

TCDSB Policy Register

Donation F.F.02

Date Approved: August 26, 2010 - Board	Date of Review:	Dates of Amendment:
Cross Reference:		

Policy

It is the purpose of the Toronto Catholic District School Board to accept donations (gifts) that support the Mission, Vision and Goals of the Board for the purposes of enhancing learning opportunities for students.

The donation (gift) cannot revert back to an organization or individual outside of the Toronto Catholic District School Board (e.g. CSAC, Alumni Associations, etc.).

All donations (gifts) shall be related to charitable, humanitarian, educational, or service activities consistent with the tenets of Catholicism.

Definitions

Donation (Gift)

A donation (gift) is a voluntary transfer of property without valuable consideration. Generally, a donation (gift) is made if all three of the conditions listed below are satisfied:

- Some property-usually cash-is transferred by a donor to a registered charity;
- The transfer is voluntary; and
- The transfer is made without expectation of return, and there is no benefit of any kind that may be provided to the donor or to anyone designated by the donor.

Gift-in-Kind

A gift-in-kind is a gift of property other than cash. It can be real property (e.g. real estate, securities), personal property (e.g. art, jewelry) or intangible property (e.g. patents, license). However, a gift of service is not a gift-in-kind that is eligible for a charitable tax receipt. Gifts-in-kind may be retained by the TCDSB and used for

purposes consistent with its objectives or may be liquidated, if not contrary to the donor's explicit wishes.

Regulations

1. The Toronto Catholic District School Board will encourage donations from persons, groups, communities and business entities and organizations which are consistent with the goals of the Board, will not compromise or exploit students or staff, and will strive to balance educational opportunities for students.
2. The Board shall encourage donations from donors whose ethical and political values correspond to the common good as defined in Ontario Catholic Education and the Corporate Sector published by the Institute for Catholic Education: "the common good balances harmoniously the recognition, respect, and interests of the human person with the needs and expectations of the community".
3. Donations are to fall under the auspices of the Partnership Development Department, and under its guidance, administrative staff are to develop guidelines with specific terms of reference.
4. The responsibility for implementation of this Policy and any supporting procedure shall be with the Director of Education and the Associate Director of Business Services.

Procedures

1. The TCDSB will work with all donors and recipients to ensure that the terms of reference for all gifts can be satisfied. The TCDSB will ensure relevant information is received prior to gift acceptance and take into consideration costs of on going support and maintenance, recognition and stewardship activities.
2. The TCDSB has set forth the signing authorities required to accept gifts. While the TCDSB will make every effort to accept all gifts, it retains the right to refuse the offer of any gift. The refusal may be the result of difficulties in administering the gift in accordance to the donor's wishes, special storage requirements, the inability to obtain a cost effective objective appraisal, environmental issues associated with the gift, the illegal nature, or other factors that deem the gift unacceptable. The TCDSB may also refuse a gift if its acceptance is incompatible with its mission, image and values; limits or imposes conditions on academic freedom; or compromises the autonomy of the institution.
3. The TCDSB follows the regulations set out by the CRA governing the valuation of gifts-in-kind. A charitable tax receipt is issued for the fair market value of the gift at the date the ownership is transferred to the TCDSB. In most cases, this will require some pre-advice and planning with TCDSB Business Services.

4. Gifts will qualify for current calendar year charitable tax receipts if they are post marked in the current year or officially received at the TCDSB in the current year.
5. Donations require an "arms length" relationship between the donor and the beneficiary when a charitable tax receipt is to be issued. Where no "arms length" relationship exists or, where the donor controls the use or specifies a person or family to receive the funds (e.g. private benevolence), no receipt will be issued. Business receipts, not charitable tax receipts, are provided for corporate sponsorships and private benevolence.
6. The TCDSB will work with all donors and recipients to ensure that the terms of reference for all gifts can be satisfied. The TCDSB will ensure relevant parties are consulted prior to gift acceptance in the light of donor stipulations, fund matching possibilities, ongoing costs including insurance coverage, and other implications.
7. The TCDSB welcomes donations made by will, gift annuity, life income agreement, living trust or life insurance. The TCDSB will provide guidance to individuals who are considering a planned gift. Prospective donors are always encouraged to retain their own, independent advice.
8. Where events or information available subsequent to gift acceptance occurs, which constitutes a significant and continuing challenge to the TCDSB's reputation, the TCDSB will seek legal counsel to resolve the issue within the law.
9. All of the above needs to comply with the TCDSB Trustee Services and Expenditures Policy T.17 and TCDSB Policy Sweatshop Free Purchasing Policy F.P.04, and where necessary, requirements of the OFSAA Uniform Sponsorship Policy.