



Subject/Title: Donor Restrictions on Gifts Policy

Number: 2.07

Date First Adopted: March 14, 2014

Date Revised: February 5, 2021; April 28, 2023

A. PURPOSE

The purpose of this policy is to ensure all gifts solicited and accepted on behalf of the University further the mission and strategic initiatives of the University and maintain the Foundation's ability to invest and manage assets in accordance with its policies.

This policy applies to all gifts for the benefit of the University.

B. POLICY

The fundraising goals of the Foundation are by the CEO in conjunction with the University President; the goals represent the strategic initiatives and goals of the University. The terms of any gift should be as general and flexible as possible to permit the most productive use of the funds.

The University is fundamentally committed to bringing and maintaining diversity in the university community. Fundraising efforts made on behalf of the University reflect this commitment to diversity by providing opportunities for donors to support programs and scholarships to foster an inclusive environment. Support for students of diverse backgrounds enriches the university community with individuals from a variety of geographical, cultural, ethnic, economic, and social backgrounds.

Prohibited Provisions in Gifts

Provisions to restrict gifts on any of the following bases are prohibited:

- a. race, national origin or color,
- b. religion,
- c. nationality,
- d. preference for relatives or descendants of the donor
- e. requirement to agree to employment of any kind or to withhold employment of any kind,
- f. requirement to hire or retain any employee,
- g. restrictions on the scholarly activity of a faculty member, fellow or student.

Provisions that discriminate based on gender, age, sexual orientation, marital status, disability, political opinions or affiliations, or veteran status are discouraged. If such a provision is or becomes illegal under Florida or federal law, such a provision will be prohibited. Any gift with a provision governed by this paragraph must be approved and justified by the CEO in writing; the CEO may not delegate this approval.

Prohibited Uses of Gifts

The use of a gift for a purpose other than that stipulated by a donor is prohibited.

If another use is deemed necessary, consent for using the funds in a different manner may be sought from the donor, the donor's representative, or may be altered in accordance with the terms of a gift

agreement. A donor's request to change the use of already-donated funds must first be agreed to by the University.

If a gift is accepted that subsequently becomes illegal or impractical based on a change in law, Foundation will contact the donor at the donor's last known contact (or donor's representative) to seek modification of the gift, but if such modification is unobtainable, may seek judicial approval to use the gift for as similar a purpose as originally intended within the confines of the law.

Scholarship Award Recipient Restrictions

Scholarship awards in which a donor names a specific student as a recipient will be sent directly to the University Office of Student Financial Aid or successor. Such awards are considered to be financial aid provided to the specific student and do not qualify as charitable contributions to the University.

Contributions made to scholarship funds in which the recipients are determined by a University selection committee or by other permissible criteria may be accepted by the Foundation.

POLICY APPROVAL	
Policy: 2.07 – Donor Restrictions of Gifts (Revision)	
Approval Date: April 28, 2023	
<u><i>E. Blake Paul</i></u> <small>E. Blake Paul (May 11, 2023 13:37 EDT)</small>	<u>May 11, 2023</u>
Governance Committee Chair	Date
<u><i>Jack R. Harrell, III</i></u> <small>Jack R. Harrell, III (May 11, 2023 13:47 EDT)</small>	<u>May 11, 2023</u>
Foundation Board Chair	Date