

# DANIEL BOONE REGIONAL LIBRARY

**SUBJECT: Gifts**

**ADMIN 2-775**

**BOARD**

**SECTION: 700 – Fiscal Management**

**Approved: 04/12/01**

**Revised: 06/13/01**

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## POLICY

The Daniel Boone Regional Library (DBRL) Board of Trustees (Board) encourages the private support of library services through gifts of money, real property, personal property, mixed property, bequests and trust funds. The library accepts gifts to enhance services and facilities and to supplement tax revenue, state aid or other support revenue. DBRL will consider and may accept unsolicited gifts including artwork or funds designated for art purchase or art maintenance as described in the Procedures.

In addition, donors may offer gifts to the DBRL Foundation (Foundation) and to the Friends of the Library (Friends) of each facility. The primary function of these support organizations is to provide financial support to DBRL or its member library districts. The Foundation receives and administers bequests, endowment funds and other gifts, and raises funds for the support of the library system. The Friends undertake a variety of activities, including book sales, to raise funds and provide support for their district's services and facilities.

The Director or Director's designee may seek, accept or receive gifts for funds, services and facilities that appropriately fulfill DBRL's mission and purpose as outlined in Procedure 2, below. These gifts may come from individuals, corporations, organizations, foundations and federal, state and local governments. The Board must approve all restricted gifts over twenty-five thousand dollars (\$25,000) as outlined in Procedure 2(B)(ii). The Board also retains the right to reject or return any gifts or donations and may overturn any decision of the Director regarding the acceptance or rejection of a proposed gift to DBRL.

In soliciting and accepting gifts, DBRL employees and Board members should avoid any action that might result in or create the appearance of:

- Offering improper preferential treatment to any person;
- Failing to maintain the organization's independence or impartiality;
- Deciding library business outside of official channels;
- Obstructing DBRL's organizational or financial efficacy; or
- Adversely affecting public confidence in the organization.

## PROCEDURES

### 1. Offers, Designations, Tax Considerations

- A. Donors may offer solicited or unsolicited gifts and donations to the library. Donors may also offer gifts and donations to the Foundation or any of the Friends groups.
- B. Donors may designate gifts and donations to a specific facility or library district with the understanding that the gift may not remain at the facility unless accepted with that restriction.
- C. DBRL is a government-other political subdivision and, as such, is a tax exempt organization. Donations to DBRL are tax-deductible to the donor. However, the library takes no responsibility for valuing gifts for tax purposes or for the tax consequences to the donor making a gift.
- D. The President of the Board may form an Ad Hoc Committee to evaluate any gift to the library (including gifts of artwork) when the gift may expose the library to adverse publicity, require expenditures beyond the library's resources, involve the library in unexpected responsibilities because of their source, conditions or purposes, or if the DBRL Board decides that the gift (including artwork gifts) needs to be studied.
- E. DBRL welcomes inquiries about donations of artwork but, due to limited space for display and storage, cannot accept all offers. Donors may send gift offers of artwork to the Director or Director's designee identifying the items(s) to be offered and accompanied by donor information. Donors should not send or deposit any unsolicited gifts of artwork at DBRL facilities. If staff find that unsolicited gifts of artwork have been deposited at the library with no accompanying donor information, this will be considered a transfer of full, free and unencumbered title to the property once deposited. DBRL and/or the individual Library District boards does not accept liability for any loss or damage to the property.
  - i. Persons wishing to donate works of art to DBRL shall submit the following information to the Director:
    - a. A description (and visual representation, if possible) of the work of art, including its dimensions and approximate weight;
    - b. Relevant information about the artist;
    - c. The estimated value of the work of art;
    - d. A description of any repair or restoration work needed and an estimate of the cost of such repair or restoration; and
    - e. A description of any necessary maintenance procedures and an estimate of the annual cost of such maintenance.
  - ii. The Director and, if appropriate, individual Library District Board and/or Ad Hoc Committee will consider unsolicited gifts, including art, that reflect the current interests and needs of the community and

complement current DBRL facilities' collections, programs and goals. Other factors to be considered are:

- a. Any proposed conditions or restrictions on the gift;
- b. The quality and condition of the gift and/or work of art;
- c. The physical size of the gift and/or work of art;
- d. The ability and experience of the artist;
- e. The appropriateness of locating the work at the proposed display site;
- f. Any safety issues (related to the public or the work itself);
- g. The technical feasibility of accepting and installing the work, including compliance with any relevant codes or regulations;
- h. Any possible costs to the library of accepting the gift; and
- i. Estimated future costs (e.g., maintenance, insurance, repair) and storage requirements.

## 2. Approval or Rejection of Gifts

### A. Unrestricted Gifts

- i. The Director will have the authority to approve or reject any unrestricted gifts.

### B. Restricted Gifts

- i. The Director or Director's designee must review and approve or reject all restricted gifts, gifts involving property or gifts solicited to fund specific projects estimated to cost at least one hundred dollars (\$100), but no more than twenty-five thousand dollars (\$25,000), except those described in Procedure 2(C).
- ii. The Board must review and approve or reject all restricted gifts, gifts involving property or gifts solicited to fund specific projects estimated to cost more than twenty-five thousand dollars (\$25,000).
  - a. If the donor of such a gift requests anonymity, the donor's identity will be revealed in confidentiality to a minimum number of Trustees, including the President of the Regional Board, the Chair of the Finance Committee and the President(s) of the District(s) that will be affected by the gift. Those representatives may then advise the other Trustees without specifying the donor's identity so that the full Board has confidence in their recommendation to accept or not accept the gift.
- iii. When the value of a donated work of art is nominal, the DBRL staff may suggest general guidelines or provide appropriate tools which the donor can use in determining an approximate valuation for the DBRL Board, Ad Hoc Committee and/or Individual Library District Board. The

Director may authorize professional appraisals for major non-monetary gifts. (Appraisals for tax purposes are the responsibility of the donor.)

