

# Section 6 Fundraising

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## **Section 6 Fundraising**

### **Section 6.01 - Board Member Fundraising**

Board Members are expected to give an annual monetary gift to the Idaho State University Foundation and are asked to make the Idaho State University Foundation a priority in their personal giving. Board Members are expected to initiate and be involved in fundraising using their personal and business connections when appropriate, soliciting funds when appropriate, serving on fundraising committees, and attending and if possible sponsoring or hosting fundraising events.

**Person responsible for the periodic review of policy - Board Executive Vice President**

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### **Section 6.02 - Donor Relations**

The Donor Bill of Rights was created by the Giving Institute: Leading Consultants to Non-Profits [formerly known as the American Association of Fund Raising Counsel (AAFRC)], Association for Healthcare Philanthropy (AHP), the Association of Fundraising Professionals (AFP), and the Council for Advancement and Support of Education (CASE). It has been endorsed by numerous other nonprofit associations, and many charities incorporate it into their operating policies and procedures. The Idaho State University Foundation's Board of Directors has adopted the Bill of Rights as its policy.

#### **THE DONOR BILL OF RIGHTS**

Philanthropy is based on voluntary action for the common good. It is a tradition of giving and sharing that is primary to the quality of life. To ensure that philanthropy merits the respect and trust of the general public, and that donors and prospective donors can have full confidence in the nonprofit organizations and causes they are asked to support, we declare that all donors have these rights:

1. To be informed of the organization's mission, of the way the organization intends to use donated resources, and of its capacity to use donations effectively for their intended purposes
2. To be informed of the identity of those serving on the organization's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities
3. To have access to the organization's most recent financial statements
4. To be assured their gifts will be used for the purposes for which they were given
5. To receive appropriate acknowledgement and recognition
6. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law
7. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature
8. To be informed whether those seeking donations are volunteers, employees of the organization, or hired solicitors
9. To have the opportunity for their names to be deleted from mailing lists that an organization may intend to share
10. To feel free to ask questions when making a donation and to receive prompt, truthful, and forthright answers

**Person responsible for the periodic review of policy - Board Executive Vice President**

The policies contained in the ISUF Policy manual contain all amendments, if any, made to them through the October 21, 2022 Board of Director's meeting.

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### Section 6.03 - Gift Acceptance

#### 6.03.01 Introduction

The purpose of this gift acceptance policy is to give guidance and counsel to those individuals within the Idaho State University Foundation concerned with planning, promotion, solicitation, receipt, acceptance, management, reporting, use, and disposition of gifts.

These policies must be viewed as flexible and realistic in order to accommodate unpredictable situations as well as donor expectations, as long as such situations and expectations are consistent with the Idaho State University Foundation's mission and policies. Flexibility must be maintained since some gift situations will be complex, and proper decisions can be made only after careful consideration of all related factors. These policies may, therefore, require that the merits of a particular gift be considered by the appropriate staff and/or committee of the Board along with legal counsel and the full Board if necessary.

All fundraising activities and gift acceptance policies, and their day-to-day implementation, are designed and managed by the Chair, Executive Vice President and the Executive Director of Development in conjunction with the appropriate staff, and are subject to approval by the Board.

The Board, through the Development Committee and the Board Chair, is responsible for the gift acceptance policy. This responsibility cannot be delegated or waived.

#### 6.03.02 Gift Acceptance Policy

- a. Unrestricted, outright gifts of cash, check, credit card, and publicly traded securities do not require approval.  
Unrestricted gifts shall be encouraged unless:
  - i. The donor indicates that he or she is only willing to make a restricted gift or,
  - ii. The option of a restricted gift will otherwise significantly increase the chances of obtaining a gift from the donor.
- b. In drafting instruments for the gift of restricted funds to the Idaho State University Foundation, or to any of its affiliated organizations, donors and their advisors shall be encouraged to use language that would permit application of the gift to a more general purpose if, in the opinion of the board, the designated purpose is no longer feasible.
- c. All receipts from unrestricted bequests, annuities, charitable remainder trusts, or charitable lead trusts shall be deposited in an unrestricted account within the general endowment, unless the Executive Committee determines a particular

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unrestricted gift of the type enumerated in this paragraph should be deposited in a different account.

