

**ONEOHIO RECOVERY FOUNDATION**  
**GIFT ACCEPTANCE POLICY**

**I. Purpose and Objectives.**

A. Purpose. The purpose of this Gift Acceptance Policy (“**Gift Policy**”) is to protect the interests of OneOhio Recovery Foundation (the “**Foundation**”) by ensuring that all gifts to or for the Foundation are (1) structured to provide maximum benefit to each of the Foundation and the donor, and (2) not restricted in a manner that is inconsistent with the mission of the Foundation.

B. Objective. This Gift Policy is designed to affect the following specific objectives:

1. Except where stated otherwise, this Gift Policy is to act as a guideline for the review process that is to be undertaken prior to the Foundation accepting any gifts.
2. To optimize funding from individuals and other entities to the Foundation.
3. To allow for flexibility with respect to the evaluation and acceptance or rejection of a gift, to account for the sometimes complex decisions that involve a number of interrelated factors.

C. Definitions.

1. “**Board**” means the board of directors of the Foundation.
2. “**Director**” means a director on the Board.
3. “**Encumbrances**” means any lien, pledge, mortgage, deed of trust, security interest, charge, claim, easement, encroachment, or other similar encumbrance.
4. “**Simple Gift**” has the meaning ascribed to it in Section IV of this Gift Policy.
5. “**Complex Gift**” has the meaning ascribed to it in Section V of this Gift Policy.

**II. Authority.**

A. Board Authority. The Board shall review and evaluate all Complex Gifts proffered to the Foundation to determine if acceptance of such Complex Gift is viable. In addition, the Board shall reserve the right to review and approve any Simple Gifts, in addition to the review conducted by the Executive Committee, if (i) in the judgement of the Executive Director, the gift warrants immediate action and the Executive Committee cannot convene, or (ii) in the judgement of the Executive Director or the Executive Committee, the gift is of such extraordinary circumstances or if the type (or amount) of asset(s) or the restrictions or conditions pertaining to the gift are of significance or complexity.

Any Board review and approval shall be conducted in accordance with the voting requirements outlined in the Foundation's Code of Regulations, in effect at the time of the gift (the "**Code of Regulations**") and in accordance with the Foundation's Conflict of Interest provisions set forth in of the Code of Regulations.

For the review of any Complex Gift, the Board may include outside legal counsel and such counsel's analysis in the Board's evaluation of the Complex Gift. For the review of any Simple Gift, the Board also has the option to include outside legal counsel in its evaluation of the Simple Gift.

- B. Executive Committee Authority. The Executive Committee shall evaluate, review, and approve each Simple Gift that is proffered to the Foundation pursuant to the guidelines outlined in Sections III and IV this Gift Policy; provided, however, that the Foundation may accept ordinary course gifts of cash or cash equivalents that are not significant and are without restrictions or conditions.

### III. **Procedure.**

- A. Purpose of Gift. All gifts made to the Foundation shall be consistent with the tax-exempt purposes of the Foundation. All gifts shall be in compliance with the Internal Revenue Code and any other applicable federal or state statutes, regulations, rulings and comparable tax-exempt statutes of the Foundation.

- B. Acceptance of Gifts.

- 1. *Evaluation*. All Simple Gifts and Complex Gifts shall be evaluated and approved for acceptance in accordance with Section II of this Gift Policy.
  - 2. *No Material Restrictions*. Any gift made to the Foundation shall not be directly or indirectly subjected to any material restriction or any such condition that prevents the Foundation from freely and effectively employing the gift or the assets or income derived therefrom, in furtherance of the tax-exempt purposes of the Foundation.

- C. Donor Relations.

- 1. *Acknowledgement of Gift*. The Executive Director shall acknowledge, or cause to be acknowledged, the receipt of all gifts in a contemporaneous writing to the donor that includes each of the following:
    - i. The name of the donor;
    - ii. The name of the donee organization;
    - iii. The amount of cash and a description of any property other than cash contributed;

- iv. A statement whether the donee organization provided any goods or services in consideration for the contribution; and
      - v. A description and good faith estimate of the value off any goods or services provided in consideration for the contribution.
    - 2. *Legal Counsel.* The Foundation shall encourage donors to consult an independent financial, legal and/or tax counsel in matters relating to the gift in question and any resulting tax and estate planning consequences. It is the donor’s responsibility to directly employ and compensate independent financial, legal, and/or tax counsel.
    - 3. *Costs.* Any fees or costs associated with the transfer of a gift from a donor to the Foundation, including but not limited to attorney fees, accounting fees, or any other professional fees, appraisal costs, escrow costs, evaluation costs, title insurance costs, any environmental assessment fees and costs, or any other fees or costs shall be the responsibility of the donor unless such expenditures are specifically authorized by the Board in advance of the gift. Any such concessions should be described in the gift agreement.
    - 4. *Filings.* To the extent an accepted gift requires the donor to file any tax forms or any other documentation, the donor is responsible for those filings.
    - 5. *Notice of Transfer.* The donor shall notify the Foundation of its intent to transfer a gift to the Foundation at the Foundation’s business address.
  - D. Records Keeping. All files, records, and mailing lists of all donors and prospective donors are to be maintained and controlled by the Board. All such information shall be confidential and used only by the Board and Foundation staff. Use of the information shall be restricted to the Foundation’s purposes only. Each donor has the right to review his or her donor file.
- IV. Simple Gifts.** Any gift of the nature described in this Section IV below, shall be considered a “**Simple Gift**” that the Foundation may accept subject to reviewed and approval in accordance with Section II of this Gift Policy.
- A. Cash and Cash Equivalents. Cash and cash equivalents shall include cash, checks, credit cards, electronic funds transfer, and automated clearing house payments.
  - B. Publicly Traded Securities. Publicly traded securities shall include securities that are readily marketable or traded on a recognized market exchange.
- V. Complex Gifts.** Any gift of the nature described in this Section V below, shall be considered a “**Complex Gift**” that the Foundation may not accept, except

with the Board's review and approval in accordance with Section II of this Gift Policy.

- A. Tangible Personal Property. Tangible personal property including, but not limited to, artwork, collectibles, antiques, jewelry, books, automobiles, boats, etc.
- B. Intangible Personal Property. Intangible personal property including, but not limited to, copyrights, patents, and royalties.
- C. Mutual Funds. Mutual funds including, but not limited to, interests in a managed investment program.
- D. Corporate Ownership Interest. Corporate ownership interests including, but not limited to, closely held stock, limited partnership, or limited liability company interests.
- E. Real Estate. Real estate including, but not limited to, residential, commercial, developed, and undeveloped real property.
- F. Bargain Sale. Bargain sales, including a gift resulting from a bargain sale transaction.
- G. Bequests. Bequests made through a will or other bequest vehicle or other estate planning or charitable contribution vehicle or arrangement; provided, that simple bequests of Simple Gifts can be accepted pursuant to the terms set forth herein.
- H. Retirement Plans. Retirement plans or interests therein, including, but not limited to, gifts from or related to retirement plans which shall include individual retirement accounts, 401(k) and 403(b) plans, or other qualified or non-qualified plans.
- I. Life Insurance Policies. Life insurance policies including, but not limited to, gifts of life insurance policies and proceeds of such policies.
- J. Others. Any other types of property or right therein not otherwise described in A-I above or as described as a Simple Gift herein.