



Reference: *Education Code Section 72122*

When gifts or donations are received by the West Hills Community College District or the West Hills Community College Foundation, the appropriate manager or administrator of the area or department receiving the gift or donation must document its receipt. A Gift or Donation Report form is to be used for this purpose. All sections of the Gift or Donation Report are to be completed and the form requires the signature of the donor, as well as the signature of the appropriate manager or administrator receiving the gift or donation.

Completed Gift or Donation Report forms are to be submitted to the Office of the Chancellor for subsequent consideration and formal acceptance by the Board of Trustees or to the Executive Director of the West Hills Community College Foundation for formal acceptance by the Foundation Board of Directors, depending on the type of gift.

Once the gift or donation is formally accepted by the district Board of Trustees or the Foundation Board of Directors, an acknowledgement letter shall be sent to the donor from either the Chancellor's Office (for gifts or donations received by the District) or the Foundation Office (for gifts or donations received by the Foundation).

All dollar values of gifts or donations of items or property shall be declared by the donor.

Acceptance of a gift or donation shall be dependent on the type and value of the gift or donation. The types of gifts or donations and processes for accepting, processing, and reporting those gifts or donations is as follows:

- Cash or Check Gifts or Donations Less than \$10,000
  - Gift or Donation Acceptance: Cash or check gifts or donations shall be accepted by the West Hills Community College Foundation. Managers or administrators may accept cash or checks on behalf of the Foundation that are less than \$10,000 in value. These gifts or donations shall be deposited in the appropriate Foundation accounts and used according to donor intent. If a cash or check gift or donation is made dependent on a naming or public recognition, those gifts or donations shall not be accepted until the naming is approved following the guidelines in Board Policy and Administrative Procedure 6620, Naming of Facilities.
  - Gift or Donation Processing: Following acceptance, all cash or check gifts or donations shall be given to the Foundation Office to be deposited and acknowledged. The manager or administrator who accepts the gift shall provide the completed Gift or Donation Report form to the Foundation.

- Gift or Donation Reporting: A report of all cash and check gifts or donations shall be provided to the Chancellor's Office annually for presentation to the Board of Trustees.

➤ Cash or Check Gifts or Donations of \$10,000 or more

- Gift or Donation Acceptance: Cash or check gifts or donations of \$10,000 or more shall be accepted by the West Hills Community College Foundation. The Chancellor or College President may accept cash or checks on behalf of the Foundation. A gift agreement shall be developed between the donor and the West Hills Community College Foundation. The gift agreement shall outline donor intent for the use of the gift or donation. Gift agreements developed by the Foundation shall be reviewed and approved by the Chancellor prior to presentation to the donor for signature. Gift agreements shall be signed by the Chancellor or the Executive Director of the Foundation and the donor. If a cash or check gift or donation is made dependent on a naming or public recognition, those gifts shall not be accepted until the naming is approved following the guidelines in Board Policy and Administrative Procedure 6620, Naming of Facilities.
- Gift or Donation Processing: Following acceptance, all cash or check gifts or donations shall be deposited and acknowledged by the Foundation Office. Gift agreements shall be kept on file by the Foundation.
- Gift or Donation Reporting: A report of all cash and check gifts or donations shall be provided to the Chancellor's office annually for presentation to the Board of Trustees.

➤ Stocks and Bonds Gifts or Donations

- Gift or Donation Acceptance: Gifts or donations of publicly held stocks or bonds shall be accepted by the Foundation pending review and approval by the Chancellor's Office. These transactions shall be accepted by the transfer of ownership from the donor's broker to the Foundation's broker.

Gifts or donations of privately held stocks or bonds shall be handled on a case-by-case basis with approval and review by the Chancellor's Office.

- Gift or Donation Processing: Written notice shall be provided to the Foundation by the donor detailing the following:
  - Number of shares
  - Type of shares
  - Date of transfer
  - Agency of the broker initiating transfer

This information shall be provided to the Foundation's broker to identify and accept the shares.

The Foundation Office shall acknowledge the gift or donation and provide the donor with the number of shares and type of shares transferred to the Foundation's broker. The recording of the value of these transactions in the Foundation records shall follow generally accepted accounting principles (GAAP).