- d. Gifts will only be accepted where there is charitable intent on the part of the donor. The Idaho State University Foundation is unable to accept gifts that are overly restrictive in purpose. The most desirable gifts are those with the least restrictions, as unrestricted funds allow the Foundation and University to address its most pressing needs. Unless the Board grants a specific exception, the Idaho State University Foundation will not accept any gifts that:
  - i. Contain a condition that requires any action on the part of the organization that is unacceptable to the Foundation, University Administration or the State Board of Education,
  - ii. Contain a condition that the proceeds will be spent by the organization for the personal benefit of a named individual or individuals,
  - iii. Require the University or the Foundation and their administration to employ a specified person now or at a future date,
  - iv. Inhibit the organization from seeking gifts from other donors,
  - v. Expose the organization to adverse publicity, litigation, or other liabilities,
  - vi. Require undue expenditures, or involve the organization in unexpected responsibilities because of their source, conditions, or purpose,
  - vii. Involve unlawful discrimination based upon race, religion, gender, sexual orientation, age, national origin, color, disability, or any other basis prohibited by federal, state, and local laws.
- e. The Idaho State University Foundation will not pay commissions or finder's fees as consideration for directing a gift to the Idaho State University Foundation or to any of the Idaho State University Foundation's affiliates.
- f. Property encumbered by a mortgage or other indebtedness cannot normally be accepted as a gift unless the donor agrees to assume all carrying costs until the property is liquidated. Exceptions to this guideline can be made when the value of the property exceeds the anticipated exposure, or will produce income, or will be used by the Idaho State University Foundation or the University in its programs but only after all tax considerations have been fully explored and documented. All such exceptions must also have the approval of the Board and if material notification must be given to the State Board of Education.
- g. Associated expenses of a gift made to the Idaho State University Foundation are to be borne by the donor unless approved by the Chair. Donors of property gifts of over \$5,000, except for gifts of publicly traded stock, must obtain, at their expense, an appraisal by a qualified independent third-party appraiser in accordance with current tax law requirements.
  - a.
- h. Should the Idaho State University Foundation sell, exchange, or otherwise dispose of any gift (other than checks, cash, or publicly traded stocks or bonds), valued at

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over \$5,000 within three years after the date of the gift, the Idaho State University Foundation will furnish the Internal Revenue Service and the donor with a completed Form 8282, if required by IRS regulations.

- i. To avoid conflicts of interest, the unauthorized practice of law, the rendering of investment advice, valuation advice, or the dissemination of income or estate tax advice the Idaho State University Foundation will require that:
  - b.
    - i. All donors of noncash gifts must be advised that the Idaho State University Foundation is not acting as a professional investment or legacy advisor. Any information concerning gift planning provided by the Idaho State University Foundation shall include language, approved by counsel retained by the Idaho State University Foundation, which clearly indicates that information is for illustrative purposes only.
    - ii. Legal counsel retained by the Idaho State University Foundation shall, when directed by the Foundation's Chair or Executive Committee, review and approve all forms utilized by the Foundation or its staff to accept or document any "in kind" gift, any cash gift, any pledge of gift or any gift of purported monetary value to insure that they adequately demonstrate that the donor was advised that the Idaho State University Foundation is not acting as a professional advisor and that the donor was encouraged to seek advice of qualified attorneys or accountants and that the donor had sufficient opportunity to do so.
    - iii. Legal counsel retained by the Foundation shall, when directed by the Foundation's Chair or Executive Committee, review and be consulted about all templates, legal documents, contracts, or donor agreements for gifts, pledges, or planned gifts of any kind with a value in excess of \$25,000 which are not documented upon previously reviewed templates, or which involve material changes to a regularly utilized template, or which require affirmative action by the Foundation or impose duties upon the Foundation beyond those commonly associated with management and distribution of the gift or endowment.
    - iv. All gifts of life insurance must comply with applicable state insurance regulations, including insurable interest clauses.
    - v. The Board Chair or his or her designee is authorized to enter into planned gift agreements on behalf of the Idaho State University Foundation and to execute any and all documents necessary or appropriate to consummate such agreements. All gifts and gift considerations must meet all applicable local, state, and federal laws and regulations.
- j. The Idaho State University Foundation will be responsible for implementation and maintenance of a good stewardship plan, subject to review of the Development Committee as needed.