C. Adverse Publicity, Burdensome Requirements

- i. The proposal of a gift which may expose DBRL to adverse publicity or which may require DBRL to expend a material amount of funds for present or future care, repair or re-conditioning, or to expend a material amount of funds for any other reason, shall be reviewed by the Board. The Board shall make the determination to accept or reject such proposed gifts on a case-by-case basis.

D. Proposed Return of Gift, Tax Consequences

- i. In the event the Director or the Board proposes that a gift accepted by the Board or by the Director be returned to the donor, the Board shall make the determination to either keep or return the gift.
- ii. If the Board approves the return of the gift, a written statement will be provided to the donor disclaiming Board responsibility for any tax consequences to the donor.

- E. It will be the donor's responsibility to collect any unsolicited gift including artwork left on deposit at DBRL. Any cost to return the gift not accepted by DBRL will be the responsibility of the owner. Following notification to the owner that an unsolicited gift has not been accepted, DBRL reserves the right to dispose of it after thirty (30) days.

3. Use of Gifts

- A. All accepted gifts become the property of DBRL or the specific support organization. No items will be returned unless there is restriction as described in Procedure 3(B)(iv). Also, the donor recognizes that items purchased or received for a particular location may not remain at that location unless DBRL has accepted the items with such restriction. However, no materials for the collection can be accepted with the restriction that the item remains at a particular location, as stated in the Collection Development Plan.

B. Non-Monetary Gifts including Artwork

- i. DBRL accepts gifts of books, media and other non-monetary gifts. Items not retained may be distributed to the local Friends Group for processing per Procedure 3(B)(iv) and the Collection Development Plan.
- ii. Donors wishing to purchase materials for the library may suggest a title to purchase or particular collection area to purchase for, or staff may provide a list of materials needed in a particular collection area. Staff reserves the right to apply the library's selection criteria to purchases.
- iii. DBRL adds only those titles needed in the collection that meet the same selection standards required of purchased materials.

- a. The library adds gift materials to the collection with the understanding that such material is an integral part of the collection and is to be circulated in the same way as materials purchased directly by the library. The library will not set up special collections and will not permit circulation restrictions or stipulations for future use without Board approval.
- iv. Each Friends group or DBRL staff will review their donated materials for items that can be added to the collections. The Friends groups will sell or dispose of those items not selected for inclusion in the collection. If the patron notifies the Friends group or staff that they want their material returned if not added to the collection, staff will contact the patron and make arrangements to do so.
- v. The Board, the Foundation, and the Friends reserve the right to sell or otherwise dispose of non-monetary gifts if it is determined that such sale or disposition is advisable or necessary. The acceptance by any of the above groups of a non-monetary gift does not guarantee its retention as library property in perpetuity. Any sale or disposition will be at the sole discretion of the recipient of the property and will not be subject to any direction or requirement of the donor. DBRL's disposal of non-monetary gifts will follow Policy 2-711 (Disposal of Property). Donated books and materials that have become worn or damaged will be disposed of in the same manner as purchased books and materials.
- vi. DBRL reserves the right to display or store any unsolicited item(s) that are accepted into the collection as space and library programs allow. Stored items may not be listed in the library's catalog or accessible to the public.

#### C. Monetary Gifts and Non-Cash Investments, Spending Authority

- i. The Director or Director's designee may transfer monetary gifts or non-cash financial investments to the Foundation for management purposes. Restrictions may be placed on the funds transferred to the Foundation, and the Director or Board shall retain sole authority to expend funds so transferred and the investment proceeds of funds so transferred per Procedure 3(C)(iii).
- ii. The library encourages donors to give gifts of non-cash financial investments, monetary gifts to endowment funds, trust funds, and other sustaining gifts directly to the Foundation.
- iii. The Director or Director's designee may expend all monetary donations as long as the purchase or project cost is less than or equal to twenty-five thousand dollars (\$25,000), except as described in 2.C. If a purchase or project cost is expected to exceed \$25,000, Board approval must be obtained before expending the donated funds. The only exception is that no approval is needed to expend \$25,000 or

more in donations from any of the Friends groups when allocated to Books and Materials purchases. Friends groups' donations will only require approval if a single project or purchase cost is expected to exceed \$25,000, except those described in Procedure 2(C).

#### 4. Recognition of Gifts

- A. The Director or Director's designee will report the total monetary donations given to DBRL and its library districts in the monthly financial report. The Director or Director's designee will list the donors of monetary and non-monetary gifts to DBRL and its library districts in the monthly service report.
- B. The Board, Director or Director's designee will acknowledge financial and material donations with appropriate public recognition as determined by the Board or Director.
- C. The naming of properties within the Columbia Library District must follow Policy 2-780 (Columbia Public Library Naming Policy).
- D. Monetary Gifts
  - i. For monetary gifts made directly to the library or a library district, the Director or Director's designee will provide a written receipt and will send a written acknowledgement for donations of ten dollars (\$10) or more if donor identification is submitted.
- E. Non-Monetary Gifts including Artwork
  - i. For material gifts made directly to the library or a library district, the Director or Director's designee will send a written acknowledgement if donor identification is submitted.
  - ii. The Director or Director's designee will review gifts of personal property and may place gift plates designating the donor on the property donated depending on the size and nature of the gift.
- F. No public recognition or listing in the service report will be made when the donor requests anonymity.