



EAST TENNESSEE STATE
UNIVERSITY

Solicitation and Acceptance of Gifts

Policy Name: Solicitation and Acceptance of Gifts

Policy Purpose

This policy specifies how ETSU Advancement solicits and accepts gifts on behalf of the university and/or the ETSU Foundation.

Applicability

This policy applies to Insert ETSU employees'

Responsible Official, Office, and Interpretation

The Vice President for University Advancement is responsible for the review and revision of this policy. For questions about this policy, please contact the University Advancement Office. The Vice President of Advancement in consultation with the Office of University Counsel, has the final authority to interpret this policy.

Defined Terms

A defined term has a specific meaning within the context of this policy.

[N/A](#)

Policy Name: Solicitation and Acceptance of Gifts

Policy

1. Responsibility/Authority.

- 1.1. The President of the university has ultimate responsibility for the fundraising program of the university.
- 1.2. The Vice President for Advancement is responsible for establishing and administering the university's fundraising program
- 1.3. The Advancement Office staff works under the Vice President for Advancement's direction, and they must work closely with the university President and Vice Presidents to develop a broad spectrum of fundraising activities.
- 1.4. As determined by the Vice President for Advancement in consultation with other senior leadership, a member of the professional staff may be appointed to work directly with the dean of each college and the director of each major program to establish effective fundraising programs for these units.
- 1.5. An accounting system maintained in accordance with all appropriate accounting procedures which includes all gifts to the University shall be maintained under the supervision of University Financial Services.

1.6. Additional Approvals.

- 1.6.1. Any solicitation of a gift which might require a commitment of university resources, including unusual space or manpower requirements, maintenance contracts, or matching funds will require appropriate approvals up to and including the university President before the gift is solicited. The President may also seek the consultation and/or approval of the Board of Trustees before final approval is granted.
- 1.6.2. In the case of computer-related gifts, approval of the Senior Vice Provost for Information Technology Services is necessary before the request is submitted to the university President.
- 1.6.3. Fundraising activities for or on behalf of student organizations must be approved by the Student Organization Resource Office (SORC) in advance, instead of this process.

1.7. Fundraising Program:

- 1.7.1. An overall fundraising program, specifying goals and priorities, will be adopted through appropriate university channels.
- 1.7.2. All specific fundraising activity, including direct and indirect solicitation and special fundraising projects, outside the general fundraising program, that are conducted in the name of and on behalf of the university must be approved

Policy Effective Date: 3/17/17 • **Policy Revised:** N/A
Procedures Effective Date: 8/25/20 • **Procedures Revised:** N/A

Policy Name: Solicitation and Acceptance of Gifts

through the process outlined below prior to beginning the solicitation or project.

- 1.8. Acceptance of Gifts. The Vice President for Advancement is authorized by the University President to accept gifts on behalf of the university and authorized by the Foundation to accept gifts on behalf of the Foundation, subject to review and confirmation and subject to the following conditions:
 - 1.8.1. Only the ETSU Foundation may accept a gift if acceptance is a condition set by the donor.
 - 1.8.2. Only the ETSU Foundation may accept gifts of real property or any permanent interest in real property, and title must be conferred in the name of the State of Tennessee.
 - 1.8.3. Any acquisition of real property by gift or devise which obligates the university or State of Tennessee to expend State of Tennessee funds for capital improvements or continuing operating expenditures shall be approved by the State Building Commission in accordance with T.C.A. § 4-15-102(d)(2) prior to acceptance. Any such deed transferring title shall not be recorded until the State Building Commission has approved acceptance of the gift property.
 - 1.8.4. Gifts with conditions that will ultimately require further consideration must be approved by the ETSU Foundation, consulting the President and/or Board of Trustees as necessary, prior to acceptance (e.g., gifts to support the initiation of a new academic program or capital improvement project).
 - 1.8.5. Gifts of property subject to indebtedness must be approved by the ETSU Foundation prior to acceptance.
 - 1.8.6. Gifts being forwarded from another area on campus must be accompanied by a completed gift transmittal form and all original associated correspondence.
- 1.9. Acknowledgement of Gifts.
 - 1.9.1. The Vice President for Advancement is responsible for coordinating the acknowledgment of all gifts.
 - 1.9.2. In addition to a receipt, appropriate letters of acknowledgment will be sent from either the university President, Vice President for Advancement, or other university official in accordance with established guidelines.
 - 1.9.3. On a weekly basis, University Advancement will send a record of gifts benefitting each college/area to the respective deans/directors.
 - 1.9.4. Gifts of cash, securities, property, equipment and supplies and in-kind gifts of services and materials are expected to be reported to University Advancement as soon as they are received in any area of the university.

