



GIFT ACCEPTANCE POLICY

Beneficial Impact

The Board of Directors of the LSU Foundation encourages and accepts gifts that benefit LSU and are consistent with its core values and the mission of the Foundation, while also meeting the needs and intentions of donors. This policy together with implementation procedures developed by Foundation staff and approved by the Gift Acceptance Committee provide guidance as to the considerations in determining whether to accept a specific gift.

It is the policy of the Foundation to accept gifts that provide a net positive benefit to LSU, considering the gift's value, intended use, and any associated encumbrances, complexities or donor restrictions.

The Foundation will not accept gifts that:

- (1) do not provide a net positive benefit to LSU;
- (2) are for purposes outside the Foundation's mission of supporting LSU;
- (3) would compromise the Foundation's tax-exempt status;
- (4) would result in unacceptable consequences for the Foundation or LSU.

Factors to be considered in evaluating the consequences of a gift include:

- (1) consistency with Foundation and LSU core values and interests;
- (2) compatibility between donor intent and the use of the gift;
- (3) risk to the Foundation's assets;
- (4) affect on the reputation of the Foundation or LSU, and upon future giving;
- (5) administrative difficulty or expense in relation to value; and
- (6) alignment with prior practice.

Legal and Ethical Considerations

In accordance with the *Donor Bill of Rights* (Council for Advancement and Support of Education, November 1993), the Foundation is committed to treating donors in a professional, ethical and fair manner, and endeavors to provide materials that educate and inform prospective donors and their advisors about ways to give. Where advisors or counsel employed or retained by the Foundation prepare documents or render advice regarding a donation, they are acting on behalf of the Foundation, not the donor. The donor remains responsible for obtaining advice from his own legal and financial counsel for the protection of his interests, including tax and estate planning implications, and the Foundation strongly encourages donors to do so.

The Foundation does not pay fees or commissions to any person as consideration for directing a gift to the Foundation, does not compensate any fundraiser based directly on a percentage of funds raised or on a contingent basis, and does not endorse any professional or fiduciary services.

The Foundation does not serve as the executor, administrator or trustee of planned gifts or as an annuity issuer. Exceptions to this policy must be approved by the Gift Acceptance Committee.

Gift Acceptance Committee

The members of the Gift Acceptance Committee are:

- Board of Directors, Immediate Past Chair
- Development Committee, Chair
- Finance Committee, Chair
- President & CEO
- Vice President of Development
- Vice President & General Counsel
- Chief Financial Officer

The Committee may review and approve acceptance of proposed gifts through in-person meetings or electronic means. Approval may be granted by a minimum of five votes. Approval may be granted subject to any conditions deemed appropriate by the Committee.

Gifts Requiring Gift Acceptance Committee Approval

Acceptance of the following types of gifts requires prior approval by the Gift Acceptance Committee:

- (1) real estate (LSU Real Estate and Facilities Foundation approval also required);
- (2) closely held and non-publicly traded securities;
- (3) watercraft;
- (4) unusual types of property (e.g. art collections);
- (5) partial ownership interests (e.g. ownership percentage or subject to retained rights);
- (6) requiring the Foundation to act as trustee or in any fiduciary capacity, or to assume financial or other obligations;
- (7) requiring financing or purchase by the Foundation (e.g. bargain sale);
- (8) requiring the Foundation to retain ownership of the property for a specified time period;
- (9) subject to unusual restrictions impacting value, use or ease of administration;
- (10) others as required by staff-developed implementation procedures approved by the Gift Acceptance Committee; and
- (11) other specific proposed gifts as deemed appropriate by any member of the Gift Acceptance Committee.

Monetization; Approval of Retention or Contemporaneous Sale

It is the policy of the LSU Foundation to monetize contributed nonfinancial assets and to convert cryptocurrency donations within a reasonable time after receipt, allowing for timing and sale procedures that enhance the value received. Any donor-imposed condition that the ownership of the donated property be retained by the Foundation for a specified time period must be approved by the Gift Acceptance Committee.

At the time of acceptance of certain gifts, a third-party may stand ready to immediately purchase the donated property from the Foundation. Under such circumstances, as part of its review of the proposed donation, the Gift Acceptance Committee is authorized to approve the sale of the donated property if deemed to be in the best interests of the Foundation, subject to compliance with the Transactional Authority Policy.

Gifts Requiring LSU Approval

The Foundation's Uniform Affiliation Agreement with LSU requires an LSU determination of acceptable purpose prior to the Foundation accepting any donation of immovable property intended to be (1) retained by the Foundation (rather than liquidated within a reasonable time) or (2) leased or occupied by LSU, unless involving operational and business management matters of the Foundation.

The Agreement further provides that no donation requiring a determination of acceptable purpose shall be publicized or otherwise disclosed by the Foundation prior to LSU acceptance of such conditions or obligations.

The Agreement requires that acceptance of a donation with a condition or obligation, the fulfillment of which would require LSU to undertake actions not previously taken or approved (e.g. a new Center or Chair), must be conditioned (in writing) upon acceptance of such condition or obligation by LSU.

Policy Review

This Gift Acceptance Policy has been reviewed and approved by the LSU Foundation Board of Directors. The Board's Finance and Development Committees periodically review this policy and recommend revisions to the Board. The Gift Acceptance Committee shall recommend policy revisions to the Committees, and procedural revisions to the Foundation staff, that it deems beneficial to the gift acceptance determination.

History –

Adopted: August 26, 2005

Amended: November 11, 2005; February 23, 2007; May 25, 2007; August 24, 2007; March 6, 2009; August 28, 2009; February 19, 2010; November 5, 2010; September 7, 2018; September 16, 2022