

Djerassi Resident Artists Program Gift Acceptance Policy 2017

Djerassi Resident Artists Program solicits and accepts gifts for purposes that will help the organization further and fulfill its mission. Djerassi Resident Artists Program urges all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences. The following policies and guidelines govern acceptance of gifts made to Djerassi Resident Artists Program for the benefit of any of its operations, programs or services.

Use of Legal Counsel

Djerassi Resident Artists Program may seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

- A. Gifts of securities that are subject to restrictions or buy-sell agreements.
- B. Documents naming Djerassi Resident Artists Program as trustee or requiring Djerassi Resident Artists Program to act in any fiduciary capacity.
- C. Gifts requiring Djerassi Resident Artists Program to assume financial or other obligations.
- D. Transactions with potential conflicts of interest.
- E. Gifts of property which may be subject to environmental or other regulatory restrictions.

Restrictions on Gifts

Djerassi Resident Artists Program will not accept gifts that (a) would result in Djerassi Resident Artists Program violating its corporate charter, (b) would result in Djerassi Resident Artists Program losing its status as a 501(c)(3) not-for-profit organization, (c) are too difficult or too expensive to administer in relation to their value, (d) would result in any unacceptable consequences for Djerassi Resident Artists Program, or (e) are for purposes outside Djerassi Resident Artists Program's mission. Decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Program's Finance Committee, in consultation with the Executive Director.

Gifts Generally Accepted Without Review

- A. Cash: Cash gifts are acceptable in any form, including by check, money order, credit card, wire transfer, or on-line.
- B. Marketable Securities: Marketable securities may be transferred electronically to an account maintained at the Program's brokerage firm or delivered physically with the transferor's endorsement attached.
 - a. Per the Program's Investment Policy, all marketable securities will be sold promptly upon receipt. In some cases marketable securities may be restricted, for example, by applicable securities laws or the terms of the proposed gift; in such instances the decision whether to accept the restricted securities shall be made by the Finance Committee.

C. In-kind gifts of good and services (i.e. marketing, advertising, discounted goods, etc.) upon approval by the Executive Director.

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. Charitable Remainder Trusts: Djerassi Resident Artists Program will accept designation as a remainder beneficiary of charitable remainder trusts.
- B. Charitable Lead Trusts: Djerassi Resident Artists Program will accept designation as an income beneficiary of charitable lead trusts.
- C. Bequests and Beneficiary Designations under Revocable Trusts, Commercial Annuities and Retirement Plans: Donors are encouraged to make bequests to Djerassi Resident Artists Program under their wills, and to name Djerassi Resident Artists Program as the beneficiary under trusts, commercial annuities and retirement plans.
- D. Tangible Personal Property: The Finance Committee shall review and determine whether to accept any gifts of tangible personal property, including works of art, in light of the following considerations: does the property further the organization's mission? Is the property marketable? Are there any unacceptable restrictions imposed on the property? Are there any carrying costs for the property for which the organization may be responsible? Is the title/provenance of the property clear? Gifts of art for auction at the Program's annual Artful Harvest gala are not subject to this provision.
- E. Life Insurance: Djerassi Resident Artists Program will accept gifts of life insurance where Djerassi Resident Artists Program is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.
- F. Real Estate: All gifts of real estate are subject to review by the Finance Committee. Prior to acceptance of any gift of real estate other than a personal residence, Djerassi Resident Artists Program shall require an initial environmental review by a qualified environmental firm. In the event that the review reveals a potential problem, the organization may retain a qualified environmental firm to conduct an environmental audit.
 - a. Criteria for acceptance of gifts of real estate include: Is the property useful for the organization's purposes? Is the property readily marketable? Are there covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property? Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property? Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation?

The Program relies on the generosity of donors to fulfill its mission. All prospective donors are urged to seek the assistance of personal legal and financial advisors in matters relating to their gifts, including the resulting tax and estate planning consequences.