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c.

- k. Gifts to the Idaho State University Foundation and accompanying correspondence will be considered confidential information, with the exception that absent a request for confidentiality, the donor's name may be included in the publication of such donor recognition societies as may from time to time be established by Idaho State University or the Board. All donor requests for confidentiality will be honored to the extent allowed by law.
- l. Names of donors will not be provided by the Idaho State University Foundation to other organizations, nor will any lists be sold or given to other organizations except those affiliated with the Foundation and University.

**Person responsible for the periodic review of policy - Executive Vice President**

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### Section 6.04 - Acceptance of Real Estate Gifts

#### 6.04.01 Introduction

The Foundation may accept gifts of real estate, both improved and unimproved, in accordance with the guidelines outlined in this Policy. Unless specific Board approval is required by the guideline, deviations from these guidelines may be authorized by the Board Past Chair and/or the Board Chair with notification of the deviations given to the Executive Committee and the full Board at their next regularly scheduled meetings. In addition to the guidelines contained in this policy, the State Board of Education may from time to time make rules and regulations governing the acceptance or utilization of real estate. It shall be the responsibility of the Executive Director of Development to ascertain that all such policies and rules are adhered to before the acceptance of any gift of real estate. Rules or policies of the State Board of Education may not be waived except by the State Board of Education.

Generally, the Foundation will attempt to sell any property received as a gift at a reasonable price, as reflected by the current market as soon as possible and normally within two years. However, all gifts of property will be reviewed on a case-by-case basis and may be considered for longer retention if market conditions warrant it or if the University might have a future use of the property. The Managing Director shall present, in writing, a description of all real estate held by the Foundation and a summary of its current disposition at each regularly scheduled Board Meeting.

#### 6.04.02 Guidelines

- a. The Foundation may require the following information in order to consider acceptance of a gift of real property:
  - i. An American Land Title Association (ALTA) insurance commitment showing marketable title in the donor, free and clear of unacceptable encumbrances, issued by a reputable title insurance company;
  - ii. An appraisal, prepared in accordance with standards established by the Appraisal Institute, by a qualified appraiser;
  - iii. A phase one environmental audit by a qualified engineer indicating that ownership will not expose the Foundation to environmental liabilities;
  - iv. At the election of the Foundation, a market feasibility study for the property;
  - v. ALTA survey of the property by a registered land surveyor;
  - vi. Evidence of compliance with the Americans with Disabilities Act (when applicable);
  - vii. A structural engineering report (when applicable);
  - viii. A review of leases (for income producing property);
  - ix. A disclosure statement for residential property (when applicable);

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- x. A radon report (when applicable) issued by a qualified engineer;
  - xi. A transfer of all mineral and water rights.
- 
- b. Real estate encumbered by a mortgage or other indebtedness cannot normally be accepted as a gift unless the donor agrees to assume all carrying costs until the property is liquidated. Exceptions to this guideline can be made when the value of the property exceeds the anticipated exposure, or will produce income, or will be used by the Idaho State University Foundation or the University in its programs but only after all tax considerations have been fully explored and documented. All such exceptions must also have the approval of the Board and if material notification must be given to the State Board of Education.
  - c. Real estate gifts that will entail the Foundation operating a business cannot be accepted without Board approval and, if material, notification provided to the State Board of Education.
  - d. Current State Board of Education policies clearly require that: “Foundation controlled resources may not be used to acquire or develop real estate or to construct facilities for the University’s use without prior State Board approval. If determined in its best interests, the University will submit any proposal to use resources in the manner described herein to the State Board in accordance with State Board policies and procedures, and when appropriate, to the Idaho Legislature.”
  - e. Gifts of real estate are also subject to all applicable provisions of Section 6.03 Gift Acceptance especially in regards to valuation, tax and legal matters and processes.

