



KENTUCKY STATE UNIVERSITY POLICIES AND PROCEDURES

GIFT ACCEPTANCE AND DONOR RECOGNITION

1. Policy

The purpose of this document is to give the University a standardized procedural approach to fundraising, the proper valuation of gifts and donor recognition. All members of the University community are expected to know and follow the policies, procedures and guidelines contained in this document. Therefore, all members of the University community should become familiar with its contents.

Three key points should be emphasized:

1. All members of the University community are expected to obtain approval before any and all formal and/or informal gift solicitations from the Vice President for Institutional Advancement and/or the President of the University, or their designee, prior to making any such contact with current or prospective donors (this includes individuals, corporations, foundations and government bodies).
2. If, on behalf of the University, any member of the University community receives any gift to the University (including but not limited to cash, checks, securities, property, or other items) it is essential that the Office of Institutional Advancement be notified immediately. It is also essential that all letters, certificates, or other documents relating to such gifts, including the envelope in which it arrived with post-marks intact, be saved and forwarded to the Office of Institutional Advancement. This is to ensure that all gifts are credited to the appropriate University account, and to further ensure that the University complies with all legally mandated gift acknowledgement procedures.
3. If you have any questions, please contact the Office of Institutional Advancement at (502) 597-6760 or advancement@kysu.edu.

Thank you for your cooperation.

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I. PURPOSE

The Gift Acceptance and Donor Recognition Policy of Kentucky State University (hereafter, “the University”) is established to govern and administer the solicitation, acceptance, reporting and crediting of all gifts made to the University in a financially prudent and efficient manner.

Contributions from all donors are critical to the University’s mission:

Kentucky State University is a public, comprehensive, historically black land-grant university committed to advancing the Commonwealth of Kentucky, enhancing society, and impacting individuals by providing quality teaching with a foundation in liberal studies, scholarly research, and public service to enable productive lives within the diverse global economy.

The following policy details the types of gifts which may be accepted, who has authority to accept gifts on behalf of the University, the manner in which the University may accept physical funds, ethical considerations of accepting gifts, and necessary approvals for special situations or exceptions to this policy.

II. ADMINISTRATION OF POLICY

Approval of this policy shall be made by the University Board of Regents. Oversight of this policy is the responsibility of the Committee on Advancement and Alumni Relations of the Board of Regents. The Vice President for Institutional Advancement

is responsible for the administration of this policy and the divisional procedures that support this policy.

For the purpose of clarity, definitions of terms are as follows:

According to Council for Advancement and Support of Education (CASE) Reporting Standards & Management Guidelines, a gift is “a contribution received by an institution for either unrestricted or restricted use in the furtherance of the institution for which the institution has made no commitment of resources or services other than, possibly, committing to use the gift as the donor specifies.”

A pledge is a signed and dated commitment to make a gift over a specified period, generally more than one year, payable according to terms agreed upon by the donor and University.

Office of Institutional Advancement

The Office of Institutional Advancement (hereafter, “Advancement”) has primary responsibility for all fundraising to benefit the University and any of its programs. Advancement staff members of Kentucky State University solicit current and deferred gifts through annual giving, leadership giving, gift planning, foundation and corporate programs.

Confidentiality shall be maintained for all information garnered by the staff and no information shall be disclosed to anyone except as necessary in administering the gift and in

recognition and publicity mutually agreed upon by the donor and the University.

All University departments, organizations and individuals outside of Advancement must notify and have approval of the Vice President for Institutional Advancement for any efforts being undertaken to raise funds from any alumnus/alumna or friend of the University.

Revising the Gift Acceptance Policy

The Gift Acceptance Committee (as defined in Section V), in consultation with necessary staff and administration, will periodically review these policies and make recommendations for revisions to the Committee on Advancement and Alumni Relations of the Board of Regents. Any changes in these written policies require approval of the Board of Regents.

III. ETHICAL STANDARDS

The University seeks to uphold the highest standards of ethical behavior and has adopted the Statement of Ethics from CASE to guide and reinforce professional conduct in all areas of institutional development. Advancement presents the following statement for all of its fund- raising personnel and volunteers to uphold:

Institutional Advancement professionals, by virtue of their responsibilities within the academic community, represent their colleges, universities and schools to the larger society. They have, therefore, a special duty to exemplify the best qualities of their institutions and to observe the highest standards of personal and professional conduct.

- a. In so doing, they promote the merits of their institutions, and of education generally without disparaging other institutions;
- b. Their words and actions embody respect for truth, fairness, free inquiry, and the opinions of others;
- c. They respect all individuals without regard to race, color, marital status, sex, sexual orientation, creed, ethnic or national identity, handicap, or age;
- d. They uphold the professional reputation of other advancement officers and give credit for ideas, words, or images originated by others;
- e. They safeguard privacy rights and confidential information;
- f. They do not grant or accept favors for personal gain, nor do they solicit or accept favors for their institutions where a higher public interest would be violated;
- g. They avoid actual or apparent conflicts of interest and, if in doubt, seek guidance from appropriate authorities;
- h. They follow the letter and spirit of laws and regulations affecting Institutional Advancement;
- i. They observe these standards and others that apply to their professions and actively encourage colleagues to join them in supporting the highest standards of conduct.

Donor Bill of Rights

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To ensure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in Kentucky State University, we declare that all donors have these rights:

- A. To be informed of Kentucky State University's mission, of the way the University intends to use donated resources and of its capacity to use donations effectively for their intended purposes.
- B. To be informed of the identity of those serving on the Kentucky State University Board of Regents and to expect the Board to exercise prudent judgment in its stewardship responsibilities.
- C. To have access to Kentucky State University's most recent financial statements.

