

# St. Cloud Technical & Community College

## Policies and Procedures

### Chapter S7 – General Finance Provisions

S7.1.1 Procedure

S7.1.1.F1 Form

## S7.1 Acceptance of Gifts In-Kind

*This policy reflects the Minnesota Gifts In-Kind Donations policy 7.7 and Minnesota Statute 136F.80.*

*Update Revision Responsibility: Vice President of Administration*

### **Definition Gifts In-Kind**

Gifts In-Kind refer to contributions of products or inventory to the college.

### **Purpose**

This policy establishes the conditions under which gifts in-kind may be accepted by the college and assigns authority for such acceptance.

### **Conditions for Acceptance**

Authority to accept gifts in-kind is provided under Minnesota Statute 136F.80 and outlined in Minnesota State Board Policy 7.7- Gifts and Grant Acceptance. Under that policy St. Cloud Technical & Community College is authorized to accept all gifts and grants made to St. Cloud Technical & Community College with the exception of real property, on behalf of the Board of Trustees. All gifts of property must be formally accepted by the Minnesota State Board of Trustees and shall be subject to appropriate due diligence and conformance with the campus facilities master plan. Gifts of over \$100,000 will be reported to the Chancellor or their designee.

- a. Gifts In-Kind should enhance either the college's day to day operations or its mission and goals. Therefore, the college should not accept gifts that are obsolete, damaged or unrelated to its mission/operations. The college will not accept donations of hazardous waste.
- b. The following must also be considered before accepting gifts in-kind
  - a. Any potential tort liability
  - b. Any conflicts of interest
  - c. The cost of altering, operating or maintaining the gift property
  - d. Any taxes or special assessment that must be paid to the transfer of the gift title

### **Responsibility**

An administrator will deem the gift appropriate for acceptance by signing documentation as described in corresponding SCTCC procedure. All paperwork related to a gift in-kind will be forwarded to the Business Office, Foundation Director and President's Office.

The SCTCC President or their designee will acknowledge the accepted gift in-kind in writing (have a letter drafted for the President's or designee's signature). The Foundation Director will also acknowledge the accepted gift in-kind in writing. The purchasing department will record all accepted gifts in-kind as part of the official college inventory (per Minnesota State policy 7.3.6-Capital Asset) and provide the Vice President of Administration with a report on such gifts at the end of each fiscal year.

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College President: \_\_\_\_\_ Date: \_\_\_\_\_

Date of Adoption: \_\_\_\_\_

Date of Implementation: \_\_\_\_\_

Date repealed or replaced: \_\_\_\_\_

# St. Cloud Technical & Community College Policies and Procedures Chapter S7 – General Finance Provisions

## S7.1.1 Accepting Gifts In-Kind Procedure

Gifts In-Kind will be reviewed, accepted, inventoried and recorded according to the following steps:

1. Prior to accepting a gift in-kind, the appropriate administrator will deem the gift suitable for acceptance based on criteria included in SCTCC's Policy Acceptance of Gifts In-Kind.
2. The administrator will complete and sign the attached SCTCC acceptance form and forward copies to the Purchasing Agent, Foundation Director and President's Office. When a gift in-kind is valued at \$50,000 or more by the donor and given directly to the college, the attached Minnesota State Gift and Grant Acceptance Reporting Form must also be completed. This Minnesota State form is not required when gifts in-kind are given to the St. Cloud Technical & Community College Foundation.
3. If the gift in-kind is not deemed suitable for acceptance, the appropriate administrator will contact the prospective donor to communicate the college's decision regarding acceptance of the gift.
4. A letter acknowledging receipt of the gift will be sent to the donor by the College President or their designee and the Foundation Director, respectively. Copies of the letters shall be forwarded to the Vice President of Administration's Assistant. For income tax purposes, it is the responsibility of the donor to determine the fair market value of the gift. College personnel must not take on this role. To determine eligibility to claim the charitable deduction, donors will be advised, by the appropriate administrator, to complete IRS Form 8283 if their total tax deductible gifts exceed \$500 in a given year. The donor will also be advised that a "qualified appraisal" is required for a single non-cash gift over \$5,000 in order to complete IRS Form 8283. The appropriate administrator will sign this IRS form acknowledging receipt (not value) of the gift.
6. If the donated item is a motor vehicle, boat or airplane, additional reporting requirements apply. The use of the item, whether the College will retain or sell the item, must be declared at the time the gift is accepted. Please contact the Business Office before accepting a gift of a motor vehicle, boat or airplane.
7. If the gift in-kind is valued at less than \$25, no letter of acknowledgement will be sent by the College.
8. If the gift is valued at more than \$100,000 or is real property, the Vice President of Administration will report the gift to the Minnesota State Chancellor's Office for approval by the Chancellor or their designee.
9. In the event that the college sells the gift within two years of receipt, it must file an information return (IRS Form 8282) with the Internal Revenue Service naming the original donor and the sale price.
10. The College Purchasing Agent will inventory and report the gift in accordance with Minnesota State Board Policy 7.7.
11. The Business Office will maintain a list of gifts in-kind and report annually to the college president and the Chancellor.

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College President: \_\_\_\_\_ Date: \_\_\_\_\_  
Date of Adoption: \_\_\_\_\_  
Date of Implementation: \_\_\_\_\_  
Date repealed or replaced: \_\_\_\_\_

St. Cloud Technical & Community College  
Non-Cash Gift Acceptance  
(Gift In-Kind)

Name/Organization: \_\_\_\_\_  
Contact Name/Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: (\_\_\_\_) \_\_\_\_\_ Business Phone: (\_\_\_\_) \_\_\_\_\_  
E-Mail: \_\_\_\_\_

I/we wish to donate the following item(s) to St. Cloud Technical & Community College and state that the donation does not contain hazardous waste. Description of donation is indicated below: All donations are subject to approval and will not be accepted until all signatures are obtained.

Description: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Restricted for: \_\_\_\_\_  
(Department/Fund)

Donor Estimated Value: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

In accepting this gift, it is our understanding that you have not imposed and we have not accepted any conditions, restrictions or limitations in the manner in which the college may use or dispose of the property. St. Cloud Technical & Community College may sell or otherwise transfer or dispose of any or all interest in the property at any time, at its sole discretion; and when it does so, it shall comply with any or all applicable requirements, including those of the Internal Revenue Service.

If you are donating to the College a motor vehicle, boat, or airplane, you must provide the College with your Federal Identification Number if you intend to claim a tax deduction of more than \$500. The Federal Identification Number will be used by college officials to report your donation to the IRS, as required by Internal Revenue code section 170(f)(12). You do not need to provide your Federal Identification Number if you do not intend to apply for a tax deduction or if the claimed value of the donation is \$500 or less. The College will not use or disclose your Federal Identification Number for another purpose without your written authorization.

Donor Estimated Value: \_\_\_\_\_

Donor Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: Hazardous Material Coordinator: \_\_\_\_\_ Date: \_\_\_\_\_

Signature: College Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

In signing this, I attest that I have completed a cost/benefit analysis and the benefits of accepting this donation exceed the costs of acceptance/maintenance and ultimate disposal of said donation.

Distribution: White-Donor; Canary-Business Office; Pink-Foundation; Gold-President's Office.