



University of Western States (UWS) solicits, accepts and administers donations as outlined below.

I. Donation Definition

A donation is money, assets or items gifted to the university for which the donor receives nothing of significant tangible value in return.

II. UWS Commitment to Donors

The university adheres to the following principles:

- Donors may inquire about the use and outcomes resultant from their donation at any time and receive timely, truthful and forthright answers.
- Donor privacy is protected to the best of the university's ability with internal controls to prevent inadvertent or unwanted disclosure of personal information.
- Donations are promptly acknowledged and recognized.
- UWS makes available its audited financial summary in its annual report. The university's IRS (990) filings are public record.
- Donors are informed of the identity of those serving on the Board of Trustees, and may expect the board to exercise its fiduciary responsibility to appropriately steward university resources.
- Donors may update their mailing and solicitation preferences at any time. UWS does not sell, rent or otherwise make available to any third party the contact information of donors.

III. Solicitation of Donations

The office of development oversees all solicitation activities. Any efforts by individuals to seek donations on behalf of UWS are coordinated with the office of development.

IV. Types of Donations

The following donation types may be considered for acceptance by UWS:

1. **Cash:** Cash may be accepted in any negotiable form. Checks are made payable to University of Western States and are delivered to the office of development or financial services.
2. **Tangible Personal Property:** UWS accepts donations of tangible personal property after review and approval by the appropriate university division. In assessing the gift, UWS addresses the following considerations:
 - Is the property useful, needed and in good condition?
 - Are there any undue restrictions on the use, display or sale of the property?
 - Are there any carrying costs (insurance, storage, ongoing maintenance, etc.) for the property?
 - Will the property be used in furtherance of the mission of UWS?
 - Is the item something the university can lawfully accept?
3. **Vehicles:** UWS accepts donation of cars, boats, motorcycles and other vehicles.
4. **Employer Matching Gifts:** A donor's employer may match the donor's donation in accordance with their internal matching gift program.



5. Securities: The office of development facilitates transfers of publicly traded securities between respective brokerages. Securities are usually liquidated. Closely held securities, which include debt and equity positions in non-publicly traded companies, and interests in LLPs and LLCs or other ownership forms, may be accepted subject to approval by the vice president of finance. Gifts of closely held securities are reviewed by the vice president of finance prior to acceptance to determine that:
 - There are no restrictions on the security that would prevent the university from ultimately converting those assets to cash;
 - The security is marketable; and
 - The security does not generate any undesirable tax consequences.
6. Real Estate: Gifts of real estate may include developed property, undeveloped property, or gifts subject to a prior life interest. In assessing the appropriateness of the gift, UWS addresses the following considerations:
 - Is the property useful for the purposes of UWS?
 - Is the property marketable?
 - Are there any restrictions, reservations, easements, or other limitations associated with the property?
 - Are there carrying costs associated with the property?
7. IRAs: UWS may accept IRA gifts during the life or upon the death of the donor.
8. Remainder Interests in Property: UWS may accept a remainder interest in a property, subject to the provisions of section five (5).
9. Life Insurance: UWS must be named as both beneficiary and irrevocable owner of an insurance policy before a life insurance policy is recorded as a gift. If the donor contributes further premium payments, UWS includes the entire amount of the additional premium payment as a gift in the year that it is made. If the donor does not elect to continue to make gifts to cover premium payments on the policy, UWS may:
 - Continue to pay the premiums;
 - Convert the policy to paid up insurance; or
 - Surrender the policy for its current cash value.
10. Donor Advised Funds: UWS accepts donations via donor advised funds (DAFs). The DAF receives tax credit for the donation, while the donor(s) who suggested the donation are recognized in accordance with established gift recognition programs.
11. Charitable Remainder Trusts: Donors may name the university as a remainder beneficiary of a charitable remainder annuity trust (CRAT) or charitable remainder unitrust (CRUT). The university works with its donors to structure such agreements.
12. Revocable Trust Agreements: Donors may name the university as a remainder beneficiary of all or a portion of a revocable trust agreement.
13. Charitable Lead Trusts: UWS may accept a designation as income beneficiary of a charitable lead trust.
14. Retirement Plan Beneficiary Designations: Donors may name UWS as a beneficiary of their retirement plan. Such designations are not recorded as gifts to UWS until such time as the gift is irrevocable.