- D. To be assured their gifts will be used for the purposes for which they were given.
- E. To receive appropriate acknowledgment and recognition.
- F. To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by law and the donor's wishes.
- G. To expect that all relationships with individuals representing KSU will be professional in nature.
- H. To be informed whether those seeking donations are volunteers, employees of the organization or hired solicitors.
- I. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share.
- J. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

IV. GIFT ACCEPTANCE GUIDELINES Donor Intent and Gift Restrictions

Donor intent may be manifested in a donor's directions for how a gift is to be used to benefit the University. The University will fulfill a donor's specified gift intent to the extent it is legal, consistent with the University's stated academic mission, purposes and priorities, and capable of being performed.

The University may accept restricted gifts for certain purposes. Generally, the designated purpose should be described broadly and detailed restrictions avoided. The language used in creating such a gift should provide sufficient flexibility for the KSU Foundation and/or University to apply the gift to some other purpose if the designated purpose is no longer feasible.

The University has the absolute right to accept or refuse any gift for reasons that it deems prudent and in its best interest. The University will not accept gifts that are inconsistent with its academic mission, illegal, or would threaten the University's tax-exempt status.

Donors should be encouraged to make unrestricted gifts with any asset transferred to the University. Unrestricted gifts from private sources for current operations shall be processed

through the Annual Fund.

Advancement team members must communicate with the prospective donor and document in writing their understanding of the donor's intention. If a donor has made either an outright or deferred gift with a restriction that has not been previously communicated to the University, Advancement shall work with the donor or, if deceased, with known family members, to determine a feasible way to carry out the donor's intention.

Gifts accepted by the University for specific purposes, will follow the guidelines for physical naming opportunities as set forth on pages 8-9 of this policy, or other endowed fund naming opportunities as set forth in Appendix A (Minimum Gifts & Naming Opportunities).

Signatory Authority on Proposals to Individuals

The Gift Acceptance Committee (GAC), defined in Section V of this policy, must approve all proposals of a contractual nature before submission to the donor if the proposal requests support that directly relates to the institutional mission. When a proposal requires an extraordinary commitment by the institution, approval from the President must be obtained prior to submission to the donor.

V. GIFT ACCEPTANCE COMMITTEE Composition

The Gift Acceptance Committee (GAC) shall consist of the Vice President for Institutional Advancement (or designee), the Vice President for Finance and Administration/CFO (or designee) and Legal Counsel (or designee). Representatives from other campus departments may be asked to participate on a case-by-case basis depending upon the gift being considered.

Purpose

The GAC shall review the proposals for all gifts of personal tangible property, closely held securities, family limited partnerships, patents, real estate, and any other assets a donor may wish to transfer that necessitate a commitment of the University. Gifts of these types must be brought before the GAC prior to acceptance. The review should determine whether the gift is:

- a. readily marketable; or
- b. needed by the University for use in a manner related to one of the purposes for which the tax-exempt status of the University was granted.

The review process for all potential gifts brought before the GAC shall follow the guidelines set forth in this policy.

VI. NAMING OPPORTUNITIES

The University provides many opportunities for donors to be recognized for their financial support and contributions through named gifts of both physical entities (buildings, facilities, classrooms, etc.) and non-physical entities (departments, prizes, academic and non-academic positions, student support, etc.). Naming opportunities and gift levels are approved by the GAC. The President and Board of Regents must approve each naming arrangement prior to any representation to the donor. Naming is generally granted for the useful life of the entity unless otherwise

specified in the gift agreement or, in the case of a current use gift, naming terms shall be set forth in writing by the University and the donor. All naming gifts are subject to the terms of revocation as set forth in this Policy.

Ordinarily, the University requires that at least 75 percent of the commitment must be paid on pledges of \$100,000 or more; and 100 percent of the commitment must be paid on pledges of less than \$100,000 before proceeding with fulfilling the donor's designation (i.e., filling a chair, providing a scholarship, building construction or establishing a named endowment).

Funding for naming opportunities may include gifts of cash, marketable securities, retirement plan assets, and matured bequests. Deferred gifts, such as annuities and charitable remainder trusts where KSU is named as the irrevocable beneficiary, could be used as a portion, but not the only component of such funding if an agreement includes a named entity.

Because fund minimums may increase between the time donors sign deferred gift agreements and their deaths, donors must be asked to provide for additional assets to be distributed under the terms of their wills or living trusts, if necessary, to meet the relevant fund minimums at the time of their deaths. If this is not possible, such gifts will be used as current restricted gifts, per the donors' wishes for the time period the gifts allow.

Current naming opportunities and minimum funding levels are set forth in Appendix A (Minimum Gifts and Naming Opportunities). Minimum funding levels for physical naming opportunities are located on pages 8-9 of this policy.

a. Endowed Gifts

Endowment gifts assure continual support of the donor's designated purposes by expending amounts from the fund according to the spending formula as determined by the Board of Regents.

Generally, endowed funds may be named in honor or in memory of a donor or a designated person or entity. All such gifts, if accepted, will be placed in a named endowed fund and will be restricted to comply with the donor's intent. All funds designated for endowment will be restricted to the purpose and intent of the donor if a designation has been made, and the principal will be preserved to the extent possible.

