



Citizens' Climate Education

## Legacy Giving Policies

### Citizens' Climate Education

Citizens' Climate Education (CCE), an international not for profit organization based in the city of Coronado, California, openly accepts the donation of Legacy Gifts in order to advance its mission of “empowering individuals to educate political leaders, the media, and the general public about climate change solutions”.

#### I. Purpose of a Legacy Giving Policy

Legacy gifts, which are charitable bequests made in a personal will, retirement account, or life insurance policy, offer CCE supporters an opportunity to further their financial and ethical goals while strengthening CCE to build the political will for a livable world for generations to come. Because these gifts testify to a donor's most lasting values, it is vital that donors and development staff understand the institutional framework in which these gifts are given and accepted. This document articulates the policies and procedures of the Board of Directors of CCE concerning the donation and acceptance of legacy gifts.

#### II. Responsibility to Donors

- A. *Commitment to a Donor-Centered, Philanthropic Approach:* CCE, its staff, and volunteers shall endeavor to assist donors in accomplishing their philanthropic objectives in a donor-centered way. In many circumstances, this may involve the donor's professional advisors, as charitable support is often integrated with a donor's overall tax, estate, and financial planning.
- B. *Confidentiality:* Information concerning all transactions between a donor and CCE shall be held by CCE in confidence, and may be disclosed only with the permission of the donor or the donor's designee.
- C. *Anonymity:* CCE shall respect the wishes of any donor offering anonymous support and will implement reasonable procedures to safeguard such donor's identity.
- D. *Ethical Standards:* CCE is committed to the highest ethical standards. CCE staff and volunteer representatives shall adhere to the [\*Model Standards of Practice for the Charitable Gift Planner\*](#) as adopted by the National Association of

Charitable Gift Planners (NACGP). CCE will not participate in gift discussions if there is a question as to the title/ownership of the asset or the donor's competency to transfer an asset.

### III. Legal Considerations

- A. *Compliance*: CCE shall comply with all local, state and federal laws and regulations concerning all charitable gifts it encourages, solicits, or accepts. All required disclosures, registrations, and procedures shall be made and/or followed in a thorough and timely manner.
- B. *Endorsement of Providers*: CCE shall not endorse legal, tax, or financial advisors to prospective donors.
- C. *Finder's Fees and Commissions*: CCE shall not pay fees to any person as consideration for directing a gift by a donor to CCE.
- D. *Legal, Tax and Financial Advice*: CCE shall inform prospective donors that it does not provide, legal, tax, or financial advice, and shall encourage prospective donors to discuss all charitable gift planning decisions with their own advisors before entering into any gift commitments to CCE.
- E. *Preparation of Legal Documents*: CCE shall not prepare legal documents for execution by donors, except forms to create charitable gift annuities. CCE may provide model language, such as sample bequest language or gift agreements, but shall strongly encourage prospective donors to have this language reviewed by their own counsel.
- F. *Payment of Fees*: It will be the responsibility of the donor to secure an appraisal (when required) and to pay for the advice of independent legal, financial or other professional advisers as needed for all gifts made to CCE.
- G. *Service as Executor or Living Trust Trustee*: CCE will not agree to serve as executor of a decedent's estate or as trustee of a living trust or other trust intended to serve as a person's primary estate planning document.
- H. *Trusteeship*: CCE will not act as a trustee of charitable remainder trusts, charitable lead trusts, or on charitable gift annuities. These gifts will not be accepted by the organization.
- I. *Use of Counsel*: CCE shall seek the advice of legal counsel in matters relating to the acceptance of gifts when appropriate.

### IV. Types of Gifts Accepted

- A. CCE directly accepts the following types of gifts:
  - 1. Charitable bequests in a personal will
  - 2. Designation of CCE as a beneficiary of a retirement plan

3. Designation of CCE as a beneficiary of a life insurance policy
  4. Publicly traded stocks
  5. US Treasury bonds
  6. Municipal bonds
  7. US open-end and closed-end mutual funds
- B. CCE accepts the following gifts with the assistance of a community foundation or third party broker:
1. Closely held stocks
  2. Closely held bonds
  3. Real estate
- C. CCE does not at this time accept the following types of gifts:
1. Charitable remainder trusts
  2. Charitable lead trusts
  3. Charitable annuities