15. Bequests: Donors may make bequests to UWS under their wills and trusts. Gifts made through bequests may be in the form of cash, property or assets and may represent the total estate, or a percentage, fraction or residue of an estate.

V. Restrictions on Donations

Unrestricted Donations: To provide UWS with maximum flexibility in the pursuit of its mission, donors are encouraged to make unrestricted donations to UWS.

Restricted Donations: Donations with time or use restrictions may be accepted. A restricted donation may not be used for any purpose inconsistent with donor intent unless it is communicated in conspicuous language when solicited. In the event that a donor's gifts were made to an initiative that has been ceased, the university seeks written permission for reallocation of the gift, or returns the donation if permission cannot be obtained. If the donor cannot be located after reasonable effort, the university decides upon a use of the funds that is most closely aligned with the donor's original intent.

VI. Donation Acknowledgment

A formal acknowledgment suitable for tax purposes is issued at the beginning of the calendar year, stating the date that the prior year's gifts were received or postmarked, and the total amount of donations made that calendar year (minus the value of any goods or services received in exchange). If the donor wishes to receive their acknowledgment prior to the annual issuance, the office of development provides it.

VII. Donor Recognition

The university recognizes donors and their gifts or pledges using established recognition programs that are managed by the office of development.

VIII. Pledges

Pledge Agreements. Donors wishing to make a gift in installments over time are required to have the arrangement documented in a written and signed pledge agreement, copies of which are maintained by the office of financial services and the office of development. Gifts are recorded as pledges receivable.

Non-Binding Commitments. For donors wishing to retain more flexibility by making their commitment nonbinding, documentation of such non-binding commitment is referred to as a "letter of intent" in order to avoid confusion with binding commitments documented as pledge agreements. Nonbinding letters of intent are not counted as direct gifts, nor are they recorded as pledges receivable until a written and signed pledge agreement is received.

Duration. Unless a longer period is approved, the pledge or non-binding commitment agreement specifies the installments in which the gift is to be paid over a period not to exceed five years.



IX. Policy Review

Periodic Review. The university periodically reviews the donation acceptance policy to ensure that it accurately describes the practices of UWS with respect to acceptance of charitable donations, and proposes to the appropriate authority those revisions that are determined necessary or appropriate.

Specified Review. The donation acceptance policy is reviewed and ratified by the appropriate authority each time that UWS embarks on a special major gift or capital campaign. The gift acceptance policy is also reviewed upon the enactment of legislation or regulatory rules affecting the nonprofit sector to assure continued compliance by UWS.

IX. Conditions and Restrictions

- Donations are not accepted if the affiliation may reflect negatively on UWS, is in discordance with its mission or values, is judged to difficult to administer, or is otherwise not in the best interest of the university.
- The university reserves the right to decline a donation from any person, business or organization, at any time and for any reason.
- Donations that may jeopardize the university's nonprofit status are not accepted.
- Donations from foreign sources are reported in accordance with Title IV and IRS regulations.
- UWS does not advertise or endorse a commercial entity's products, services or ideas in exchange for a donation.
- Donors do not influence any academic or business decision of the university in exchange for their donations.
- Donors do not influence operational or procedural matters relating to a fund or project they have supported.
- UWS reserves the right to sell, lend, gift, dispose of, or otherwise divest itself from any donation that is no longer of use to the university.
- Individual employees may not receive any substantial personal benefit (i.e. commissions, gifts or other payments) or otherwise benefit as a result of a donation. Any possible substantial benefit or conflict of interest is brought to the attention of the executive vice president.

X. Approval of Exceptions

Acceptance of a donation to UWS in a manner that is in any way inconsistent with this policy requires approval in writing by the president.

Related Policies: [Policy 1005 \(B\) Conflict of Interest](#)
[Policy 7001 Sponsorship](#)
[Policy 7003 Institutional Naming](#)

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