Responsibility for management of the endowment funds is delegated to the Vice President for Finance and Administration and the Vice President for Institutional Advancement with oversight responsibilities conducted by

the Board of Regents.

b. Current Use Restricted Funds

The University will accept gifts of other funds, or collections of such gifts, that can be restricted by the donor for a period of years and not invested in the University's endowment. Current use restricted funds are considered to be part of the annual operating budget of the University. These funds typically will be held in current restricted accounts until expended.

Both endowed funds and current use restricted funds require a signed fund agreement.

c. Donor Recognition

The University understands the need and importance of recognizing donors for their financial support. The University has established several recognition societies for this purpose. Additional publicity and recognition of gifts are agreed upon at the time of the gift.

Retirement plan assets and matured bequests may be used to fund a named gift, however, the gift and named entity will not be publicized until after the funds are received by KSU.

The University may revoke a naming if the pledge obligation is unfulfilled and/or written off, the University determines that its association with the donor will materially damage the reputation of the university, or if a change in family or organizational circumstances causes the donor or other affected individual(s)/organization(s) to request a name change or revocation. Revocation decisions shall be made by the President based on the recommendation of the Vice President for Institutional Advancement. The University shall make all reasonable efforts to inform the original donor or the donor's heirs/designees in advance of any revocation or change.

Minimum Funding Levels for Donor-Based Physical Naming Opportunities

Naming opportunity requests are handled on a case-by-case basis. Guidelines for naming opportunities include:

- a. New building and furnishings A gift of at least 51 percent of the total cost of construction. Upon recommendation of the President, the Board of Regents must approve the proposed name by a majority vote.
- b. New rooms and spaces Upon recommendation of the President, the cost of construction and furnishings or

such amount as determined by the Vice President for Institutional Advancement (or designee) and the Vice President for Finance and Administration (or designee).

c. Existing or renovated buildings, Such amount as determined by the Vice rooms and spaces President for Institutional Advancement (or designee) and the Vice President for Finance and Administration (or designee). Upon recommendation of the President, the Board of Regents must approve the proposed name by a majority vote.

d. Permanent fixtures or memorials Upon recommendation of the President, proposed memorials or honor designations on campus requiring titles which are not currently funded must be or installations presented to the Board of Regents for consideration and approval.

VII. GIFT ACCOUNTING

The University operates in compliance with all regulatory, governing agencies and the policies and rules set forth by them.

All gifts shall be recorded and receipted according to the standards recommended by the Council for the Advancement and Support of Education (CASE) and the National Association of College and University Business Officers (NACUBO).

Gift Substantiation

For the donor's federal income, gift, or estate tax purposes, the University will provide an acknowledgement stating the amount of cash the donor has donated and whether or not a donor has received anything of value in return for the gift.

Substantiation for in-kind gifts may omit the value, though Advancement will acknowledge them. Further substantiation, such as for in-kind gifts, and the fulfillment of IRS requirements will be the responsibility of the donor.

Hard and Soft Credit

Hard Credit is given to the individual, organization or entity from which a contribution is received. The official receipt is sent to the entity which receives hard credit for a gift.

Soft Credit is given to the individual or organization which deserves credit or recognition for the gift in question. As an example, when a donor directs his family foundation to make a gift, the foundation receives hard credit while the donor receives soft credit.

A gift to the University made by an organization on behalf of an individual or other donor will be hard credited to the entity distributing the gift to the University. Soft credit may be recorded to the individual directing such gifts to the University for recognition purposes only.

Requirements for Recording and Modifying Gifts and Pledges

To record a gift, the actual gift must be in hand. For purposes of this policy, only hard (gifts made by the donor), as opposed to soft (gifts made on behalf of the donor), pledges and gifts are being considered.

Pledges may be recorded in gift records by the Office of Institutional Advancement:

- a. When obtained through an authorized phone calling program and submitted to the gift processor;
- b. When instructed in writing by the donor and the gift processor has a copy of the pledge document or executed fund agreement; or
- c. When the donor makes a verbal commitment to a member of the Advancement staff who confirms his/her understanding of the pledge in writing, with confirmation from the donor. Gift records must have a copy of this correspondence. Memos to “file” in internal memoranda to gift records are not sufficient.

Pledges made by individuals may not be paid by organizations such as family foundations, community foundations, family or closely held corporations or other donor-directed funds.

An existing pledge or payment should be modified only when the gift processor receives written documentation from the donor. Donors hold the right to alter the payment schedule of a pledge; any such alterations to the payment schedule shall be communicated to KSU in a timely fashion.

Pledge payment schedules that are longer than five years in length require the approval of the Vice President for Advancement.

Pledge Write-offs

If deemed appropriate by Advancement, a donor's pledge may be terminated. If requested, an entire pledge balance, or the remaining portion of a pledge, may be written off. Such requests may originate either with the donor or an Advancement team member.

All pledges scheduled to be completed by the end of a fiscal year will be written off at the closing of each fiscal year unless Advancement Services is notified that the pledge is still collectable.

Pledge write-offs associated with previously assigned naming opportunities will be handled in a manner appropriate to the pledge and on a case-by-case basis by the Gift Acceptance Committee.

Physical Acceptance of Funds

When a University staff member receives a check, cash, or other currency, it is the responsibility of that staff member to transmit the funds to Advancement Services. Gifts of

cash or checks must be delivered to Advancement in person. At the time of delivery, a staff member will verify the cash amount with the deliverer.

The use of campus or interoffice mail to transmit funds to Advancement is not permitted.

If a University or Advancement staff member receives gifts while traveling on University business, she or he shall transmit the funds to Advancement Services immediately upon his or her return.