## **V. Procedure of Gift Making and Gift Acceptance**

- A. Upon notification of interest from the prospective legacy club donor, a CCE development team member will speak with the prospective legacy club donor about their desired gift and assist in setting up the gift. Throughout the process, CCE development team members will:
1. Provide guidance on how best to set up a legacy gift.
  2. Mention that these decisions are best done in consultation with a financial planner, accountant, or estate planner.
  3. Confirm whether donor would prefer anonymity or public recognition for their gift.
  4. Proofread provided documentation and share with CCE's legal counsel to confirm that gift will be received properly when applicable.
- B. For gifts that CCE accepts directly:
1. At the legacy club donor's discretion, he/she/they will incorporate legacy gifts into their estate planning documents.
  2. When the donor decides to leave a legacy gift, they may notify CCE by sending an electronic copy to [development@citizensclimate.org](mailto:development@citizensclimate.org) or a physical copy of the documentation to 1330 Orange Avenue, #309, Coronado, CA 92118.
  3. Upon the passing of the legacy club donor, their legacy gift shall be transferred directly to CCE and spent according to the direction given by the legacy club donor.

4. Appropriate recognition will be given in accordance with the donor's expressed wishes.
- C. For gifts that CCE accepts with the assistance of a Community Foundation:
1. Upon notification of interest in making one of these gifts, CCE development team member will advise that the legacy club donor leave this gift to the CCE Fund.
  2. The CCE Fund manager and Senior Develop Director will communicate with the donor to determine whether it is best to accept the gift. All gifts are subject to review prior to acceptance.
  3. When the donor decides to leave a legacy gift, they may notify CCE by sending an electronic copy to [development@citizensclimate.org](mailto:development@citizensclimate.org) or a physical copy of the documentation to 1330 Orange Avenue, #309, Coronado, CA 92118. The development team will share documentation with the manager of the CCE Fund.
  4. Upon the passing of the legacy club donor, their legacy gift will be transferred to the CCE Fund. The community foundation will sell the gifts and transfer the proceeds to CCE.
  5. Appropriate recognition will be given in accordance with the donor's expressed wishes.

## **VI. Restricting your legacy gift**

- A. *Unrestricted Gifts:* To provide CCE with maximum flexibility in the pursuit of its mission, donors shall always be encouraged to consider unrestricted gifts or gifts restricted to budgeted priorities of CCE.
- B. *Budgeted Program Support:* CCE may accept gifts restricted to specific budgeted programs and purposes.
- C. *Other Restrictions on Gifts:* CCE may accept gifts restricted to non-budgeted programs and purposes only upon the prior, written approval of the Senior Development Director. CCE reserves the right to decline gifts that are too restrictive in purpose, too difficult to administer, or for purposes outside of its mission.

## **VII. Special considerations regarding gifts of real estate**

- A. All gifts of real estate to the CCE Fund at the Community Foundation are subject to review by the Senior Development Director and the Governing Board of CCE.
- B. Criteria considered when deciding on acceptance of the gift:

1. The property's usefulness for CCE's purposes
  2. The property's marketability
  3. The presence of covenants, conditions, restrictions, reservations, easements, encumbrances, or other limitations associated with the property
  4. The presence of carrying costs (including insurance, property taxes, mortgages, notes, or the like) or maintenance expenses associated with the property
  5. Damage to the property or remediation required
  6. The market value of the property
- C. Gifts of real estate with a market value below \$80,000 are unlikely to be accepted by CCE because the administrative burden will likely outweigh the benefit to both the donor and CCE.
- D. All titled owners of the real estate must agree to the transfer of the property to CCE.
- E. It is the general understanding that gifts of real estate to CCE will be sold immediately. Gifts with a prohibition against sale will not be accepted.
- F. Prior to acceptance of any gift of real estate other than a personal residence, the CCE Fund shall require a Phase I environmental assessment by a qualified environmental firm.
- G. The donor shall be responsible for payment of any fees for an independent appraisal, survey, title search, abstract preparation, deed preparation, or realtor's fees relating to the transfer (that are not otherwise covered by the Community Foundation).

## **VIII. Periodic Review**

- A. *Regular Review:* The Governing Board of CCE will review these policies every 4 years, starting in 2019, in order to ensure that they accurately reflect the current policies and procedures of CCE. Any suggested changes will be ratified by the Governing Board of CCE.
- B. *Special Review:* A special review of the legacy gift acceptance policies will be initiated by any legislation or regulation which affects the policies, or upon the start of a formal fundraising campaign by the CCE development team. All suggested changes must be submitted to the Governing Board for ratification.