- Gift or Donation Reporting: A report of all stock and bond gifts or donations shall be provided to the Chancellor's Office quarterly for presentation to the Board of Trustees.

➤ Gift-in-Kind Donations of Less Than \$10,000 With No Ongoing Costs

- Gift or Donation Acceptance: Gift-in-Kind donations of less than \$10,000 that have no ongoing costs to the District may be accepted by the appropriate manager or administrator of the area or department receiving the gift or donation. These gift-in-kind donations may also be accepted by the Foundation. A Gift or Donation Report form shall be completed for all gift-in-kind donations. Completed forms are to be submitted to the Office of the Chancellor and a copy submitted to the Foundation Office.
- Gift or Donation Processing: The Gift-in-Kind shall be reviewed and approved by the Chancellor before being presented to the Board of Trustees for formal acceptance.

The West Hills Community College Foundation and/or the Chancellor's Office shall acknowledge receipt of gifts or donations of items once they are approved by the Board of Trustees but shall not act as appraiser on these items.

➤ Gift-in-Kind Donations Valued at \$10,000 or More or With Any Ongoing Costs

- Gift or Donation Acceptance: Gift-in-Kind donations that exceed \$10,000 in value or have ongoing maintenance costs to the district (maintenance, storage, insurance) shall not be accepted or taken into ownership by the District or any representative acting on behalf of the District without first being reviewed by the Chancellor. Once reviewed by the Chancellor and a positive determination is made concerning acceptance, a Gift or Donation Report form shall be completed. Completed forms are to be submitted to the Office of the Chancellor and a copy submitted to the Foundation Office.
- Gift Processing: Gift-in-Kind donations shall be reviewed and approved by the Chancellor before being presented to the Board of Trustees for formal acceptance. These gift-in-kind donations may also be accepted by the Foundation. Once a gift-in-kind donation valued at \$10,000 or more or with any ongoing maintenance costs has been accepted by the Board of Trustees or the Foundation Board of Directors, a representative of the District or Foundation may take ownership of the donation.

The West Hills Community College Foundation and/or the Chancellor's Office shall acknowledge receipt of gifts or donations of items once they are approved by the Board of Trustees but shall not act as appraiser on these items.

➤ Gifts or Donations of Land

- Gift or Donation Acceptance: A gift or donation of land shall not be accepted or taken ownership of by any representative of the district without Board of Trustees approval. These gifts shall be accepted by the Chancellor or Deputy Chancellor once approved by the Board of Trustees.
- Gift or Donation Processing: Gifts or donations of land shall be reviewed by the Chancellor for purposes of the benefit to the District. A gift or donation of land shall meet some or all of the following criteria before being recommended to the Board of Trustees for formal acceptance:
  - Title of the land must be in satisfactory form and owned by the donor
  - Owner of the land must confirm they are under no legal obligation to sell or otherwise convey the land that conflicts with the gift or donation
  - There must be satisfactory findings from an appropriate Environmental Impact Report
  - Documentation must be provided by the donor to present to the Board of Trustees for approval including some or all of the following:
    - Real estate deed
    - Real estate tax bill
    - Plot plan
    - Zoning status
    - Environmental site assessment
    - Current title report
  - Donor may be required to pay fees or costs associated with the gift or donation if part of a life estate. This can include all or a portion of the following:
    - Maintenance costs
    - Real estate taxes
    - Insurance
    - Real estate broker's commission and other costs of sale including, but not limited to, appraisal costs and title costs

➤ All Other Types of Gifts

- Gift or Donation Acceptance: All other types of gifts or donations shall be reviewed by the Executive Director of the Foundation who shall provide a written recommendation to the Chancellor's Office concerning whether the gift or donation should be accepted by the District or the Foundation and the process that should be followed to accept the gift. Once determined, a Gift or Donation Report form shall be completed by the appropriate representative.
- Gift or Donation Processing: Depending on the type of gift or donation, it shall be formally accepted by the Board of Trustees (for gifts or donations received by the

District) or the Board of Directors (for gifts or donations received by the Foundation), and an acknowledgement letter shall be sent to the donor.

Date: 08/24/2021