No University staff member may take physical possession of any non-cash item (such as books, artwork, musical instruments, etc.) prior to approval by the Vice President for Institutional Advancement where such is required. If Vice President for Institutional Advancement approval is not required for a non-cash item, the staff member shall consult with Advancement on appropriate gift acceptance procedures.

Quid Pro Quo and Events

According to the IRS, the definition of a quid pro quo contribution is any payment a donor makes to a charity partly as a contribution and partly for goods or services. The University is required to provide a written disclosure to a donor who receives goods or services from the University in exchange for a single payment from the donor in excess of \$75. This disclosure will:

- a. inform the donor that the amount of the contribution that is deductible for federal income tax purposes is limited to the excess of any money (and the value of any property other than money) contributed by the donor over the fair market value of goods or services provided by the charity, and
- b. provide the donor with a good faith estimate of the fair market value of the goods or services that the donor received.

Any university department, team, or group sponsoring a fundraising event should contact the Office of Institutional Advancement for guidance and support in advance of the event.

It is the responsibility of the department, team, or group to submit to the Office of Institutional Advancement information on the fair market value of any benefits or premiums provided to the donor in exchange for their contribution to the University. Any printed or web-based materials (including email) advertising the event must contain language about the full market value of the event.

All charitable gifts, including participation in an event, outing, or other sponsorship for the University are processed through the Office of Institutional Advancement. Checks must be made payable to Kentucky State University in order to provide a charitable gift receipt to donors. Gifts of cash or check must be delivered to the Office of Institutional Advancement after the event in a timely fashion.

VIII. ASSETS FOR MAKING A GIFT

Donors shall be encouraged to secure independent expert advice in advance of making a gift. All financial information obtained from a donor will be kept confidential. The University will work closely with the donor to ensure that the donor's intent is clear and acceptable to both parties.

Cash

- a. Cash or Check – Donors may choose to direct a contribution of cash or a check to the University.
- b. Credit Cards – VISA, MasterCard, Discover Card or American Express credit cards can be used to initiate a gift to the University.
- c. Bank Drafts – Donors may elect to electronically debit their checking or savings account.
- d. Foreign Currency – Foreign currency and US dollars drawn on foreign banks maybe treated as gifts. The donor will receive credit in US dollars for the amount at which the gift is valued based on exchange rates in effect on the day of receipt.
- e. Wire Transfers – A donor may wish to initiate a wire transfer to facilitate a gift to the University.
- f. Publicly traded securities – Gifts of securities to the University are accepted through an approved Depository Trust Company (DTC), through the donor's own broker, or by registered mail. Once the securities are transferred, it is the policy of

the Board of Regents to immediately sell the securities. The Gift Acceptance Committee (GAC) must approve any exceptions to this policy.

g. Closely Held Securities – Gifts of closely held securities will be considered after review by the GAC [see Section V. Gift Acceptance Committee, page 6 of this policy]. Valuation must be substantiated through other sales prices or by expert appraisal prior to acceptance and shall be in accordance with generally accepted accounting principles for closely held businesses and methods consistent with IRS regulations pertaining to gift validation.

Gifts of closely held securities will be recorded as cash gifts in the amount of the sales proceeds.

h. Family Limited Partnerships – Gifts of interests in a family limited partnership will be considered after review by the GAC.

i. Retirement Plan Assets – A donor may wish to withdraw or transfer retirement plan assets during his/her lifetime to fund a gift to the University.

Services

This term includes professional or personal services or time which is freely given. Gifts of service are not recognized by the IRS as a tax deductible donation and the University will not provide a tax receipt for these gifts.

Tangible Personal Property or Gifts in Kind

Typically, non-monetary gifts considered for gift recognition purposes are pieces of tangible personal property or gifts in kind. The University will consider gifts in kind only after a thorough review of the item's consistency with the University's mission, the cost of maintenance, cataloging, delivery, insurance, display, any space requirements for exhibiting or storage and any other pertinent issues surrounding the gift. The University will also ensure that the acceptance will not involve financial commitments in excess of budgeted items or other obligations disproportionate to the usefulness of the gift.

Legal and ethical requirements prohibit KSU from appraising gifts. This protects both the donor and the University. Such appraisals of gifts in kind are to be conducted by certified, independent appraisers not associated in any way with the University as per IRS Form 8283; the cost of the appraisal shall be the donor's responsibility.

Gifts in kind valued at or under \$100,000 will be considered after review and approval by the Vice President for Institutional Advancement. Gifts in kind valued over \$100,000 will need approval by the University President.

The University must be given full transfer of gifts in kind; partial interest in property over which the donor retains control is not a gift.

Prospective donors are advised that the University retains the right to sell or otherwise dispose of the personal property in question, if such action is financially advisable or necessary and if there is no formal agreement to the contrary with the donor. In the event a gift in kind is sold, donated or otherwise disposed of by the University within three years of receipt, the Office of Finance and Administration will provide the donor with a revised copy of IRS Tax Form 8282. It is advised, however, that gifts of tangible personal property not be accepted if it is the university's intention that they are to be sold within three years of receipt.

Life Insurance

A donor may choose to designate the University, or the KSU Foundation as the beneficiary of his/her life insurance policy. A whole life insurance policy may be accepted as a gift to the University or the KSU Foundation and credited to the donor if the University or the KSU Foundation is made the owner and irrevocable beneficiary of the policy.

The University will obtain the cash surrender value of all gifts of life insurance upon transfer to the University; any exceptions must be approved by the GAC.