Policy Effective Date: 3/17/17 • **Policy Revised:** N/A
Procedures Effective Date: 8/25/20 • **Procedures Revised:** N/A

Policy Name: Solicitation and Acceptance of Gifts

1.9.5. Other appropriate acknowledgment from deans, chairs, or others is encouraged.

1.10. Securities

1.10.1. Securities given to the university shall be put on the market for immediate sale through a registered security broker unless there are extenuating circumstances or the donor specifies otherwise.

1.10.2. In some instances, gifts consist of stock in a closely held company and cannot be sold until the donor calls for sale.

1.10.3. In such cases, the stock will be sold immediately after the call for sale.

1.10.4. The Vice President for Advancement shall have the authority to complete such transactions for the University.

1.11. ETSU Foundation

1.11.1. The East Tennessee State University Foundation is the legal entity through which most gifts intended for use by ETSU are received, managed, and dispersed.

1.11.2. Such gifts are to be received by the ETSU Foundation in full accordance with policies set forth by ETSU and any controlling agency such as the IRS or NCAA.

1.11.3. All cash gifts must be processed through Advancement Services into the ETSU Foundation unless the donor specifically precludes the Foundation from accepting the gift.

1.11.4. Those gifts obviously intended for the Foundation, in that they are designated to a specific account in the Foundation, will be assumed to be intended for deposit in the Foundation and will be processed accordingly.

1.11.5. Foundation Accounting shall be responsible for determining that gifts are deposited to the appropriate entity based on review of all circumstances surrounding the gift.

1.11.6. East Tennessee State University may not accept gifts specifically intended for the ETSU Foundation.

1.11.7. In general, university resources may not be used to meet conditions of gifts to the Foundation. Exceptions may be approved by the university President.

Policy Name: Solicitation and Acceptance of Gifts

Procedures

1. Fundraising Requests.

To request a specific fundraising project, an individual who represents the department or organization wishing to conduct fundraising activity must submit a written request, using the request form attached.

2. Approval Lines for Each Position in the Respective Unit Including:

2.1. Individual originating request.

2.2. Unit development officer, if applicable.

2.3. Department chair or director.

2.4. Dean or equivalent who will assign priority to the project as it relates to the overall fundraising program for that college or unit and also for the university-wide program.

2.5. Vice President for the requesting unit, if applicable.

2.6. Vice President for Advancement or designee.

2.7. University President, as appropriate. C. Records and Reporting.

2.8. Advancement Services will:

2.8.1. Maintain a records system so donors' contributions can be tracked on an annual and cumulative basis.

2.8.2. Prepare a summary of all gifts to the university during a fiscal year. This will be included in the university's annual report to the Board.

2.9. University Financial Services shall be responsible for maintaining records of gifts to the university separate from those gifts to the Foundation. A donor record system shall be maintained wherein all gifts made by a specific donor to either the University or the Foundation are recorded.

Policy Name: Solicitation and Acceptance of Gifts

Applicable Forms and Websites

[Fundraising Request Form](#)

Authority and Revisions

Authority: TCA § 49-8-203. et. seq

Previous Policy: N/A

The ETSU Board of Trustees is charged with policy making pursuant to TCA § 49-8-203, et seq. On March 24, 2017, the Board delegated its authority to ETSU's President to establish certain policies and procedures for educational program and other operations of the University, including this policy. The delegation of authority and required process for revision to this policy can be found on the [Policy Development and Rule Making Policy webpage](#).

To suggest a revision to this policy, please contact the responsible official indicated in this policy. Before a substantive change to the policy section may take effect, the requested changes must be: (1) approved by the responsible office; (2) reviewed by the Office of University Counsel for legal sufficiency; (3) posted for public comment; (4) approved by either Academic Council or University Council; and (5) approved by ETSU's President.

Policy Effective Date: 3/17/17 • **Policy Revised:** N/A
Procedures Effective Date: 8/25/20 • **Procedures Revised:** N/A