

# Fund Development Policy

<b>Policy Number:</b>	<b>DEV-001</b>
<b>Policy Category:</b>	Development
<b>Approved by:</b>	<b>Chief Executive Officer</b>
<b>Accountability:</b>	<b>OPL Board</b>
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<b>Supersedes:</b>	
	<ul style="list-style-type: none"><li>• Donations, Sponsorships, Naming Rights, Third Party Fundraising Policy</li><li>• Endowment Fund Policy</li><li>• Planned Giving Policy</li></ul>

## Purpose:

The Oakville Public Library (OPL) welcomes and encourages monetary gifts from individuals, groups, foundations, and corporations for the purpose of enhancing services that the OPL provides for the residents of the Town of Oakville.

## Scope:

The scope of this policy applies to the receipt of monetary gifts, including:

- Donations
- Sponsorships
- Third Party Fundraising
- Endowment Fund
- Planned Giving

## Donations:

The Canada Revenue Agency (CRA) dictates the rules and regulations to which OPL strictly abides. The CRA defines a donation as a voluntary transfer of property made without the expectation that any benefit will accrue to the donor or anyone designated by the donor.

These donations may include:

1. Money;
2. Gifts-in-kind;
3. Property of significant value, such as real estate, insurance policies or securities;
4. Planned gifts, such as willed donations, bequests or endowments.

## **Donation Acceptance**

OPL only accept donations that are in accordance with CRA regulations, and which OPL believes will align with the mission and strategic goals of the Library. Detailed information pertaining to what constitutes an acceptable donation of physical material (print, audio, and visual) can be found in PS-005 Collection Development Policy.

Where applicable, OPL may require the donor to have their property appraised at the donor's expense before the Library will decide whether to accept the donor's property as a donation.

OPL reserves the right to use the donation in the best interest of the Library, and shall make decisions regarding the investment, disposition and/or eventual disposal of all donations.

Donations become the exclusive property of OPL and must be of a clear and unencumbered nature.

Gifts are accepted in alignment with the Association of Fundraising Professions (AFP) Donor Bill of Rights (The Donor Bill of Rights, 2022).

## **Donor Records**

OPL shall maintain donor records in accordance with CRA regulations, the contents of which shall remain confidential unless the donor agrees otherwise.

## **Official Receipts**

OPL issues tax receipts for donations greater than \$25.00. Receipts are issued in accordance with CRA regulations.

## **Donor Recognition**

No donor shall be recognized, either internally or publicly, without their consent.

## **Sponsorships:**

OPL actively solicits and encourages the business community, service clubs, and other organizations to become sponsors of library events, programs, and services.

## **Conditions of Sponsorship**

1. OPL reserves the right to refuse any sponsorship opportunity which is deemed to be inappropriate or unsuitable to the advancement of the mission, vision, and values of the Library.
2. OPL will not entertain sponsorship opportunities with companies or organizations

involved with the following products or activities:

- *Promote consumption of alcohol and other addictive substances at events or venues geared primarily to children.*
  - *Promote the sale of tobacco.*
  - *Promote pornography.*
  - *Promote weapons and other life-threatening products.*
  - *Present demeaning or derogatory portrayals of individuals or groups or contain any message that is likely to cause deep or widespread offence.*
  - *Promote religious or political messages that might be deemed prejudicial to other religious or political groups.*
3. The sponsor must have no impact on the policies and practices of OPL, such as on material selection or purchasing.
  4. Where a sponsorship agreement limits OPL's ability to enter other sponsorships, such an agreement shall clearly define the nature and extent of the exclusivity, and the timeframe over which the exclusivity is to be granted.
  5. Sponsorships do not imply endorsement of products by OPL.
  6. Any public use of the name and/or logo of the Library, and other affiliated organizations, branches, special collections, resource collections, special services, programs, and departments, must be approved by the CEO or designate.
  7. Sponsorships cannot be made conditional on library performance outcomes.

### **Sponsorship Agreements**

1. Sponsorship agreements of \$5,000 or more must be confirmed by a written Sponsorship Agreement signed by both parties. Sponsorship Agreements will outline the benefits, roles and responsibilities, fees, duration, recognition opportunities, termination reasons and other agreed terms of the sponsorship arrangement.
2. Sponsorship agreements, which are valued at \$25,000 or less, may be approved by the CEO and reported to the OPL Board at its next meeting.
3. Sponsorship agreements with values more than \$25,000 shall be approved by the OPL Board.

Official tax receipts will not be issued to sponsors for their contribution to OPL in accordance with CRA regulations.

## **Naming Rights:**

All library facilities are owned by the Town of Oakville. Consequently, OPL adheres to the Town of Oakville's Naming Rights Procedure (<https://www.oakville.ca/townhall/a-gen-001-003.html>).

## **Third Party Fundraising:**

OPL welcomes and encourages fundraising efforts by corporations, organizations, resident groups, and individuals insofar as the initiatives align with the Library's mission, vision and values. To co-ordinate a variety of fundraising efforts and avoid duplication, the CEO or designate must be informed of all proposed fundraising initiatives over \$5,000, as well as those which:

- *Require the use of library resources, including staff time, rooms, equipment, and images that belong to the Library; and/or*
- *Will be targeted at an audience outside the existing membership of the group that wishes to undertake the project.*

### **Approval of Fundraising Projects**

OPL may approve fundraising ventures which it deems suitable in fulfilling its vision, mission, values, and which will not compromise the Library's public image.