Patents & Royalties

Gifts of patents and royalties may be accepted only after careful review by the GAC. Consideration will be given to whether the donor intends to make a gift of the entire interest to the patent estate (or will be retaining partial interest) and whether or not the gift will include funding for the future expenses for patent maintenance. Board approval is required.

IX. DEFERRED GIFTS

Deferred gifts are commitments made to the University now but generally do not mature and benefit it financially until some point in the future. Deferred gifts accepted by the University include bequests, life insurance, gifts of retirement assets and life income gifts in the form of charitable remainder trusts, charitable lead trusts, and charitable gift annuities. Donors may choose to use a variety of the assets as listed in Section VIII to fund a deferred gift to the University. Acceptance of the asset(s) shall be governed by the policy section relating to the asset(s). The Office of Institutional Advancement is authorized to negotiate deferred gifts on behalf of the University.

These documents are to be reviewed by the GAC prior to the President's signature. The President and/or his/her designee are authorized by the Board of Regents to sign deferred gift agreements on behalf of the University.

Bequest pledges

Bequest pledges will be recorded at face value when the donor has signed an Institutional Advancement Legacy form formally documenting it with the Office of Institutional Advancement. The documentation must have a specified amount or percentage of the estate stated in the will and a credible estimate of the current value of the estate or gift at the time the commitment is made. If a donor does not provide a value, the bequest pledge will be recorded as an unspecified bequest.

a. Allocation of Realized Bequests that are unrestricted

The use of unrestricted funds from a realized bequest will be determined by the GAC.

b. Administration of Realized Bequests

The handling of estate distributions will be coordinated between the Vice President for Institutional Advancement (or designee) and the Vice President for Finance and Administration (or designee).

The Vice President for Institutional Advancement (or designee) will also serve as primary liaison with individual executors or administrators.

Life Income Gifts

Generally, life income gifts provide an income to the donor for his/her lifetime (and potentially an additional beneficiary) or some other period of time while providing the donor with possible tax deductions. Upon maturity, the University receives the remainder of the gift's value. Advancement fundraising staff can negotiate life income gifts with a donor.

The offices of Finance and Administration and Institutional Advancement will coordinate the solicitation of life income gifts, prepare all life income gift calculations, communicate regularly with current life income recipients, and distribute and file all administrative documentation and copies of life income gifts with the Offices of Institutional Advancement and Finance and Administrations.

The Vice President for Finance and Administration and Vice President for Institutional Advancement shall be responsible for the determination of investment strategies for retained life income funds, and in accordance with the appropriate guidelines of the domicile state.

The payout rates offered for charitable gift annuities shall not exceed the rates recommended by the American Council on Gift Annuities. The Vice President for Finance (or designee), in consultation with the Vice President for Institutional Advancement (or designee), shall approve exceptions to the guidelines on a case-by-case basis.

Charitable remainder figures associated with life income agreements must be in keeping with IRS regulations regarding the requisite percentage of the face value of the gift at the time of funding.

a. Charitable Remainder Trusts

Charitable Remainder Trusts are gift vehicles that provide an annual income to donors or their designees and may provide them with an immediate tax deduction and avoidance of capital gain tax at the time that the gift is funded. Donors may choose to receive either a variable annual income in the form of a Charitable Remainder Unitrust (CRUT) or a fixed annual income in the form of a Charitable Remainder

Annuity Trust (CRAT). Other charitable remainder trust vehicles, including but not limited to net income and flip trusts, will be considered by the University on a case-by-case basis.

i. University/KSU Foundation -managed

The University/KSU Foundation will only act as trustee of a Charitable Remainder Trust when it is named the irrevocable remainder beneficiary.

ii. Externally-managed

In the case where trusts are administered by organizations other than the University/KSU Foundation, the University/KSU Foundation encourages submission of annual statements showing the trust's value.

1. University/KSU Foundation is irrevocable beneficiary

The value of the assets in trust shall be included in the University's gift totals for the year, provided the University has an irrevocable right to all or a predetermined portion of the income or remainder interest.

2. University/KSU Foundation is not irrevocable beneficiary

A charitable trust established through an entity other than the University/KSU Foundation where the donor reserves the right to change, modify, substitute or add

beneficiaries will be recognized as a bequest expectancy, once properly documented with the University/KSU Foundation.

b. Charitable Lead Trusts

Charitable Lead Trusts are vehicles through which the University receives the annual income either variable or fixed, from the trust for a designated period. At the trust's expiration, the remainder is given to the designated beneficiaries. All Charitable Lead Trusts shall comply with aforementioned policies relating to deferred gifts.

c. Charitable Gift Annuities

Charitable Gift Annuities are vehicles that provide the beneficiary with a fixed annual payment and may provide an upfront tax deduction and avoidance of capital gain tax at the time of the gift. The agreement is a contract between the donor and the University and is backed by the assets of the University.

The University offers Charitable Gift Annuities to beneficiaries over the age of 65. The University also offers deferred Charitable Gift Annuities to beneficiaries over the age of 55 with a minimum deferral period until they reach age 65.

All Charitable Gift Annuities shall comply with aforementioned policies relating to deferred gifts.

d. Pooled Income Funds

The University does not actively promote the availability of Pooled Income Funds.

The University has established minimum gift amounts for funding Charitable Remainder Trusts, Charitable Lead Trusts and Charitable Gift Annuities. These minimum amounts are set forth in Appendix A (Minimum Gifts and Naming Opportunities).

