

### **C.1.3.1 (Procedure) Donations and Grants from Private Sources**

Responsible Department: District Institutional Advancement, Vice Chancellor for  
Finance and Administration

Based on Board Policy: [C.1.3](#) - Appropriations and Revenue Sources

Approved: 8-18-09

Last Amended: 7-6-10, 6-1-17

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#### **General Provisions**

The Alamo Colleges Foundation, in coordination with the College District Office of Institutional Advancement, serves as the official fund-raising and endowment arm of the College District for all donations and grants from private sources. The College District Office of Institutional Advancement is the unit authorized to coordinate all fund raising from private sources, and accept and receive all donations and grants on behalf of the College District within the limitations set forth by the College District Board of Trustees below. In this procedure, "College District" includes all colleges and other units of the Alamo Community College District. The relationship between the College District, including its colleges and employees, and the Alamo Colleges Foundation, shall be governed by a separate memorandum of understanding.

#### **Definitions**

##### **Private Sources**

Private sources are those that are in the private sector, including people in their individual capacity, any private foundation, community foundation, corporate foundation, business or corporation, association, or any organization that is not a federal, state, or local government agency or entity.

##### **Donations**

Donations are unencumbered transfers of assets from a donor to a recipient made without expectation or entitlement with regard to any return of the assets to the donor. Although a donation may entail specific expectations of performance by the recipient, the donor does not retain any rights over the assets once transferred to the recipient. Bequests are considered to be donations. In this procedure "donations" includes donations from private sources only.

##### **Grants**

Grants are encumbered transfers of, or commitments to transfer, assets from a private source ("grantor") to a grantee for the purpose of supporting the grantee in the accomplishment of specified objectives, generally within a specified time period. Where the grantor does not specify in the grant award instrument a residual right to reclaim assets transferred, such transfer of assets shall be considered by the College District as a donation.

##### **Bequests of Property**

All bequests of property for the benefit of the College District shall vest title to the property in the College District, or in the Alamo Colleges Foundation Board of Directors, as specified by the terms of the bequest, and/or as specified by the memorandum of

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understanding between the College District and the Alamo Colleges Foundation. When not specified by the grantor, funds or other property donated, or the income therefrom, may be expended in any manner authorized by law and College District policy. Bequests are considered to be donations.

#### **Authority to Accept and Receive Donations and Grants from Private Sources**

The College District Board of Trustees and the Alamo Colleges Foundation Board of Directors shall be authorized to accept and receive on behalf of any college of the College District, or the College District as a whole, all donations and grants from private sources.

This authority encompasses receipt of real or personal property, including, but not limited to, money, stock, land, bonds, notes, securities, trust instruments, or other character of personal property.

In the case of (1) donations or grants of real property, or (2) donations or grants that could potentially create a new, unbudgeted, expense for the College District, acceptance of the donation or grant shall be subject to the action of the full College District Board of Trustees on a case-by-case basis, as recommended by the Chancellor.

Donations or grants that are for purposes not consistent with the stated goals, objectives, and educational philosophy of the College District or the Alamo Colleges Foundation, and donations or grants that illegally discriminate against any person on the grounds of race, color, religion, gender, national origin, age, genetic information, sexual orientation veteran status or disability shall not be accepted.

#### **Donation and Grant Reporting**

The Chancellor shall provide to the College District Board of Trustees at each regular Board meeting a report of donations and grants received from private sources by the College District and the Alamo Colleges Foundation the previous month. Each report shall include information as to donor or grantee, aggregate value of all donations and grants, purpose, and restrictions pertaining to each donation and grant.

#### **Solicitation of Donations and Grants from Private Sources**

The responsibility for the solicitation of donations and grants from private sources shall be assigned as part of the duties of the Chancellor, Vice Chancellors, and college Presidents, who shall be guided and supported by the College District chief development officer and the chief development officer at each college of the College District. Where the President of a college has not appointed a chief development officer for his/her respective college, the College District chief development officer shall be responsible for guiding and supporting the President in the solicitation of donations and grants from private sources for that college. All solicitations of donations and grants from private

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sources are to be made in the name of, and through, the Alamo Colleges Foundation on behalf of the College District or college.

All employees have the potential to act as members of the fund-raising team. College District employees, or student organizations seeking to raise funds in the name of their respective college, or in the name of the College District as a whole, are to obtain clearance from their respective college chief development officer, or the College District chief development officer, as appropriate, prior to engaging in such fund-raising activities.

All college development efforts will be made only in conjunction with the joint College District and Alamo Colleges Foundation fund-raising plan and under the direction of the College District chief development officer.

#### **Delegation of Authority to Solicit Donations and Grants from Private Sources**

Authority to solicit donations and grants from private sources may be given to any College District employee, volunteer or organization by the College District chief development officer, and the relevant college President or Vice Chancellor.