**Person responsible for the periodic review of policy - Executive Vice President**

## **Section 6 Fundraising**

### **Section 6.05 - Naming Opportunities and Donor Recognition**

#### 6.05.01 Introduction

The Idaho State University Foundation seeks to recognize the generosity and commitment of individuals, corporations, foundations, trusts and other organizations that support the mission of the University. The proper recognition of donors for their support of the University is important in the advancement process. Effective donor recognition can encourage additional gifts and prompt others to contribute. In addition to the Foundation, donor recognition activities are the responsibility of numerous Departments and Colleges of the University. The Foundation Board is only authorized to establish policies for activities conducted by Foundation staff or funded by Foundation resources.

While the Foundation is not responsible for the policy governing the naming of University facilities, programs or positions, the Board has been asked by University officials, from time to time, to provide suggested guidance. This policy outlines those suggestions.

#### 6.05.02 Naming Opportunities Suggestions

##### General Guidelines

- d. Due to the sensitive nature of naming major facilities or programs for donors, we believe that any proposal to a potential donor that includes a naming opportunity should be cleared by the Vice President of Advancement of the University before it is presented to the donor. The Vice President of Advancement should be satisfied that the naming meets University standards and will be approved by the University naming committee as well as by the State Board of Education.
- e. No naming should be approved or (once approved) continued that will call into serious question the public respect of the University. Individuals and organizations whose names are approved should be expected to exemplify the attributes of integrity and civic leadership. Should a donor, for whom a university naming opportunity has been made, violate these standards, the University should consider removing the donor's name from the naming opportunity. All contracts for naming should have specific provisions that deal with any such issues.
- f. No names should be approved that will imply the University's endorsement of a partisan political or ideological position. This does not preclude a naming with the name of an individual who has at one time held public office or with the name of an individual or a company that manufactures or distributes commercial products.
- g. When named recognition has been extended for a gift received, it should be honored for the life of the contract. The contract should include all the terms and conditions, including the process to be followed in the event of changed circumstances. This is especially important for contracts that are anticipated to provide naming in perpetuity.

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- h. Certain naming opportunities lend themselves to short term yearly payment sponsorships and they should be considered. Provided there are no contract violations the University should honor the name for that period of time, subject to renewal of the opportunity.
- i. The method of payment for a naming opportunity should be carefully matched to the type of activity or facility being funded. Donations associated with naming proposals can be made by the donor in cash or appreciated property, through legally binding pledges fulfilled within no more than five years, or by the creation of an endowment. Individual donors may gift a portion of their contribution through an irrevocable trust or a contractual bequest mechanism. The University should contractually reserve the right to remove the naming opportunity when pledges are suspended or remain.
- j. Donations made through irrevocable deferred gift techniques (including, but not limited to charitable gift annuities, deferred pledge agreements, or wills) should generally not be accepted in instances when private funds are needed to pay for current building projects or other activities and accordingly the donor should be presented with other opportunities. A naming opportunity may, however, be accepted for existing, unnamed opportunities not requiring major remodeling or renovation.

### 6.05.03 Negotiating Named Recognition for Philanthropic Donations

- a. It should be the responsibility of individuals negotiating on behalf of the University to consult with the Vice President of Advancement when gifts involve a proposal to name.
- b. It should be the responsibility of individuals negotiating on behalf of the University to advise potential donors that the acceptance of any philanthropic donation involving a proposal to name is conditional upon final approval of the naming by whatever process the University and/or the State Board of Education requires.
- c. In negotiating with donors, deans/directors and development officers should ensure that donors understand that even when a physical space or fund will be named for them, they do not control the details of the administration and application of gift details including construction, furnishings, the selection of candidates, how the facility will be utilized, etc.
- d. All name recognition should have a legal contract clearly stating the length of the naming and all other items such as terms of payment and recognition.

### 6.05.04 Naming of Physical Facilities

We recommend that a building or physical facility only be named for a donor in cases where the donor's gift provides at least fifty (50%) percent of the total cost of construction that is raised through private donations or \$1 Million, whichever is greater. In special cases an amount higher than \$1 Million might be established because of the visibility, cost or importance of the building. It is critical that the estimated cost of the construction be carefully developed with appropriate inflation factors and contingencies considered and that the estimate be carefully

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reviewed by someone independent of the estimate's preparation. Naming opportunities should be carefully developed for the individual components of the building in order to raise the remaining fifty (50%) percent of the total cost.