X. GIFTS TO ESTABLISH NEW FUNDS Endowed Gifts

The University, and the KSU Foundation have an investment policy which is designed to preserve the real value of endowed funds and to enhance the purchasing power of earnings so as to keep pace with inflation and with evolving University needs. In order to accomplish this, the Board has established a spending rate which is reviewed annually. Endowment gifts assure continual support of the donor's designated purposes by expending amounts from the fund according to the spending formula as determined by the Board of Regents. All individually restricted or unrestricted endowed funds that comprise the University endowment follow the same investment and spending policies.

Generally, only the spendable income produced – as defined by the University’s endowment spending policy – from the invested principal of the endowment may be spent for the intended purpose. Endowment earnings realized beyond those necessary to fund the annual spending rate and costs of portfolio management are added to the principal of the endowed fund.

Endowed funds may be named in honor or in memory of a donor or a designated person or entity. All such gifts, if accepted, will be placed in a named endowed fund and will be restricted to the purpose and intent of the donor, if a designation has been made.

Responsibility for management of the endowment funds is delegated to the Vice President for Finance and Administration and the Vice President for Institutional Advancement with oversight responsibilities conducted by the Committee for Institutional Advancement of the Board of Regents.

Current Use Restricted Funds

The University will accept gifts of other funds, or collections of such gifts, that can be restricted or designated by the donor. These funds typically will be held in current restricted accounts until expended. A signed gift agreement is required to establish a current use restricted fund.

XI. CAMPAIGNS

To support ongoing operations and long-term goals, the University may undertake special and comprehensive campaigns with the approval of the Board of Regents. Campaigns will be governed by this policy in addition to any specific policies approved by the Board of Regents and implemented for the purpose of the campaign. Any applicable campaign policies informed by this Gift Acceptance Policy will be reviewed and adopted prior to the launch of any new campaign.

Campaign Crediting Policies are designed to provide a reasonable foundation for crediting decisions throughout the campaign while allowing for some flexibility in those cases which the University could not predict in advance.

Campaign crediting decisions that become necessary and are not addressed within this policy will be made by the Gift Acceptance Committee and, if necessary, a Campaign Steering Committee.

Policy Guiding Principles

A campaign is a catalyst for the Kentucky State University fundraising operation, which in turn will significantly support the implementation of the University's strategic plan.

The University operates in compliance with all regulatory, governing agencies and the policies and rules set forth by them. The University will credit and report on campaign gifts in a lawful manner.

APPENDIX A

MINIMUM GIFTS AND NAMING OPPORTUNITIES

- I. Endowed Chair (naming opportunity) \$1.5M
 - a. Additional gift to endow a fund to accompany the chair and to be used in support of the professor's research. \$100,000
- II. Endowed Professorship (naming opportunity) \$1M
- III. Endowed Scholarship Fund (naming opportunity) \$25,000
- IV. Endowed Funds in Support of a Department, Program or Lecture \$25,000
- V. Endowed Library Funds \$10,000
- VI. Immediate Gift Annuities (Minimum age of beneficiary – 65) \$25,000
- VII. Deferred Gift Annuity (Minimum age of beneficiary – 55) \$10,000
- VIII. Charitable Remainder Annuity Trusts & Unitrusts \$100,000
- IX. Charitable Lead Trusts \$250,000

Funding for endowed chairs, professorships, endowed named scholarships, and endowed funds supporting departments, programs, general scholarship or library may include gifts of cash, marketable securities and matured bequests. Also, endowed funds may be named as beneficiary of the residual value of the deferred gifts such as annuities and charitable remainder trusts.

Gift officers or other University employees may not commit to a naming opportunity without first obtaining the Vice President for Institutional Advancement and/or the President's approval and the Board of Regents. Naming opportunity requests are handled on a case-by-case basis.

APPENDIX B

DONOR RECOGNITION, MEMORIALS & HONORARIUMS

Due to the rapid fluctuations of material costs, the minimum gift amounts listed below will be re-evaluated on a two-year basis between a representative from the Office of Institutional Advancement and a representative from the Office of Finance and Administration. Honorariums or Memorials of

\$2500 or more are to be approved by the Gift Acceptance Committee.

Alumni & Senior Bricks

Engraved brick and installation \$150

Miscellaneous Honorariums/Memorials

Plaque and installation (cost will vary depending on size and type) (includes \$200 plaque)

\$5000

Landscape

Existing tree or flowerbed w/plaque installation (includes \$200 plaque)

\$10,000

Planting of new tree w/plaque installation

Bench

New bench w/plaque installation (includes \$200 plaque) \$10,000

APPENDIX C

ENDOWED SCHOLARSHIP TEMPLATE

MEMORANDUM OF UNDERSTANDING BETWEEN

KENTUCKY STATE UNIVERSITY AND

[NAME OF DONOR/S]

regarding

THE [Insert: Name of Donor or Other] ENDOWED SCHOLARSHIP FUND

1. Name:

The [Insert: Name] Endowed Scholarship Fund

2. Purpose:

This endowed scholarship is created by [Insert: Donor Name] to provide financial assistance to students at KSU. [Optional Insert: specific objective, name of person being honored or memorialized, etc.]

3. Selection Criteria:

The University's established Guidelines and Procedures for Financial Aid shall apply in the selection of the one or more students who receive [Insert: Scholarship Name] Scholarship. The intended purpose of the scholarship is to assist deserving students

who have shown demonstrated [Insert: State particular qualifications]. If no such student exists in a given year, the scholarship will support any KSU student with financial need.

