
UCLA Policy 192: Soliciting, Accepting, and Returning Gifts

Issuing Officer: Vice Chancellor, External Affairs
Responsible Dept: Development
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I. PURPOSE

The acceptance of Gifts to the University or The UCLA Foundation involves a legal obligation to use the Gifts for the specified educational purposes of the University, as expressed by the donor, and may often involve commitments that are to exist in perpetuity (e.g., endowments). Therefore, all Gifts must be solicited and reviewed with care to ensure that they are feasible, have terms and conditions that do not unduly hamper their usefulness and desirability, and are in conformity with University policy. This Policy implements the relevant provisions of the UC Development Policy and identifies those campus officials with implementing responsibilities.

II. DEFINITIONS

For the purposes of this Policy:

Accepting Gifts refer to the legal acceptance of a Gift by an authorized campus official (see section III, below). This includes taking title to a tendered Gift in the name of The Regents of the University of California or The UCLA Foundation, and notifying the donor.

Gift refers to a generic term that includes Outright Gifts, Deferred Gifts, and Pledges, the assets of which are irrevocable and can include cash, securities, real property, tangible personal property or other non-monetary assets.

Outright Gift: A voluntary and irrevocable donation of cash or property that may be used immediately.

Deferred Gift: A broad description for charitable Gifts that provide a deferred benefit to the charity. There are two major categories of Deferred Gifts: revocable and irrevocable. The most common type of revocable gift is a bequest intention made via will, living trust, IRA or insurance proceeds.

Irrevocable Deferred Gifts generally provide immediate tax benefits and often a lifetime income for the donor. Examples of irrevocable Deferred Gifts are: charitable trusts, Gift annuities, and pooled income funds.

Pledge refers to an irrevocable written agreement to pay a specified amount of money according to an agreed upon schedule.

Solicitation is any communication to potential donors requesting Gifts to the University.

III. STATEMENT

UCLA derives much support from formal, approved appeals (Solicitations), to potential donors to provide for various University programs. Fund raising and its results have become crucial to the continued and future excellence of UCLA. It is imperative, therefore, that all aspects of fundraising, including Solicitation, Accepting Gifts, and, as necessary, the return of Gifts, be conducted in an organized and professional manner.

All Gifts are solicited and accepted in support of UCLA, either in the name of The Regents of the University of California or The UCLA Foundation, and become the property of the respective entity upon acceptance. The dollar amount of the Gift shall be the amount of cash actually received; the fair market value of property received (less any benefit retained by the donor); or, if in the form of a Pledge, the full amount pledged.

In conjunction with External Affairs Development, Soliciting, Accepting and/or returning Gifts can only be conducted by individuals with the authority as delegated in UCLA DA 730.03.

A. Responsibilities

UC Gift policy originates in the Standing Orders of The Regents with certain authority retained by The Regents, certain authority delegated to the President, and in turn, to Chancellors who may further redelegate authority (see References 1, 2, 3, and 4, above). Following are the specific authorities and limitations for UCLA officials:

Chancellor – has delegated authority within the Chancellor’s jurisdiction and within the exceptions as stated in UC DA 2631, to solicit and accept Gifts up to and including a value of \$10,000,000. This authority includes returning to the donor any unused portion of a Gift of personal property when the purposes of the Gift have not been fulfilled or have become impossible or impracticable and when alternative uses are precluded (see UC DA 2579). The authority to solicit and accept Gifts up to \$1,000,000, and the authority to return Gifts, has been redelegated to selected officials in External Affairs, see UCLA DA 730.03.

External Affairs – Staff in the Divisions of Development and Advancement Services – have the primary responsibilities for the following:

- Soliciting of Gifts (Development) and for Accepting Gifts in an amount not exceeding \$1,000,000 for existing programs or previously approved projects, see UCLA DA 730.03;
- Returning Gifts;
- Official record- keeping (Advancement Services); and
- Jurisdiction over all campus fundraising activities including fundraising approved under [UC DA 2589](#).

Deans, Faculty, and Staff – In conjunction with External Affairs, Development, Deans, faculty and staff may solicit Gifts in the amount not exceeding \$1,000,000, see UCLA DA 730.03 (but cannot accept or return Gifts) for University purposes that are directed to The Regents or to The UCLA Foundation.

B. Mass Solicitations

Any Solicitation qualifying as a mass Solicitation shall adhere to the terms of UCLA Policy 191, Mass Gift and Membership Solicitations.

IV. REFERENCES

1. Standing Orders of The Regents, Section 100.4(v), (dd);
2. UC DA 2631, To Solicit and Accept Gifts;
3. UC DA 2579, Authority to Return Gifts;
4. UCLA DA 730.03, Soliciting, Accepting and Returning Gifts;
5. UC Development Policy Manual;
6. UCLA Policy 191, Mass Gift and Membership Solicitations.

Issuing Officer

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Vice Chancellor, External Affairs

**Questions concerning this policy or procedure should be referred to
the Responsible Department listed at the top of this document.**
