

Waverly Public Library
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Waverly Public Library Gifts Policy

The Board of Trustees of the Waverly Public Library Board (Library) welcomes donors who wish to assure the perpetuation or enrichment of the Library. The Library solicits and accepts donor gifts for purposes that will help the organization further and fulfill its mission.

This policy applies to gifts made to the Waverly Public Library. Per the working arrangements with the Waverly Public Library Foundation, these gifts may then be transferred to the custodial account of the Foundation for purposes of financial management of the assets.

Gifts to benefit the Library may also be made directly to the Waverly Public Library Foundation, the Waverly Public Library Endowment Fund (a part of the Bremer County Community Foundation and affiliate of the Community Foundation of Northeast Iowa), and the Friends of the Waverly Public Library. Each of these organizations operates under its own gift policy, each of which is intended to maintain alignment with this policy.

The following guidelines govern all gifts made to the Library for the benefit of any of its operations, programs, or services:

1. Types of Gifts

- a. **Unrestricted monetary gifts** are generally acceptable in cash or by check or money order, and are used at the discretion of the Library Board and Library staff to address areas of greatest need. The Library Director will consult with the Library Board of Trustees on the use of gifts greater than \$1,000.
- b. **Gifts-in-kind** of books and other donated materials in usable condition are added to the Library's public access collection based on the provisions of the *Materials Selection and Collection Development Policy*. Any materials not added to the collection may be included in book sales to benefit the Library, recycled, or handled in an otherwise suitable manner. Gifts-in-kind of furnishings, equipment, art, or other objects will be considered individually and accepted if the Library Board and/or Director deem the gift to be manageable for Library purposes.
- c. **Gifts of marketable securities** shall be accepted if the Library Board and Director deem the gift to be manageable for Library purposes. The gifts may be made by electronic transfer to a custodial account held by the Waverly Public Library Foundation maintained at one or more brokerage firms, or delivered physically with the transferor's endorsement or signed stock power (with appropriate signature guarantees) attached.

All marketable securities will generally be sold as soon as practical upon receipt, unless otherwise directed by the Waverly Public Library Foundation's Investment Committee. In some cases, marketable securities may be restricted by applicable securities laws or the terms of the gift. In such instances, the decision whether to accept the securities shall be made by the Library Board and Director, in coordination with the Waverly Public Library Foundation's Investment Committee.

- d. **Planned gifts and charitable bequests of money and property** shall be accepted if the Library Board and Director deem the gift to be manageable for Library purposes. Evaluation of gifts of real estate or other tangible personal property will take into account the property's marketability, any covenants or other limitations, carrying costs, maintenance expenses, issues of environmental impact, and other relevant considerations.
- e. **Beneficiary designations under trusts, life insurance, annuities, or retirement plans** shall be accepted if the Library Board and Director deem the gift to be manageable for Library purposes.
- f. **Restricted (designated) gifts of money or property** are those named to use for specific purposes, and shall be accepted if the Library Board and Director determine those gifts further the Library's mission and the gift is deemed manageable for Library purposes. Acceptance of these gifts requires the Library to fulfill the donor's stated wishes for the gift's purpose. In instances where the donor's specified use is unclear, the Library will make every reasonable attempt to determine the designation.
- g. **Endowment gifts** are those intended to permanently benefit the Library, with interest earnings used to enhance the Library in perpetuity. Because of this restriction, endowment gifts are encouraged to be made directly to the Waverly Public Library Endowment Fund, rather than to the Library itself.
- h. **Honorary and memorial gifts** celebrate loved ones while benefiting the Library, and can be made as unrestricted or designated gifts of the types listed above.
- i. **Gifts of time and talents** are welcomed in keeping with the Library's mission, as determined by the Library Board and Director.
- j. **Pledges**, where made, shall be binding to the donor's personal representatives, trustees, heirs, beneficiaries, and/or assigns. In the event of a donor's passing prior to full payment of the pledge, the entire remaining unpaid balance shall be due within a reasonable time after the donor's passing and shall be considered a claim against the donor's estate. In this circumstance, fulfillment of the pledge is in addition to any charitable donations that are provided for in the donor's estate plan for the benefit of the Library.
- k. **Grants** are solicited and approved by the Library Director, based on the grant's ability to assist the Library in the pursuit of its mission.

