



Gift Acceptance Policy

Adopted on Nov. 21, 2024

The Florida Wildflower Foundation (FWF) shall accept only gifts that are deemed consistent with the public laws and/or regulations of the United States of America and the State of Florida. It shall closely observe the rules and guidance set forth by the Florida Uniform Prudent Management of Institutional Funds Act (FUPMIFA).

Prospective donors shall be strongly encouraged in all cases to consult with their own independent legal and/or tax advisors about proposed gifts, including tax and estate planning implications of the gifts. No representative of FWF shall provide legal or tax advice to any donor or prospective donor.

Small unrestricted, outright gifts of cash, check or credit card do not require approval. These routine gifts are accepted and administered through the Operations and Development Coordinator, with final authority to accept them lying with the Executive Director, or the Executive Committee.

All gifts and grants above \$5,000, or for any exception to the FWF's policies and guidelines, may be subject to board approval.

FWF reserves the right to decline any gift. Those that are overly restrictive in purpose are generally not acceptable, although not prohibited. FWF prefers instead gifts with the least restrictions that let the organization address its needs.

Unless the board grants a specific exception, FWF will not accept gifts that:

- Contain a condition that requires any action on the part of the organization that is unacceptable to the Executive Committee or the Board of Directors.
- Include a condition that the proceeds will be spent by the organization for the personal benefit of a named individual or individuals.
- Require FWF and its administration to employ a specified person now or at a future date.
- Inhibit or limit FWF from seeking gifts from other donors.
- Unreasonably expose FWF to adverse publicity, litigation, or other liabilities.
- Require undue expenditures, or involve the organization in unexpected responsibilities because of their source, conditions or purpose.
- Involve unlawful discrimination based upon race, religion, gender, sexual orientation, age, national origin, color, disability, or any other basis prohibited by federal, state and local laws.

Specific gift rules

1. Noncash gifts will be accepted only when it is reasonably expected they can be converted into cash within a reasonable period of time (generally, up to 1 year) or when FWF can utilize the property in its operations. Noncash gifts will be sold at the earliest opportunity, depending on current market conditions and the potential use of the property in order to accomplish its mission.
2. Property encumbered by a mortgage or other indebtedness may be considered for acceptance if the donor agrees to assume all carrying costs until the property's liquidation. Exceptions can be made when the property's value has the potential to produce income or is of use in FWF programs.
3. Associated expenses of a gift made to FWF are to be borne by the donor.

4. Donors of property gifts of more than \$5,000, except for gifts of publicly traded stock, must obtain and submit to FWF an appraisal by an independent third-party appraiser in accordance with current tax law requirements. The appraisal must be submitted before the gift is sent to the board for its review and possible acceptance.
5. To avoid conflicts of interest, the unauthorized practice of law, the rendering of investment advice, or the dissemination of income or estate tax advice, all donors of noncash gifts must acknowledge that FWF is not acting as a professional advisor, rendering opinions on the gift. All information concerning gift planning from the organization is to be for illustrative purposes only and is not to be relied upon in individual circumstances. FWF may require a memorandum of understanding from a donor of a property gift, along with proof of outside advice sought or a written waiver, before such a gift will be accepted.
6. All gifts of life insurance must comply with applicable state insurance regulations, including insurable interest clauses
7. FWF does not accept gifts requiring annuity payments that will be guaranteed by the organization
8. All gifts and gift consideration must meet all applicable local, state, and federal laws and regulations.

In-kind gifts

In-kind donations are eligible for recognition only if they consist of goods or services the Florida Wildflower Foundation would have otherwise purchased/paid for. To ensure proper valuation, the donor must provide a receipt or a third-party statement verifying the fair market value of the donated item or service. These documents are required for the donation to be recorded and acknowledged.

Bequests

FWF may provide donors sample bequest language (if requested) for restricted and unrestricted gifts to ensure a bequest is properly designated. FWF may also provide, upon request, IRS-approved prototype trust agreements for review and consideration by the donor and the donor's advisors. It will be clearly labeled as "sample," and donors will be advised that seeking legal advice before entering an agreement is essential.

Upon board approval, the board chair or other board designee is authorized to enter into planned gift agreements on behalf of FWF and to execute any and all documents necessary or appropriate to consummate such agreements.

Fund management

FWF will invest restricted donor gifts in accordance with the Florida Uniform Prudent Management of Institutional Funds Act (FUPMIFA).

Donor confidentiality

All information about donors and prospective donors, including but not limited to their names, their beneficiaries', their gifts, and estate size will be kept confidential unless the donor grants permission to release such information. All donor requests for anonymity will be honored, except to the extent that FWF is required by law to disclose such information.

Donor recognition

Donors may be recognized in the FWF annual report by their level of giving, full name, corporation or organization name, or as anonymous. A donor's name will be used only when written permission by the donor is given prior to publication.

Donors also may be recognized at events or in ceremonies meant to honor their contribution. Any such recognition shall require prior approval of the donor or his/her/its appointed representative.

Revision history:
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