



Policies and Procedures
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SECTION I.
BOARD FIDUCIARY RESPONSIBILITIES and CODE OF ETHICS

Section 1.1 Fiduciary Responsibilities of Foundation Board Members

Appropriate orientation shall be given to each person who has been selected and who has agreed to be a member of the AVC Foundation Board. This orientation shall stress, among other things, the fiduciary responsibilities of each board member and of the total board.

1. Each board member is expected to understand that the Foundation is a non-profit organization organized under the statutes of the state of California, and approved as a 501 (C) (3) by the United States Internal Revenue Service (IRS); and that the Foundation must remain legally independent from AVC.
2. The board has a trustee duty to its donors and must, therefore, honor restrictions placed upon donor gifts, if accepted.
3. The board shall exercise independent control over the Foundation's financial operations and shall cause to be utilized generally accepted accounting and reporting procedures.
4. The board shall cause to be conducted periodic financial and performance audits.
5. The board shall cause to be instituted appropriate internal controls.
6. Each board member shall be responsible for acting within the scope of his/her authority and within the total scope of the mission of the Foundation.
7. Each board member individually and all board members collectively shall adhere to all appropriate laws, regulations, and legal opinions which apply to the Foundation and its existence.
8. The board members collectively shall be responsible to see that appropriate financial management policies and practices are instituted and employed.

Section 1.2 Code of Ethics

The Foundation shall have a code of ethics, which incorporates applicable and relevant state laws. Additionally, the pledge of cooperation and the acceptance of a "single-purpose" of both the institution and the Foundation shall be included.

Section 1.3 Confidentiality of Foundation Records and Files

All information, records, and files relating to donors and prospective donors, and their gifts, shall be considered strictly confidential and not available to the public. The responsibility for maintaining confidentiality of such information, records and files rests with the Executive Director of the Foundation and/or as may otherwise specifically direct responsibility.

Requests for information not covered by this policy from individuals, organizations, or the media shall follow these procedures:

1. A written request shall be submitted to the Executive Director clearly setting forth the information requested.
2. Also included shall be the reason for needing the information, and how the information will be used.
3. The Executive Director may supply the information or may submit the request to the Executive Committee at its next regularly scheduled meeting.
4. The decision of the Executive Committee shall be final.

Section 1.4 Development Office

The Foundation will be housed on the campus of Antelope Valley Community College, 3041 West Avenue K, Lancaster, CA 93536 in the Development Department of the Office of Institutional Advancement and Foundation, hereafter called the Development Office.

SECTION II.
COST RECOVERY
GIFT FEES/FUND MANAGEMENT FEES POLICY

Section 2.1 Interest Earned and Allocated/Cost Recovery

To defray Foundation operational costs, an annual fee may be established by the Finance and Investment Committee and imposed upon recipients. The Finance and Investment Committee may also make exceptions to the cost recovery policy.

1. Funds managed in pass-through and designated accounts will not earn interest for funds. All interest earned on these accounts will go to the Foundation as a management fee. This will compensate the Foundation for the administration of these funds.
2. Endowed Funds: An initial fee of five (5) percent will be charged to establish and administer endowed funds. This initial fee will be deposited into the Foundation's unrestricted fund. The donor will be given the option of paying additional funds to cover the establishment fee or the fee may be paid from earned interest.

An annual management fee of two (2) percent of the balance on June 30 based on a three-year rolling average will be assessed from endowed funds maintained by the Foundation; this fee will be credited to the Foundation's unrestricted fund.

3. A five (5) percent gift fee will be charged to bequests of real property, wherein the bequest is designated to benefit a specific program, department, scholarship, or college project, and where the said bequest requires Foundation efforts and expenses to clean up, appraise, advertise or sell the real property. Any actual costs to the Foundation that are not of a volunteer nature in preparing for sale, legal or other professional services, advertising, appraising, or selling the property will be charged to the proceeds after the sale of the real property, and shall be in addition to the five (5) percent initial gift fee. The five (5) percent initial gift fee will be credited to the AVC Foundation unrestricted fund.
4. In instances of cash bequests, which also include negotiable securities of all types, where the bequest is designated or endowed to a specific program, project, equipment or department, an initial gift fee shall be charged of three (3) percent to defray the costs of cultivating and acquiring the gift. These fees will be credited to the AVC Foundation unrestricted fund.
5. Major gifts received by the Foundation as a result of a donor naming a building or area within or outside of a building or on the campus will be deposited into the General Endowment Fund. Five (5) percent of the gift will go to the Foundation to defray the costs of cultivating and acquiring the gift. This management fee shall be interest, dividends and/or half of the appreciation credited to gifts derived from naming opportunities may be used at the discretion of the District's Board of Trustees when agreed to at the time of acceptance of the gift to pay down general obligation debt of the College related to the construction and/or remodeling of District facilities.

