



## UC SAN DIEGO FOUNDATION GUIDELINES FOR PREPARATION OF GIFT DOCUMENTS

### REFERENCES

- A. Policy on Solicitation and Acceptance of Gifts, University of California, San Diego
- B. Guidelines on Solicitation, Acceptance, and Administration of Gifts, University of California, San Diego
- C. Policy and Guidelines for Minimum Gift Levels and Naming Opportunities, University of California, San Diego
- D. UC San Diego Foundation Fund Types
- E. Actions Requiring Regental Approval, Development Policy and Administration Manual, page 58-61
- F. Interim Guidelines for Administration of Fine Art at the University of California, San Diego
- G. Planned Gifts Guidelines, UC San Diego Foundation
- H. Sample Letters of Instruction, attached
- I. Sample Deed of Gift Forms, attached

### BACKGROUND

These Guidelines are presented to ensure that appropriate language is contained in gift documents and to emphasize the need for adequate gift documentation.

The purpose of a gift document is to outline the essential elements of the gift. Gift document language should include sufficient detail so that the donor's intentions are clearly articulated and the University is fully apprised of gift components.

### GUIDELINES

#### A. GIFT DOCUMENTS

A gift document should take the form of a **letter of instruction** from a donor(s). A **deed of gift** is also required whenever the donation is a non-monetary gift-in-kind. (It should be noted that gifts of community property require the written consent of both parties.)

Sample language for letters of instruction and for deed of gift forms is provided as a reference (Reference H and I). Donor(s) are encouraged to personalize the letter of instruction to include their reasons for making the contribution, their interest in UCSD, or any background or history of the gift.

Gifts requiring Regental approval for acceptance, such as the establishment of an endowed chair, and gifts providing naming opportunities require additional language in the gift document (References C, E, and H).

Planned gift documents are to be prepared in accordance with the Planned Gifts Guidelines (Reference G).

## 1. Letters of Instruction

A letter of instruction is normally prepared by the donor(s) and should include, at minimum, the following information:

- An identification of the donor(s).
- An expression of the donor(s) intent to make a gift.
- An indication of whether the gift is to the UC San Diego Foundation or The Regents of the University of California.
- The form of the gift, the purpose for which the gift is to be used, and the type of fund.
- A declaration that the transfer is irrevocable.
- If the gift will establish an endowed chair, a statement: “We authorize the Chancellor, at the Chancellor’s discretion, to add expendable income generated by the endowment to the principal of the fund during such times as the Chair may be vacant or at any other time that the Chair-holder does not require the funds to be used for academic activities.”
- A statement: “If, in the judgement of the Chancellor or The Regents, changed circumstances should at some future time render the designated use of these funds no longer appropriate, then the Chancellor or The Regents shall use the funds to further (donors’ special interest as indicated above) at the University of California, San Diego.”

Please see the samples attached as Reference H, which include other language necessary for complete gift documentation from the donor(s). These samples contain the preferred language for all letters of instruction for endowment gifts and for current use gifts in excess of \$50,000.

## 2. Deeds of Gift

A deed of gift should include, at minimum, the following information:

- An identification of the donor(s).
- An indication of whether the gift is to the UC San Diego Foundation or The Regents of the University of California.
- A description of the property. If a gift of art, include the title, date, medium, dimensions, and name and address of artist, if known.
- A declaration of the value of the property as determined by donor(s) or qualified appraiser. (Note that to substantiate tax deductions for gifts valued in excess of \$5,000, both federal and state laws require the donor(s) to obtain a written appraisal from a qualified appraiser.)

- If restricted, the purpose for which the gift is to be used, and a statement: “If, in the judgement of the Chancellor of the University of California, San Diego, changed circumstances should at some future time cause the restricted purpose of the property to substantially interfere with its beneficial use, then the Chancellor shall use the property to further the purposes of the University of California, San Diego, giving due consideration to the aforementioned restricted purpose.”
- A declaration that the transfer is irrevocable.
- A signature line to indicate appropriate University acceptance.

Please see the samples attached as Reference I. A deed of gift is required in addition to a letter of instruction for contributions of non-monetary gifts-in-kind.

#### B. ROUTING FOR REVIEW AND ACCEPTANCE

1. Upon receipt, letters of instruction and deed of gift forms are to be forwarded to Administrative & Financial Services along with any additional documentation (such as a UDEV 100 if the gift is to The Regents).
2. Gifts in excess of \$100,000 will be routed for review and acceptance in accordance with the University delegations of authority outlined in the Policy on Solicitation and Acceptance of Gifts (Reference A).
3. Upon acceptance, gifts will be recorded and documents permanently filed.