#### 6.05.05 Removal or Change of Name

The University should retain the right, in consultation with the donor, to change the name of a building, space, facility or endowment if, for example, a corporate donor has itself changed its name, or marital donors have divorced or separated. The naming contract should specify details for this procedure including terms for the rename and re-brand process as well as who will cover the costs.

#### 6.05.06 Portions of Existing Facilities

Existing un-named parts of buildings or facilities might be named for donors in cases where substantial gifts are made by donors to endowments or programs carried on within these facilities.

#### 6.05.07 Renovations

In cases of major renovation that extend throughout a building or facility that has not been previously named for someone, the facility might be named for the donor, provided the donor's gift covers at least fifty (50%) percent of the renovation cost. No change should be made to the name of a building if it is named for a previous donor without that donors' consent, unless it can be changed by terms of the donor agreement.

#### 6.05.08 Named Laboratories, Classrooms and Lounges

While no exact dollar amount can be proposed, the University should carefully consider developing naming opportunities in existing buildings based upon their visibility, importance, or cost. All such naming opportunities should be reviewed by the Vice President of Development to ensure consistency of methodology and reasonableness.

#### 6.05.09 Other Features

Donor names proposed for fountains, ornamental buildings, landscaping, trees, benches and similar features should normally require a gift to cover the full cost of the project and a maintenance fund.

#### 6.05.10 General Policy on Endowed Funds

An endowment fund may be contributed and named for an individual or organization donor, or a specific honoree, to provide a permanent source of

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funding for restricted or unrestricted purposes as specified by the donor. Record keeping for an endowment can be complicated and costly to the Foundation and, accordingly, the minimum amount to establish an endowment should be \$10,000 or greater. A donor may be allowed up to three years to complete the \$10,000 gift. Amounts donated during the period of time to achieve the \$10,000 endowment will receive a proportionate share of the investment income allocation. However, no expenditure will be made from the endowment until the full \$10,000 is received. At the time that \$10,000 has been donated, the endowment will be subject to the Foundation's normal endowment spending policies. If, at the end of three years, the full \$10,000 gift is not completed, any amounts donated plus investment income should become unrestricted assets of the Foundation.

In addition, a program or department should not be named for a donor unless the donor's gift makes a substantial impact on the scope and quality of the program or department being named.

#### 6.05.11 Chair Endowment

The amount needed to fully fund a Chair will usually vary from department to department or from college to college. The expendable income from a Chair endowment (determined in accordance with the University's policy on endowment income and expenditures) should be sufficient to pay the appointee's full initial term and prospective reappointment salary and benefits. In addition, whenever possible, the amount should also include an expense allowance for general secretarial, research, and research and appointment-related travel costs.

#### 6.05.12 Named Professorship Endowments

The amount needed to fund a named professorship will also usually vary. The expendable income from a Named Professorship endowment (determined in accordance with the University's policy on endowment income and expenditures) should be sufficient to pay at least one-half of the appointee's initial term and prospective reappointment full salary and benefits. In addition, whenever possible, the amount should also include a contribution to an expense allowance for general secretarial, research, and research and appointment-related travel costs.

#### 6.05.13 Naming when no donor gift is involved

The naming of the University's facilities and programs is a valuable tool to recognize significant philanthropy and we believe that naming items, without an appropriate donation, should be an unusual occurrence. In the rare instance, when no donor gift is involved we recommend the following:

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- a. It should honor a person who has achieved unique distinction in higher education and other significant areas of public service, or who has served Idaho State University in an academic capacity and has earned a national or international reputation as a scholar, or has made extraordinary contributions to Idaho State University in an extraordinary manner that warrants special recognition, or who has served Idaho State University in an administrative capacity and who, during administrative service, made extraordinary contributions to Idaho State University which warrant special recognition. The extraordinary service should be recognized as such throughout the State of Idaho and such service should be recognized by the University's many constituents.
- b. When a proposal for naming in honor of an individual involves service to the University in an academic or administrative capacity, a proposal shall not be made until the individual has been retired or deceased for at least five years.
- c. No more than one facility or property at the University should be named after any one individual unless they are donors.
- d. No facility or property should be named after seated, elected or appointed officials.