SECTION III. **FUND MANAGEMENT SERVICE POLICY**

Section 3.1 Types of Accounts

The Foundation maintains its assets in one of three portfolios for investment and accounting purposes:

Portfolio I: Pass-through Accounts (Temporary Restricted)

These are accounts that have regular and frequent activity with respect to deposits and check writing. Funds are available upon request with completion of the appropriate signed check request form. The funds are maintained in a checking account and a linked money market account. These accounts require significant time and attention from the Foundation office staff and the College's Business Office because of the frequent activity on them.

Portfolio II: Designated Accounts (Temporary Restricted)

Donors designate these accounts for specific programs or purposes. Donations are deposited into them as they are received.

Portfolio III: Endowments (Permanent Restricted)

The corpus is defined as that amount originally gifted to the Foundation by a donor and any amount contributed to the original gift by a donor or through the Foundation's investment management policy, and excludes any additional interest, dividends, or appreciation of the originally gifted amount. Endowed accounts are invested and only the interest income may be spent according to the Foundation's spending policy. These accounts are invested in long-term investments, such as stock, equities and bonds. Earnings are credited and fees are debited to the account according to the endowed fund balance. The Foundation's Spending Policy sets forth guidelines for determining how much of the endowment earnings may be spent.

Section 3.2 General Procedures

1. Upon the establishment of any fund, a fund establishment form will be completed and kept on file in the Foundation Office.
2. A minimum of two and a maximum of three signatories may be established for a fund. Any one of the signatories may request money from the established fund.
3. A Request for Foundation Funds form must be completed to access money from any specific fund.
4. The Foundation Office must receive check requests a minimum of three working days before checks will be issued.
5. The investment of funds and assessment of fees will be done in accordance with the Foundation's Gift Fees/Fund Management Policy.
6. Quarterly reports that give information on every Foundation account are available in the Foundation Office.
7. Any requests for transactions from organizations and groups who have accounts with the Foundation must be made in writing using the appropriate forms.

Section 3.3 Fund-raising Activities Associated with Foundation Accounts

1. All fund-raising activities conducted by organizations whose funds are held by the Foundation must meet the legal standards for nonprofit fund-raising events (IRS 526 and IRS 1776).
2. Activities conducted to raise funds held by the Foundation must have plans filed with the Foundation Office.
3. The Foundation will provide the club, organization or department for which the Foundation holds funds with numbered receipts. All incoming funds collected by these groups will be reflected on the receipts and the duplicated copy sent with the funds to the Foundation Office.
4. Donors contributing to these fund-raising events will be thanked by the organization planning the event. The organization or department will provide the Foundation Office with the names and description of the donation made, and the Foundation Office will send the official thank-you letter with the proper wording that may be used by the donor for tax purposes.
5. The Foundation's tax-exempt number will be made available to donors who request it.

SECTION IV. **INVESTMENT POLICY**

Section 4.1 Statement of Purpose

The Finance and Investment Committee shall review and make decisions for investment of Foundation funds and management of Foundation assets as required by the Bylaws. This statement of investment policy reflects the investment policy, objectives, and constraints of the entire Antelope Valley College Foundation. The Antelope Valley College Foundation's Finance and Investment Committee sets forth this statement of investment policy to:

1. Define and assign the responsibilities of all involved parties.
2. Establish clear investment goals and objectives of Foundation assets.
3. Offer guidance and limitations to all Professional Experts (Investment Managers) regarding the investment of Foundation assets.
4. Establish a basis for evaluating investment results.
5. Manage Foundation assets according to prudent standards as established by applicable law.
6. Establish the relevant investment horizon for which the Foundation assets will be managed. In general, the purpose of this statement is to outline a philosophy and attitude that will guide the investment management of the assets towards the desired results. It is intended to be sufficiently specific to be meaningful, yet flexible enough to be practical. Investment policies will be recommended by the Finance and Investment Committee and approved by the Foundation's Executive Committee and subsequently ratified by the full Board of Directors of the Antelope Valley College Foundation.