2. Restrictions on Gifts

The Library Board of Trustees and Library staff reserve the right to refuse any gift. In general, the Library will not accept gifts that:

- a. Would result in the Library violating its corporate charter,
- b. Would result in the Library losing its status as an IRC Section 501(c)(3) nonprofit organization,
- c. Are too difficult or too expensive to administer in relation to their value,
- d. Would result in adverse consequences for the Library, or
- e. Are for purposes outside the Library's mission.

3. Consideration of Gifts

For gifts valued at greater than \$10,000, or as needed, the Executive Committee of the Library Board of Trustees and Director will meet to evaluate the gift. The President of the Library Board may also appoint other members of the Board to the evaluation committee. For gifts of consequence, a member of the Waverly Public Library Foundation's Board of Directors will also be named to the committee. In general, the committee will consider the following factors:

- a. Value to the community in keeping with the Library's mission, values, and strategic direction;
- b. Compatibility between the intent of the donor and the Library's use of the gift;
- c. Consistency with prior practices;
- d. Maintenance requirements and costs, administrative obligations, and other financial or legal considerations; and
- e. Restrictions and other stipulations associated with the gift.

Recommendations from this committee will be presented to the Library's Board of Trustees and, where appropriate, the Library Foundation's Board of Directors. Decisions on acceptance of a gift shall be made by the Library's Board of Trustees, in consultation with the Director.

4. Use of Legal Counsel

The Library will 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 the Library as trustee or requiring the Library to act in any fiduciary capacity,
- c. Gifts require the Library to assume financial or other obligations,
- d. Transactions with potential conflicts of interest, or
- e. Gifts of property which may be subject to environmental or other regulatory restrictions.

5. Donor Responsibilities

- a. Gifts to the Library are tax-deductible as provided by law. The Library urges all prospective donors to seek the assistance of personal legal and financial advisors in matters relating to gifts, including the resulting tax and estate planning consequences. The Library's acknowledgement letter or gift form serves as the donor's record and receipt.

- b. The donor is responsible for placing value on all in-kind gifts for the donor's tax purposes.
- c. Gifts requiring appraisal shall be appraised through the donor with the cost of such appraisal borne by the donor.
- d. For any gift of life insurance, the donor must agree to pay, before due, any future premium payments owing on the policy.

6. Ultimate Use of Gifts

If accepted, the Library Board and Director shall have control over the use or disposition of a gift. Once a gift is accepted by the Library, it becomes the property of the Library, and may be disposed of accordingly. The gift will not be returned to the donor.

The Library may designate a portion of some gifts for the administration and stewardship of the gift, or to enhance the continued capacity to attract support for the Waverly Public Library. Any funds so designated are intended to assist the Library's gift administration, financial reporting, advocacy or marketing efforts, and other stewardship activities.

7. Acknowledgement and Recognition of Gifts

- a. Timely acknowledgement of each gift is of highest priority to the Library, as is the stewardship of each gift in accordance with the donor's wishes. Gifts are used for the highest and greatest need if they are donated without specific restriction, or are administered in following with the gift's designated purpose.
- b. All gifts of money or property will be acknowledged in writing by the Library. Gifts of materials are generally acknowledged only through a Library gift form, filled out at the time of donation, or by a tax receipt provided at the time of donation.
- c. Monetary gifts and gifts of consequence to the Library will be acknowledged by letter from the Library Director (or the Director's designee). Gifts of consequence will also be acknowledged by a letter from the President of the Library's Board of Trustees. Acknowledgments are sent to individuals whom donors wish to notify of the gift.
- d. As a means to recognize the generosity of donors and to inspire participation by others, the Library strives to provide appropriate public recognition of gifts received. This may include press releases and promotional materials, signage commemorating a gift, or the naming of physical spaces, programs, endowments, or other entities. The naming of entities is intended to be in place for the life of that entity. If circumstances change, the Library Board and Director will make best efforts to work with the donor to create a mutually-acceptable solution. Naming opportunities are intended to reflect the names of individuals or entities that exemplify the highest values of the Library. If, in the determination of the Library Board, those attributes are not maintained, the Board reserves the right to remove a name at any time.
- e. Donor confidentiality is an important aspect of the Library's stewardship responsibilities, and the Library Board and staff respect all requests for donor anonymity.

Adopted 02/25/03 pc

Reviewed with no change 10/26/04 pc; Revised and approved 08/14/07 smr; Revised and approved 06/08/10 smr; Reviewed with no change 02/11/14 smr; Reviewed with no change 01/12/16 smr; Reviewed with no changes 1-14-20 smr;

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