

## Southern California Counseling Center GIFT ACCEPTANCE POLICY

The Southern California Counseling Center (“SCCC”), a not for profit organization, qualified as a Section 501(c)(3) exempt organization under the Internal Revenue Code, encourages the solicitation and acceptance of gifts that will help the organization to further and fulfill its mission: *To change lives and strengthen communities by providing affordable mental health counseling to people in need. We envision and work to create empowered communities where mental health care is a right, not a privilege.*

### I. Purpose

The purpose of this statement is to articulate the policies of the Board of Directors of SCCC concerning the acceptance of charitable gifts to SCCC. The following policies and guidelines govern acceptance of gifts made to SCCC for the benefit of any of its operations, programs or services. SCCC and its officers will refrain from providing advice about the tax or other treatment of gifts and encourage donors to seek guidance from their own professional advisors to assist them in the process of making their gift.

### II. Responsibility to Donors

- A. General. SCCC and its staff and representatives shall endeavor to assist donors in accomplishing their philanthropic objectives in providing support for SCCC.
- B. Confidentiality. At the donor’s request, information concerning all transactions between a donor and SCCC shall be held by SCCC in strict confidence and may be publicly disclosed only with the permission of the donor.
- C. Anonymity. SCCC shall respect the preferences of donors who wish to support SCCC anonymously and will take reasonable steps to safeguard those donors’ identities.
- D. Disclaimer. Each prospective donor to SCCC shall be informed that SCCC does not provide legal, tax or financial advice, and shall be encouraged to discuss all charitable gift planning decisions with his or her legal, financial or tax advisor before entering into any commitment to make a gift to SCCC.

### III. Gifts Generally Accepted

- A. Cash: Cash gifts are acceptable in any form.
- B. Bequests and Beneficiary Designations: SCCC will accept funds it receives as the designated beneficiary of a retirement plan (for example, an IRA, a 401(k) plan or a defined contribution plan) or a last will and testament. SCCC will obtain a copy of the executed designation form that the donor has submitted to the retirement plan administrator to name SCCC as the beneficiary. Unless approved in advance by the Executive Committee, SCCC will not agree to serve as executor of a decedent’s estate or as trustee of a living trust or other trust intended to serve as a person’s primary estate planning document.
- C. Securities: SCCC may accept both publicly traded securities and closely held securities. Stock that is not regularly traded on an established national exchange such as NYSE or NASDAQ may not be accepted without the prior approval of the Board of Directors.
  - 1) Publicly Traded Securities: Marketable securities may be transferred to an account maintained at one or more brokerage firms or delivered physically with the transferor’s endorsement or signed stock power (with appropriate signature guarantees) attached. All marketable securities will be sold promptly upon receipt unless otherwise directed by the Board of Directors.



- 2) Closely Held Securities. Closely held securities can be accepted subject to review and recommendation of the Board of Directors. Every effort will be made to sell non-marketable securities as quickly as possible.
- D. Life Insurance: SCCC must be named as both beneficiary and irrevocable owner of an insurance policy before a life insurance policy can be recorded as a gift.

#### IV. Gifts Accepted Subject to Prior Review

Certain forms of gifts or donated properties may be subject to review prior to acceptance. Examples of gifts subject to prior review include, but are not limited to:

- A. In-kind gifts and services: SCCC will accept in-kind gifts and services at the discretion of the Board of Directors.
- B. Tangible Personal Property: All gifts of tangible personal property shall be examined by the Board of Directors in light of the following: (i) The usefulness of the property to further the organization's mission. (ii) The marketability of the property marketable. (iii) Whether there are any undue restrictions on the use of the property. (iv) The burden of any carrying costs for the property. (v) The clarity of the title and provenance of the property.
- C. Real Estate: Prior to acceptance of real estate, SCCC shall require an initial environmental review of the property to insure that the property is not contaminated with environmental damage. In the event that the initial review reveals a potential problem, SCCC may retain a qualified inspection firm to conduct an environmental audit. The cost of this audit should be an expense of the donor. Criteria for acceptance of property include: (i) The usefulness of the property for the purposes of SCC. (ii) The ready marketability of the property. (iii) The absence or limited nature of any covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property. (iv) Whether there are carrying costs associated with the property (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property.

#### V. Gift Restrictions

- A. Unrestricted Gifts. To provide SCCC with maximum flexibility in the pursuit of its mission, donors shall always be encouraged to make unrestricted gifts to SCCC. SCCC will not accept gifts that (i) would result in SCCC violating its corporate charter, (ii) would result in SCCC losing its status as an IRC § 501(c)(3) not-for-profit organization, (iii) are too difficult or too expensive to administer in relation to their value, (iv) would result in any unacceptable consequences for SCCC, or (v) are for purposes outside SCCC's mission. Decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Board of Directors, in consultation with the Executive Director.
- B. Budgeted Programs or Facilities. SCCC may accept a gift that is restricted as to its use if the SCCC's approved budget for the year in which the gift is to be accepted includes proposed funding for the specific program, purpose or facility for which the restricted gift is made.
- C. Other Restrictions. SCCC may accept a gift that is restricted as to a use if SCCC's budget for the year in which the gift is accepted does not include funding for the restricted use of the gift, with the prior written approval of the Board of Directors, in consultation with the Executive Director.
- D. Variance Power. Unless otherwise approved in advance by the Board of Directors, in consultation with the Executive Director, SCCC will reserve the right, in the document that restricts the use of the gift, to broaden or alter the purpose of the gift should it be determined in the future that the original purpose of the gift no longer meets the needs or serves the mission of SCCC.

*SCCC Gift Acceptance Policy adopted on 2/12/15. Subject to annual review by the Board of Directors.*