The University may award one or more scholarships, which may be renewed at the University's discretion. The Director of University Scholarships in consultation with the scholarship committee shall make the final selection of scholarship recipient.

4. Funding:

The endowment to support the [Insert: Name of Scholarship] Scholarship will be funded by an initial gift in the amount of \$ [] from [Insert: Name of the Donor], and by such other gifts as may be made to this endowment by the original donor and others. The endowment shall have a minimum value of \$25,000 and shall have been invested for one year after reaching that amount before the inception of the [Insert: Name of Scholarship] Scholarship. The University shall not be obligated to award this scholarship until the endowment fund attains this amount.

5. Administration of the Endowment:

The Designated Annual Return from the [Insert: Name of the Scholarship] Endowed Scholarship Fund shall be applied to fund the scholarships.

6. Investment of the [Insert: Name of Scholarship] Endowed Scholarship Fund and Determination of the Designated Annual Return:

The [] Endowed Scholarship Fund shall be managed and invested according to the policies and procedures adopted by the Board of Regents for the management and investment of KSU endowment funds, as such policies and procedures may be amended from time to time.

The management and investment of the [] Endowed Scholarship Fund shall include the annual determination of a Designated Annual Return to support the scholarships as provided in this Memorandum. The Board of Regents shall annually determine the Designated Annual Return.

7. Publicity and Public Knowledge:

The initial and subsequent publicity and public acknowledgment of the creation of the [Insert: Name of Scholarship] Scholarship Endowment Fund and the designation of the [Name of Scholarship] Scholars will be made by the University following its established protocols.

8. Future Modification of the Charitable Purpose:

The University foresees that it will exist and that it will enroll students meeting the requirements of and needing the financial support to be provided by the [Insert: Name of Scholarship] Scholarships. Nevertheless, in the event that the Board of Regents of the University determine, in their sole discretion, that intervening circumstances have made it necessary to alter the donor's original purpose, those Regents may amend and restate this agreement to cause the endowment to be administered to achieve that purpose that they, in their sole discretion, have determined will most closely fulfill the donor's original intentions.

9. Reporting Procedures:

After the inception of the [Insert: Name of Scholarship], the University will provide to the donor during [her/his/their] lifetime an annual report on the scholarship fund and the name(s) of the recipient(s).

[Insert: Donor's Name] Date

THE BOARD OF REGENTS of Kentucky State University, a Kentucky nonprofit corporation, Frankfort, Kentucky

By: [Insert: Name] Date
President of Kentucky State University and duly authorized agent of the Corporation

And: [Insert: Name] Date
Executive Director, KSU Foundation

And: [Insert: Name] Date
Vice President for Finance of Kentucky State University

Submitted by: [Insert: Name] Date
Vice President for Institutional Advancement of Kentucky State University

APPENDIX D

CURRENT USE SCHOLARSHIP TEMPLATE
MEMORANDUM OF UNDERSTANDING
BETWEEN

KENTUCKY STATE UNIVERSITY

AND

[NAME OF DONOR/S]

regarding

THE [Insert: Name of Donor or Other] SCHOLARSHIP FUND

1. Name:

The [Insert: Name] Scholarship Fund

2. Purpose:

This gift is made by [Insert: Name] to establish a named current use fund at KSU that will provide [Insert: Purpose] for a period of [Insert: Time].

3. Selection Criteria:

The University's established Guidelines and Procedures for Financial Aid shall apply in the selection of the one or more students who receive [Insert: Scholarship Name] Scholarship. The intended purpose of the scholarship is to assist deserving students who have shown [Insert: State particular qualifications]. If no such student exists in a given year, the scholarship shall be awarded to any deserving student.

The scholarship will be awarded every year for a period of [Insert: Time] years.

The University may award one or more scholarships, which may be renewed at the University's discretion. The Office of Financial Aid shall make the final selection of scholarship recipient(s).

4. Funding:

The fund to support the [Insert: Name of Scholarship] Scholarship will be funded by a total gift of

\$ from [Insert: Name of Donor], to be given in annual installments for a period of [Insert: time].

By [Insert: Date]: [Gift Amount]

By [Insert: Date]: [Gift Amount]

By [Insert: Date]: [Gift Amount]

[Insert: Name of Donor] retains the right to alter the payment schedule; any such alterations to the payment schedule shall be communicated to KSU in a timely fashion.

5. Stewardship, Publicity, and Public Knowledge:

The initial and subsequent publicity and public acknowledgement of the creation of the [Insert: Name of Scholarship] Scholarship Fund and the designation of the [Name of Scholarship] Scholars will be made by the University following its established protocols.

6. Future Modification of the Charitable Purpose:

The University foresees that it will exist and that it will enroll students meeting the requirements and needing the financial support to be provided by the [Insert: Name of Scholarship] Scholarships.

Nevertheless, in the event that the Board of Regents of the University determine, in their sole discretion, that intervening circumstances have made it necessary to alter the donor's original purpose, those Regents may amend and restate this agreement to cause the fund to be administered to achieve that purpose that they, in their sole discretion, have determined will most closely fulfill the donor's original intentions.

7. Reporting Procedures:

After the inception of the [Insert: Name of Scholarship], the University will provide to the donor during [time] an annual report on the scholarship fund and the name(s) of the recipient(s).