### 6.05.14 Donor Recognition Policy

Policies governing the routine providing of tax receipts to donors and other acknowledgements are covered in other Fundraising policies and are not repeated here. This section deals with those donor recognition activities that are not clerical in nature.

The donors to our Foundation have made substantial sacrifices in providing the Funds that have helped advance the University in many ways. Those donors have a right to be properly acknowledged and the Foundation has a moral obligation to do so. In addition, a systematic program of acknowledging the philanthropic support of our donors has the potential of enhancing the generosity of alumni and friends of the University. In this context, all members of the University share in the obligation to properly recognize our donors. The following practices will serve to enhance donor recognition activities:

- a. It is the responsibility of the Development Officers to work with their Schools/College and units to make sure that our donors are thanked through letters and/or telephone calls from administrators, faculty, students, fellow alumni and others. The receipt of grants, scholarships and other financial assistance should be contingent on receiving the cooperation of the recipient in providing donor recognition, whenever possible. Cooperation should also be a factor to consider in awarding discretionary renewals or other grants or assistance. Development Officers should make sure that major donors are thanked through stories in newsletters and other publications that focus on the difference that the Donors have made. Whenever possible donors should be hosted on campus or at other events and activities, as appropriate, in order for

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them to see the positive difference their contributions have made. Of course, donors' wishes as to anonymity and privacy must be respected.

- b. It is the responsibility of the Development Officers to work with their Schools/College and units to make sure that they are taking care to avoid providing quid pro quo premiums to donors. The Internal Revenue Service has specific guidelines limiting the practice of providing donors with "gifts" or "premiums" in return for a charitable contribution. Accordingly, the Development Officers should obtain clearance from the Executive Vice President or the Executive Director of Development prior to the initiation of such practices.
- c. The Board believes that in order to avoid embarrassment and duplication of effort all donor recognition activities and events should be carefully coordinated whether they are conducted by the University's Alumni Association, the University's Athletic Department or individual Schools/College or other units. It is therefore the policy of the Foundation Board that all Development Officers coordinate all donor recognition with the University Advancement office and, to the extent that the other departments such as alumni and athletics are willing, work closely with them to make sure that all recognitions are particularly meaningful to the donor.
- d. Often donors are engaged with multiple areas of the University and a specific unit's stewardship may have an impact on another unit's relationship with the donor. The Foundation's Development Officers are charged with knowing their donors and potentials donors and if other units in the University have or plan on having relationships with that Donor, all contacts should be carefully coordinated with the other unit's Development Officer even though the other Development Officer maybe working for the University's Athletic or other department that is not directly associated with the Foundation. The Foundation's Development Officers are charged with developing an appropriate method of recognizing the donor that is best for the University and that donor even though it may not be best for a particular department. (This philosophy should govern all our relationships with Donors.) In the unlikely event that the Development Officers cannot develop a mutually satisfactory approach, the case should be referred to the Associate Vice President for Development for matters within the Foundation or to the Vice President for Advancement for matters dealing with other University departments for resolution.
- e. While donor recognition and donor cultivation activity may require the incurrence of legitimate expenses, good stewardship requires that all expenses of the Foundation are carefully controlled and are not excessive. Excessive expenditures for donor recognition can also be counterproductive in that donors may believe that they are an indication that their donations are being wasted. Experience has shown that some of the means to honor donors, that are most appreciated by the donors, require little or no expenditures of funds. Accordingly, Foundation funds should only be expended for reasonable expenses in accordance with Foundation and University policies, and should not be used for expenses that are lavish or excessive. Proposed budgets for all donor recognition and cultivation expenditures including travel, gifts, plaques, banquets, Board dinner and other events should be prepared annually and discussed with the Development

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Committee and then submitted to the Finance Committee as part of the annual budget process. The Finance Director should carefully monitor such expenditures and report any budget overruns or expenditures that violate Foundation or University policy to the Executive Committee.

**Person responsible for the periodic review of policy - Executive Vice President**