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## HUMAN RESOURCES POLICIES & PROCEDURES

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### SUBJECT: GIFT-IN-KIND POLICY

#### **PHILOSOPHY**

Donors are vital in helping the Community Cancer Center increase cancer survivorship through state of the art services that cover a continuum of care. The Community Cancer Center Foundation has the responsibility of conducting all affairs in the best interest of the cancer center and the people it serves. The foundation has outlined guidelines below to facilitate the ethical and legal handling of gifts it receives. However, the Community Cancer Center Foundation does not provide legal or tax advice to donors and this policy and its guidelines should not be construed as such.

#### **DEFINITIONS**

**Gift-In-Kind:** A gift-in-kind is tangible personal property. Examples of tangible personal property are statuary for the grounds, books, and computers. These gifts may be tax-deductible; Community Cancer Center Foundation encourages donors to discuss their giving plans and the potential tax deductibility of their gifts with their personal tax advisors.

**Free Services and partial interests do not qualify as gifts-in-kind:** Giving free legal advice or free massages are examples of donated services. The provision of free services is not considered a gift-in-kind and is never tax deductible (although out of pocket expenses incurred in the provision of services may be deductible under certain circumstances). Examples of a partial interest in property include use of a vacation home or a free round of golf. The donation of a partial interest in property typically is not tax deductible either. For more information about the tax implications of a service or partial interest, please review [IRS Publication 526](#).

#### **POLICY**

##### **Accepting Gifts-In-Kind**

There are several factors the Community Cancer Center Foundation considers before accepting a gift such as:

- (a) The compatibility of gifts with the mission and vision of the Community Cancer Center Foundation
- (b) Any risks, including reputational or legal risk, in accepting the gift
- (c) Any maintenance, repair, or preservation costs associated with the gift and the ability of the Community Cancer Center Foundation to bear those costs
- (d) The desired location of the gift and the impact on the physical space surrounding the gift, or other special requirements in accepting the gift
- (e) Whether or not the gift is related to the work performed by the Community Cancer Center. If the gift is unrelated to the center's tax exempt purpose, the donor must agree that the property can be sold. If the donor does not agree that the property is saleable, the Community Cancer Center Foundation will be unable to accept the gift.

##### **CCCF's Approval of Gifts-In-Kind**

- (a) All gifts-in-kind must be accompanied by either a store receipt or an itemized list with a description of each item and its estimated value from the donor.
- (b) Gifts valued at greater than \$5,000 must be accompanied by an independent appraisal obtained by the donor. The donor must also submit the appraisal with the gift to the Community Cancer Center Foundation in order for the foundation to accept it.
- (c) Community Cancer Center Foundation staff will document all accepted gifts on a Foundation Gift-in-Kind Acceptance Form.

- (d) Accepting gifts-in-kind in connection with the property or grounds requires approval by the Executive Director.
- (e) The Community Cancer Center Foundation staff will work with the Community Cancer Center's garden and grounds committee for appropriate placement of any approved gifts to be placed outside the building.

**Gift-In-Kind Restriction-Healing Garden**

In order to preserve the look and feel of the enclosed healing garden, the Community Cancer Center Foundation will no longer accept gifts for that portion of the property, with the exception of bricks and pavers. The Community Cancer Center's efforts to beautify the property outside the healing garden continue, and gifts-in-kind for those areas are welcome.

**The Value of a Gift**

The Community Cancer Center Foundation is not lawfully able to provide a dollar value for gifts-in-kind. Donors must determine the fair market value of their gifts and the amount that is tax deductible in accordance with IRS guidelines. Donors always have the discretion to obtain a qualified appraisal to support the value of their gift and must do so in certain cases, such as all gifts where they plan to claim a deduction of more than \$5,000 and gifts of household items such as furniture to support a deduction of more than \$500. The donor also may be required to complete [IRS Form 8283](#). Please review Pub. 561 for more information.

**Written Acknowledgements**

The Community Cancer Center Foundation provides a timely written acknowledgement to all donors containing:

- (a) A description (but not the value) of the gift-in-kind
- (b) A statement that no goods or services were provided by the CCCF in return for the contribution.

The Community Cancer Center Foundation's acknowledgement should not be construed as qualifying the item as a tax deductible donation.

**Additional Considerations**

There are many other considerations regarding charitable giving. If donors need assistance in working with the Community Cancer Center Foundation regarding their gift, they can contact the Community Cancer Center Foundation development office. However, the Community Cancer Center Foundation cannot advise on whether a gift-in-kind is tax deductible, the value that can be deducted, or the steps that need to be taken to claim deductions for gifts-in-kind. Donors are encouraged to seek guidance from competent accountants and/or legal counsel on such matters.

**SIGNATURE:** \_\_\_\_\_ **DATE:** \_\_\_\_\_

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