



BROWN

## Gift Acceptance Policy

POL: 01.15.01

Effective Date: October 26, 2019

### 1.0 Policy Purpose

Brown University strives to ensure that gifts are in amounts appropriate to carry out their specified use; that donor requirements and restrictions are acceptable to the University; that gifts are accepted and administered in a manner appropriate for a tax-exempt institution; and that the gifts enhance the reputation and standing of the University and do not compromise its mission. The purpose of this policy is to define the principles by which gifts will be accepted, repurposed, returned, or redirected, and the authority to do so on behalf of the University.

### 2.0 To Whom the Policy Applies

This policy applies to the Corporation of Brown University (the Corporation), the President and Senior Officers, and to any member of the Brown University community who engages in acceptance, management or solicitation of gifts on behalf of the University.

### 3.0 Policy Statement

Philanthropy is essential to the mission of Brown University. Financial aid, student programs, faculty development, and research all rely on the generous support of donors. The authority to accept gifts in support of the University's mission of education, research and scholarship rests with the Corporation, which may in turn delegate acceptance of some gifts (currently those valued at less than \$1 million) to the President and/or Senior Officers.

#### 3.1 Gift Acceptance

Gifts are accepted when they are found to contribute to the approved purposes of the University, in accordance with the following principles:

- A gift will not be accepted if the funds or property donated were acquired by other than legal means, or that clear title to the donated asset does not flow directly from the donor to the University.
- A gift will not be accepted if, in the judgment of the Corporation, the gift is too restrictive in purpose, requires expenditures beyond the University's resources, or compromises the academic freedom of the university community.
- A gift will not be accepted if, in the judgment of the Corporation, the gift is not aligned with Brown's mission of education, research and scholarship.
- A gift will not be accepted if, in the judgment of the Corporation, the intended purpose of the gift and/or being associated with the donor of the gift could inflict damage to the University's reputation, standing or integrity or be contrary to University values.

- At the request of a donor, the University may treat a gift as anonymous. However, a gift will not be treated as anonymous with the purpose of shielding the University from damage to its reputation or disguising a gift which it would otherwise not have accepted.
- The acceptance of a gift does not imply nor mean that the University endorses or approves of the donor's views, opinions, businesses, or activities.
- The University is committed to transparency, and will share information about the receipt of gifts in a manner that best serves the interests of the University and respects the wishes of donors.

### **3.2 Gift Repurposing**

The University may repurpose an unspent or endowed gift to a new University use if, due to changes in University programs or applicable laws and regulations, the gift cannot be used as originally intended by the donor.

The Corporation delegates to the President the authority to direct a gift to a new use or other needs of the University that conform as closely as possible to the donor's intent. If the terms of a gift agreement prevent a gift from being directed to a new use, the University will seek permission from the donor and prepare any necessary documentation, when possible, or from the Rhode Island Attorney General and the court if the donor is deceased or otherwise unavailable.

### **3.3 Return of a Gift**

The University may return a gift to the donor if the Corporation determines that it could cause damage to the University's reputation, standing or integrity to be associated with a specific donor or to use a gift for its intended purpose.

In this case, the disposition of the gift will be guided by Brown's mission of education, research and scholarship and associated values, and will depend on the specific circumstances of the case and any legal restrictions imposed by a gift agreement.

### **3.4 Redirection of a Gift**

The University may, with the agreement of the donor, redirect a gift to another non-profit organization if the Corporation determines that it could cause damage to the University's reputation, standing or integrity to be associated with a specific donor or to use a gift for its intended purpose.

In this case, the disposition of the gift will be guided by Brown's mission of education, research and scholarship and associated values, and will depend on the specific circumstances of the case and any legal restrictions imposed by a gift agreement.

## **4.0 Definitions**

For the purpose of this policy, the terms below have the following definitions:

- 4.1 Gift:** A voluntary, non-reciprocal charitable donation of value in exchange for which nothing in return is promised, expected, implied or forthcoming to the donor.

**4.2 Senior Officers:** The President, the Provost, the Executive Vice President for Finance and Administration, and the Senior Vice President for University Advancement, or similar titled positions.

## **5.0 Responsibilities**

All individuals to whom this policy applies are responsible for becoming familiar with and following this policy. University supervisors are responsible for promoting the understanding of this policy and for taking appropriate steps to help ensure compliance with it. Senior officers are responsible for the development of appropriate practices and protocols to ensure compliance with it.

## **6.0 Consequences for Violating this Policy**

Failure to comply with this and related policies is subject to disciplinary action, up to and including suspension without pay, or termination of employment or association with the University, in accordance with applicable disciplinary procedures or for non-employees may result in the suspension or revocation of the individual's relationship with Brown University.

## **7.0 Related Information**

Brown University is a community in which employees are encouraged to share workplace concerns with University leadership. Additionally, Brown's Ethics and Compliance Reporting System allows anonymous and confidential reporting on matters of concern through the EthicsPoint platform.

The following information complements and supplements this document. The information is intended to help explain this policy and is not an all-inclusive list of policies, procedures, laws and requirements.

### **7.1 Related Policies:**

- Naming or Renaming University Buildings Spaces, Programs and Positions

**7.2 Related Procedures:** N/A

**7.3 Related Forms:** N/A

**7.4 Frequently Asked Questions (FAQs):** N/A

**7.5 Other Related Information:** N/A

## **8.0 Policy Owner and Contact(s)**

**8.1 Policy Owners:** The Corporation of Brown University

**8.2 Policy Approved by:** The Corporation of Brown University

**8.3 Subject Matter Contact:** Executive Vice President for Planning and Policy

- Telephone: 401-863-9650
- Email: russell\_carey@brown.edu

## **9.0 Policy History**

**9.1 Policy Effective Date:** October 26, 2019

**9.2 Policy Last Reviewed:** October 26, 2019

**9.3 Policy Update/Review Summary:** Formatted into University Policy Template.