFT ACCEPTANCE POLICIES

The Board of Directors must approve any changes to, or deviations from, these policies at its regular Board meetings or during a special session called by the Chair.

Approved by HSP Board of Directors on ____10/8/2025______________.