

**Gift Acceptance Policy**  
**Chattanooga Symphony and Opera**

It is the general policy of the Chattanooga Symphony and Opera (“CSO”) to seek gifts from multiple and diverse sources so that the CSO does not become dependent on any one person or group. The Gift Acceptance Policy is a companion policy to the Naming Opportunities and Recognition Policy and the Investment Policy. All three policies impact the acceptance, recognition, and/or distribution of proceeds from gifts made to the CSO.

**General Policy**

The CSO will accept no gift or fund which in any way limits accomplishment of the mission to which the CSO is committed. The CSO Executive Director is authorized to accept all gifts or bequests on behalf of the CSO unless one or more of the following circumstances apply:

1. The property to be received is not cash, marketable securities or other readily marketable assets;
2. The gift or bequest includes a restriction or suggestion regarding the CSO’s use of the funds that could raise legal, ethical, policy or practical concerns for the CSO;
3. In the judgment of the Executive Director, there are other risks or concerns that should be reviewed by the Executive Committee.

**Unrestricted Gifts**

All gifts made to the CSO through wills, trusts, annuities, or other documents and life estate contracts (“Gift Documents”) shall become part of the CSO’s Quasi-Endowment, also known as the Board-Designated Endowment, unless donors stipulate otherwise in the written instruments which create such gifts. Such gifts will be invested and managed under the CSO Investment Policy.

**Restricted Gifts**

The CSO recognizes that donors may prefer to make gifts with restrictions which limit their use to special interests and desires on their part. The Naming Opportunities and Recognition Policy spells out the conditions for acceptance and recognition for restricted gifts.

**Donor Intent**

Should the CSO receive a gift and need clarification as to the intended use of the gift, the gift may be held and, if it is a check, not deposited until the donor’s intent is clarified and all parties involved are in agreement concerning its use.

In all cases in which questions arise as to the interpretation of the terms of Gift Documents, it is the policy of the CSO to have all such issues determined by mediation, confirmed in a writing signed by all affected parties, or in a court of competent jurisdiction. The CSO will not enter into any compromise settlement concerning the provisions of such Gift Documents except as provided above.

Should the CSO decide not to carry out a program for which a designated or restricted donation has been given, the donation must be returned to the donor unless the donor agrees for the gift to be used in another way. In some cases, designated or restricted gifts may be accounted for separately.

### **Types of Assets Which Will Be Accepted**

Per the above, the CSO will accept the following types of assets as contributions:

1. Cash and Checks
2. Securities – Publicly traded and closely held stocks and bonds will be accepted. It is the donor's responsibility to obtain any necessary appraisals of securities. The CSO will not accept "assessable" securities. Closely held stocks shall be accepted upon approval of the Executive Committee. Securities will be liquidated as soon as possible.
3. Real Property – Unencumbered real property will be accepted at fair market value if all costs of holding such property have been reasonably provided for. Before acceptance, an environmental survey, title search or other reasonable research shall be done to assess the suitability of the gift, and a member of the CSO staff must conduct a visual inspection of the property. If the property is located in a geographically isolated area, a local real estate broker can substitute for a member of the staff in conducting the visual inspection. Encumbered property shall only be accepted in exceptional circumstances and upon approval from the Executive Committee.
4. Other Assets – Mortgages, tangible personal property, art work, loans, partnership interests, life insurance policies and other similar assets will only be accepted after a thorough review by the Executive Director and Executive Committee, and the CSO's legal counsel if necessary.

### **Non-Acceptance and Prohibitions**

Per the above, the CSO will not accept the following:

1. Bargain sale of assets.
2. Charitable gift annuities.
3. Any bequest that might prove to be more of a cost than a benefit.

The CSO will not act as trustee for any charitable trust. The administration of such trusts should be performed by a bank trust department or other trustee as selected by the donor.

## **Other Provisions**

No agreement will be made between the CSO and any other agency, person, company, or CSO on investments, management, or other matters which would knowingly have an adverse effect upon the donor. All potential donors of planned gifts to the CSO will be advised to seek the counsel of their attorney, accountant, or other tax advisor on all aspects of a proposed gift, whether by bequest, trust agreement, contract, or other means. It shall be the policy of the CSO to avoid the exercise of any high-pressure sales techniques in dealing with prospective donors. It is the responsibility of all representatives of the CSO, whether paid or volunteer personnel, to deal openly and fairly with each prospective donor.

Donor records are confidential and information is limited to dissemination only on a “need to know” basis. Per the Naming Opportunities and Recognition Policy, approval will be secured from major gift donors before any public announcements of these gifts. The CSO will honor the request of donors to remain anonymous.

The CSO endorses the attached “Donor Bill of Rights” and requires that staff and volunteers abide by these guidelines as they relate to prospects and donors.