



## CREATIVE ART WORKS Gift Acceptance Policy

Creative Arts Workshops for Kids Inc. d/b/a Creative Art Works (“CAW”), a nonprofit organization organized under the laws of the State of New York, encourages the solicitation and acceptance of gifts to Creative Art Works for purposes that will help to further and fulfill its mission. The following policies and guidelines set forth below govern the acceptance of gifts and provide guidance to prospective donors and their advisors when they are contemplating a gift made to Creative Art Works or for the benefit of any of its programs.

### *Gifts Generally Accepted Without Review—*

- **Cash.** Cash gifts are acceptable in any form, including by check, money order, credit card, or online.
- **Marketable Securities.** Marketable securities may be transferred electronically to Schwab / DTC 0164 (code 40 if required) / Account No. 39190672 / FBO Creative Art Works or delivered physically with the transferor's endorsement or signed stock power (with appropriate signature guarantees) attached. All marketable securities will be sold promptly upon receipt unless otherwise directed by CAW's Executive Committee. In some cases marketable securities may be restricted, for example, by applicable securities laws or the terms of the proposed gift; in such instances the decision whether to accept the restricted securities shall be made by the Executive Committee.
- **Bequests and Beneficiary Designations under Revocable Trusts, Life Insurance Policies, Commercial Annuities and Retirement Plans.** Donors are encouraged to make bequests to CAW under their wills, and to name CAW as the beneficiary under trusts, life insurance policies, commercial annuities and retirement plans.
- **Charitable Remainder Trusts.** CAW will accept designation as a remainder beneficiary of charitable remainder trusts.
- **Charitable Lead Trusts.** CAW will accept designation as an income beneficiary of charitable lead trusts.
- **Donor Advised Funds (“DAF”).** CAW accepts gifts from DAFs. CAW sends thanks, but not gift receipts, for contributions directed via DAFs; substantiation letters are provided to the donor by the fund.

**Restrictions on Gifts—**CAW will not accept gifts that (a) would result in CAW violating its corporate charter, (b) would result in CAW losing its status as an IRS § 501(c)(3) not-for-profit organization, (c) are too difficult or too expensive to administer in relation to their value, (d) would result in any unacceptable consequences or deemed inappropriate for CAW, or (e) are for purposes outside CAW's mission. Decisions on the restrictive nature of a gift, and its acceptance or refusal, shall be made by the Executive Committee, in consultation with the Executive Director.

**Appraisals on Gifts—**It is the donor's responsibility to determine whether it is necessary to obtain an appraisal of a proposed gift and, if so, to secure such appraisal. It is also the donor's responsibility to secure independent legal, tax, financial and estate advice for all gifts to CAW. CAW will not act as an advisor to any donor in any of these respects, though CAW will work with a donor's advisors in furtherance of approved gifts.

*Gifts Accepted Subject to Prior Review*—Certain forms of gifts or donated properties may be subject to review prior to acceptance. Examples of gifts subject to prior review include, but are not limited to:

- *Tangible Personal Property.* The Executive Committee shall review and determine whether to accept any gifts of tangible personal property in light of the following considerations: Is the property marketable? Are there any unacceptable restrictions imposed on the property? Are there any carrying costs for the property for which the organization may be responsible? Is the title/provenance of the property clear?
- *Life Insurance.* CAW will accept gifts of life insurance where CAW is named as both beneficiary and irrevocable owner of the insurance policy. The donor must agree to pay, before due, any future premium payments owing on the policy.
- *Real Estate.* All gifts of real estate other than short term leases or licenses, are subject to review by the Executive Committee. Prior to acceptance of any gift of real estate. Criteria for acceptance of gifts of real estate include: Is the property useful for the organization's purposes? Are there covenants, conditions, restrictions, reservations, easements, encumbrances or other limitations associated with the property? Are there carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property? Does the environmental review or audit reflect that the property is damaged or otherwise requires remediation?

*Use of Legal Counsel*—CAW will seek the advice of legal counsel in matters relating to acceptance of gifts when appropriate. Review by counsel is recommended for:

- A. Gifts of securities that are subject to restrictions or buy-sell agreements;
- B. Documents naming CAW as trustee or requiring CAW to act in any fiduciary capacity;
- C. Gifts requiring CAW to assume financial or other obligations;
- D. Transactions with potential conflicts of interest; and
- E. Gifts of property which may be subject to environmental or other regulatory restrictions.

CAW will provide acknowledgments to donors meeting IRS substantiation requirements for property received by the charity as a gift. However, except for gifts of cash and publicly traded securities, no value shall be ascribed to any receipt or other form of substantiation of a gift received by Creative Art Works.

CAW will respect the intent of the donor relating to gifts for restricted purposes and those relating to the desire to remain anonymous. With respect to anonymous gifts, Creative Art Works will restrict information about the donor to only those staff members with a need to know.

CAW will not compensate, whether through commissions, finders' fees, or other means, any third party for directing a gift or a donor to Creative Art Works.