[Insert: Donor's Name] Date

THE BOARD OF REGENTS of Kentucky State University, a Kentucky nonprofit corporation, Frankfort, Kentucky

By: [Insert: Name] Date
President of Kentucky State University and a Member of the Corporation

And: [Insert: Name] Date
Executive Director, KSU Foundation

And: [Insert: Name] Date
Vice President for Finance of Kentucky State University

Submitted by: [Insert: Name] Date
Vice President for Institutional Advancement of Kentucky State University

APPENDIX E ENDOWED CHAIR TEMPLATE
MEMORANDUM OF UNDERSTANDING
BETWEEN KENTUCKY STATE UNIVERSITY
AND

[NAME OF DONOR/S]

regarding

THE [Insert: Donor Name or Other] ENDOWED CHAIR in [Insert: Subject matter]

1. Name:

The [Insert: Donor Name or Other] Endowed Chair in [Insert: Subject matter]

2. Purpose:

This endowed chair in [Insert: Subject matter] is created by [Insert: Donor Name].
[Optional Insert: specific objective, name of person being honored or memorialized
with information describing their accomplishments, etc.]

3. Selection Criteria:

The [Insert: Name of Endowed Chair] selection criteria will be determined by the Provost of the University in consultation with the faculty of the [Insert: Name of Department] or successor department. The nominee will be a faculty member whose record indicates teaching excellence and distinction in the discipline; however, KSU agrees to consider external candidates with appropriate faculty credentials for this appointment.

4. Funding, Terms, and Conditions of the Appointment:

Funding of the Chair will occur with the accumulation of \$1,500,000, which is to include [Insert: funding source(s) and amount(s)], and shall have been invested for one year after reaching that amount before the inception of the [Insert: Name of Endowed Chair]. The \$1,500,000 will be placed in the permanent endowment of the University, and when fully funded, income distributions from the [Insert: Name of Endowed Chair] will provide the funding to support the compensation of the designated chair.

Further, it will provide financial support for expenses directly related to the Chair's teaching or scholarship responsibilities, as approved by the Provost of the University. A discretionary account will also be established and disbursed, with the

Provost's approval, to support activities that enrich the teaching and learning of the [Insert: Name of Department] curriculum.

The designated Chair's terms of appointment and compensation, which include contract salary, attendant employee benefits, length of contract, and supplementary summer, sabbatical and overload compensation, when appropriate, will be provided consistent with the general employment practices of the University, and as are usual and customary for those holding the rank of Professor in the University.

The principal of the endowment may not be invaded. The income distributions from this permanently restricted endowment may not be used for any purpose other than that described above.

5. Reporting and Recognition:

The initial and subsequent publicity and public acknowledgement of the creation of the [Insert: Name of Endowed Chair] and the designation of the [Insert: Name of Endowed Chair] will be made by the University following its established protocols.

[Insert: Donor Name] Date

[Insert: Donor Name] Date

THE BOARD OF REGENTS of Kentucky State University, a Kentucky nonprofit corporation, Frankfort, Kentucky

By: [Insert: Name] Date _____
President of Kentucky State University and duly authorized agent of the Corporation

And: [Insert: Name] Date
Executive Director, KSU Foundation

And: [Insert: Name] Date
Vice President for Finance of Kentucky State University

And: [Insert: Name] Date
Provost of Kentucky State University

Submitted by: [Insert: Name] Date _____
Vice President for Institutional Advancement of Kentucky State University

APPENDIX F

DEPOSITORY TRUST COMPANY INSTRUCTIONS

Please notify the Office of Institutional Advancement by phone (502-597-6760), fax (502-597-5956) or at advancement@kysu.edu, to provide donor name and stock details. Several brokers do not provide us with this information.

Hilliard-Lyons, Inc.
500 West Jefferson Street Louisville, KY 40202

Attn: Mark Nickel Account# 63-0012-01-1
Questions call or email the Office of Institutional Advancement 502-597-6760 or advancement@kysu.edu

APPENDIX G

GIFT ANNUITY AGREEMENT TEMPLATE

GIFT ANNUITY AGREEMENT BETWEEN [NAME OF DONOR/S]
AND
KENTUCKY STATE UNIVERSITY, FRANKFORT, KENTUCKY [GIFT DATE]

THE BOARD OF REGENTS OF KSU, a Kentucky nonprofit corporation, operating as Kentucky State University, Frankfort, Kentucky, (hereinafter called the University), agrees to pay to [Name of Donor/s] residing at [Donor's Address] for [his/her/their] life an annual annuity of [Amount] from the date hereof, in equal quarterly installments of [Amount] on the last day of March, June, September, and December. The first installment in the amount of [Amount] shall be payable on [Date]. The obligation of the University to make annuity payments shall terminate with the payment preceding the death of [Name of Donor/s]. This annuity is non-assignable. The University certifies that [Name of Donor/s], as in evidence of their desire to support the work of the University and having contributed to the University [Gift Amount] on [Gift Date]. The net principal amount remaining from this instrument shall become [a part of the endowment of the University and added to] [Designation].

This annuity shall be governed by the laws of the State of Kentucky.
IN WITNESS WHEREOF, the University has executed this instrument.

[Name of Donor] Date
Date of Birth:

THE BOARD OF REGENTS of Kentucky State University, a Kentucky nonprofit corporation, Frankfort, Kentucky

By: [Insert: Name] Date
President of Kentucky State University

And: [Insert: Name] Date
Vice President for Finance of Kentucky State University

Submitted by: [Insert: Name] Date
Vice President for Institutional Advancement of Kentucky State University

2. Entities Affected

- Academic Affairs

3. Policy Owner/Interpreting Authority

Provost/Vice President for Academic Affairs

4. Related Policies

5. Statutory or Regulatory References