To secure library endorsement, individuals or groups who wish to initiate a fundraising project for, or on behalf of, OPL must present a fundraising plan for approval to the CEO or designate.

### **Conditions of Approval**

The CEO or designate, must be consulted prior to the issuance of any materials, merchandise, and/or publicity produced in conjunction with the campaign. The CEO must also approve the use of any library resources, including staff time, which is required by the group to implement the campaign. OPL is not responsible for the costs of fundraising or for shortfalls in campaign goals.

## **Endowment Fund:**

OPL seeks to have all gifts donated to the Library be beneficial to the donor, acceptable to the CRA, and cost effective for the Library. Wherever possible, policies and procedures have been worded so as not to conflict with those policies of the Oakville Community Foundation (OCF) in those areas where investment management would be implicated or where inconsistencies would compromise the relationship between OPL and the above organizations.

Income from the Fund is to be used for the purpose of enhancing the services that OPL provides for the residents of the Town of Oakville. The Fund is a part of the overall fundraising strategy of the Library.

### **Relationship with the Oakville Community Foundation**

The Fund is held with the OCF, according to the contract between the OCF and OPL.

The OCF is authorized to encourage donors to make both outright and deferred gifts to the Fund. All programs, solicitation plans, and activities shall be subject to review by the CEO and/or the Director, Innovation and Integration.

Interest earned annually from the Fund may be drawn by the Library on an annual basis, as approved by the CEO. Any additional withdrawals above interest must be approved by the OPL Board.

### **Conflict of Interest**

All parties acting on behalf of the Fund, including OPL Board members and OPL staff, must announce any conflict of interest via disclosure to the OPL Board to ensure that no person will have any direct or indirect financial interest of any kind.

### **Planned Giving:**

The following guidelines have been established to ensure that planned gifts to OPL will be beneficial to the interests of the donor, acceptable by the CRA, and cost effective for the Library.

Income from all planned gifts is to be used for the purpose of enhancing the services that OPL provides the residents of Oakville. The Planned Giving Program is a part of the overall fundraising strategy of the Library.

OPL encourages donors to make both outright and deferred gifts. The types of deferred gifts include bequests, gifts of life insurance, and gifts of securities.

### **General Guidelines**

1. All programs, solicitation plans, and activities shall be subject to the review of the CEO or designate.
2. The CEO or designate are authorized to negotiate planned gift agreements with prospective donors in accordance with CRA regulations and the Library's policies.
3. Individuals acting on behalf of OPL in promoting the Planned Giving Program, or in soliciting planned gifts, will conduct themselves in accordance with accepted professional standards of accuracy, truth, and integrity.
4. In all cases, the donor shall be encouraged to discuss the proposed gift with

independent legal counsel and/or tax advisors of the donor's choice to ensure that the donor receives a full and accurate explanation of all aspects of the proposed gift. OPL will not provide financial advice to donors.

5. All parties acting on behalf of the Library, including board members and staff, must announce any conflict of interest via disclosure to the CEO to ensure that no person will have any direct or indirect financial interest of any kind.

### **Acceptance of Planned Gifts**

1. Planned gifts must support the mission, vision, and values of OPL.
2. In accepting a planned gift, OPL agrees to abide by any conditions, restrictions or designations associated with the gift.
3. Planned gifts of under \$25,000 shall be approved by the CEO and processed in accordance with recommended policy.
4. Planned gifts of more than \$25,000 shall be approved by the OPL Board and processed in accordance with recommended policy.
5. Depending on the nature or circumstances of the gift, a donor may be asked to obtain an independent appraisal of the value of the gift. The responsibility for any fees will be determined by the CEO.
6. Where the planned gift is other than a bequest, gift of life insurance, or gift of securities, and/or where the gift imposes a financial obligation on the Library, it will be the OPL Board's decision whether to accept the gift.
7. No gift will be accepted which may improperly jeopardize the charitable status of OPL.

### **Definitions:**

**Donations:** The Canada Revenue Agency (CRA) defines a donation (or gift) as a voluntary transfer of property made without the expectation that any benefit will accrue to the donor or anyone designated by the donor.

**Sponsorship:** A sponsorship is a mutually beneficial exchange, whereby the sponsor receives a benefit in return for providing cash and/or products and services or gifts-in-kind to OPL.

**Naming Rights:** The official naming of a particular asset to recognize and honor a donor or sponsor. This applies to the naming of a new or existing municipal facility, room, or component in recognition of financial or other support. All naming rights must be confirmed by a written agreement outlining the benefits, roles and responsibilities, fees, payment schedule, duration, and other agreed terms of the naming rights arrangement.

**Third Party Fundraising:** An independent project undertaken by an individual, affiliated group, or organization, for the purpose of raising funds for, or on behalf of, OPL.

**Endowment Fund:** An endowment fund is a type of investment fund that's set up to receive gifts and donations from donors. OPL holds an endowment fund within the Oakville Community Foundation. Any funds remaining in the development account over the amount of \$200,000 at year end is moved into the endowment fund.

**Planned Giving:** Planned Giving is a philanthropic program by which a donor can arrange for a substantial gift to be given to the Library at a future point in time. The emphasis is on planning and is focused on matching the objectives of the Library with the needs and objectives of the donor.