Delegation of authority shall be in written form, and shall prescribe limitations as to the purpose, method, and scope of the solicitation. The purpose of any solicitation shall be clearly described and be in direct support of the mission and strategic plan of the College District, and the joint fund-raising plan of the College District and the Alamo Colleges Foundation. The method of solicitation shall be defined (such as special events, grant proposals, direct mail, personal contacts). The scope of solicitation shall identify the prospective funding sources, the total amount of funds to be solicited for the stated purpose, and a time frame within which the solicitation will occur.

The College District chief development officer shall apprise and engage each college chief development officer, as a part of a comprehensive development team in any fund-raising campaign conducted for district-wide or college-specific purposes.

Individual college chief development officers are to coordinate the scope of any solicitation initiated at their college with the College District chief development officer so as to maximize fund-raising efficiency and effectiveness and to ensure all solicitations are made in the name of, and through, the Alamo Colleges Foundation.

College District employees, volunteers or organizations who are not provided with a written authorization to solicit grants or gifts by the appropriate chief development officer as described above are not considered as officially representing the individual college, any part of the individual college, the College District, or the Alamo Colleges Foundation for fund-raising purposes.

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#### **Receipt of Donations and Grants from Private Sources**

All donations and grants from private sources, whether solicited or unsolicited, are to be donated or awarded to, or through, the Alamo Colleges Foundation. Where such donations or grants are initially received by a college, the appropriate college chief development officer shall ensure a college process is in place that ensures such donations or grants are recorded and forwarded to the Alamo Colleges Foundation. This process recognizes that donations may be initially received by employees, volunteers or organizations as authorized per the guidelines above.

Where an unsolicited donation or grant from a private source is offered to a college or any unit of a college, such donation or grant shall be referred to the college chief development officer for negotiations and processing through the Alamo Colleges Foundation. Employees, volunteers, and organizations representing a college are not authorized to accept unsolicited donations or grants, and are to work with the college chief development officer for accepting such donations or grants.

#### **Types of Donations and Grants from Private Sources**

Donations or grants from private sources may come in the form of cash (including checks, money orders, and other negotiables), stocks and bonds, personal property, equipment (including items such as machinery, tools, automobiles, aircraft), real property (real estate), consumable supplies, services (such as advertising design and space), and donated time (such as volunteer entertainment at a special event).

Planned estate or life income donations (such as provided through wills, charitable remainder trusts, gift annuities) are to be coordinated through the College District chief development officer and the Alamo Colleges Foundation.

#### **Donation Recognition**

The official recognition or acknowledgment of donations received shall be the responsibility of the Alamo Colleges Foundation. The College District Chancellor, Vice Chancellors, college Presidents, College District chief development officer, college chief development officers, faculty and staff, and others who have taken an active part in gift solicitation are also encouraged to recognize and acknowledge gifts with appropriate expressions of gratitude to the donor.

Acknowledgment of major donors, as determined by the Alamo Colleges Foundation, shall also be made with the placement of donor logos, names on plaques, or other appropriate methods, at locations throughout the College District. Where gifts from major donors have a district-wide impact such recognition items shall be placed in a place of honor outside and near the official meeting place of the College District Board of Trustees.

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Where gifts from major donors have a localized impact such recognition items shall be placed in, at, or near the area impacted.

Valuation of gifts of personal property, equipment, services, and donated time shall as a general rule be the responsibility of the donor. In the case of (1) donations or grants of real property, or (2) donations or grants that could potentially create a new, unbudgeted, expense for the College District, acceptance of the donation or grant shall be subject to the action of the full College District Board of Trustees on a case-by-case basis, as recommended by the Chancellor. Gifts of cash instruments, stocks and bonds shall be accepted and acknowledged at face value.

Donations of personal property, equipment, and other non-negotiable assets, when exceeding a declared value of \$500.00 by the donor, shall require the submission of a completed IRS Form 8283 from the donor to the charitable entity. Gifts of personal property, equipment, and other non-negotiable assets, when exceeding a declared value of \$5,000.00 by the donor, shall require an appraisal of such value conducted by an independent certified appraiser. An appraisal document shall be required, and provided by the donor, at the time such gift is made.

#### **The Alamo Colleges Foundation**

The Alamo Colleges Foundation, Inc. exists as a separate, and independent, non-profit, charitable entity as a 501(c)(3) organization under the U.S. IRS regulations, whose purpose is to raise funds and support the advancement of the Alamo Community College District and each of its colleges. Donations and grants from private sources are to be directed to the Alamo Colleges Foundation, Inc. and are to be coordinated through the Alamo Colleges Foundation's Executive Director.

The relationship between the College District, including its colleges and employees, and the Alamo Colleges Foundation, shall be governed by a separate memorandum of understanding.

#### **Accountability, Sale, and Other Disposition of Donated Property**

Property (including equipment, personal property items, and real property), once given to the college or College District, becomes the official property of the College District, and shall only be sold, or otherwise disposed of, as prescribed by College District inventory control regulations.

*Legal Reference - TACC Policy Reference Manual*

CAM(LEGAL) - Appropriations and Revenue Sources: Grants, Funds, Donations from  
Private Sources