Section 4.2 Administrative Policy

1. The intention of the donor shall be a prime concern of the Foundation. No agreement shall be made between the Foundation and any agency, person, company or organization on any matter, whether investments, management, or otherwise, without consideration of the donor's interests or expressed wishes.
2. All information concerning donors and the amount of their gifts shall be kept strictly confidential by the Foundation and its authorized personnel, unless permission is obtained from the donor to release such information. This does not preclude normal donor recognition or efforts to solicit donors.
3. All gifts-in-kind accepted by the Foundation intended for ownership by Antelope Valley College will be transferred to the College in a timely manner. The Foundation will accept and record all donations/gifts to AVC, though donations requiring an official or government title may be titled directly to the College.
4. Funds will be placed in a bank, insurance company, or investment management company with an investment adviser registered under the Investment Advisers Act of 1940. Investments may also be in stocks, bonds, mutual funds, Government Treasury Bills (both long and short term), and bank or brokerage money market funds.
5. The Foundation's financial accounting system shall follow U.S. Generally Accepted Accounting Principles.
6. All financial records shall be kept in the Office of Institutional Advancement and Foundation at Antelope Valley College, 3041 West Avenue K, Lancaster, California, 93536-5426.
7. An independent auditor, normally in conjunction with the Antelope Valley College Community College District's annual audit, shall audit the Foundation's books annually.

Section 4.3 Delegation of Authority

The Finance and Investment Committee of the Foundation is fiduciary and responsible for directing and monitoring the investment and management of Foundation assets. As such, the Finance and Investment Committee is authorized to delegate certain responsibilities to professional experts in various fields. These include but are not limited to:

1. Assist the Finance and Investment Committee in: establishing investment policy, objectives, and guidelines; selecting investment managers; reviewing such managers over time; measuring and evaluating investment performance.
2. Purchase, sell or hold the specific securities that will be used to meet investment objectives.
3. Maintain possession of securities of the Endowment Funds, collect dividend and interest payments, redeem maturing securities and effect receipt and delivery following purchases and sales. Perform regular accounting of all assets owned, purchased, or sold, as well as movement of assets in to and out of the Foundation Funds accounts.
4. Professional experts such as attorneys, auditors, actuaries, retirement plan consultants and others may be employed by the Finance and Investment Committee to assist in meeting its responsibilities and obligations to administer Foundation assets prudently.

Professional experts will be held responsible and accountable to achieve the objectives herein stated. While it is not believed that the limitations will hamper professional experts, experts may request modifications that they deem appropriate. All professional experts will acknowledge their acceptance of fiduciary responsibility.

Section 4.4 Endowment Funds

By definition, these are funds for which the donors have stipulated, as a condition of the gift, that the principal should be maintained inviolate and in perpetuity, for the purpose of producing present and future income to support the purpose(s) stipulated in the gift. The Foundation's policy will be to invest the endowed principal in assets that balance growth of principal and generation of income.

1. The investment parameters include investing the funds for long-term growth and income with acceptable risk.
2. The Foundation will delegate investment management authority to selected money manager(s) and organizations that will report on the investment performance of the funds.
3. To maintain the endowment's value over time, the Foundation will adhere to the Foundation's Spending Policy in Section IX.

Section 4.5 Assignment of Responsibility of Professional Experts

Section 4.5.1 Responsibility of the Professional Expert(s)

Each professional expert must acknowledge in writing his/her acceptance of responsibility as a fiduciary. Each professional expert will have full discretion to make all investment decisions for the assets placed under his/her jurisdiction, while observing and operating within all policies, guidelines, constraints, and philosophies as outlined in this statement. A scope of work shall be developed for each professional expert, taking into consideration the following:

1. Discretionary investment management including decisions to buy, sell, or hold individual securities, and to alter asset allocation within the guidelines established in this statement.

2. Report, on a timely basis, quarterly investment performance results.
3. Communicate any major changes to economic outlook, investment strategy, or any other factors that affect achievement of investment goals.
4. Advise the Finance and Investment Committee of any changes relative to their investment management organization: Examples include changes in portfolio management personnel, ownership structure, investment philosophy, etc.
5. If requested by the Finance and Investment Committee, provide voting proxies on behalf of the Foundation and communicate such voting records to the Finance and Investment Committee on a timely basis.
6. Assist in the development and periodic review of the investment policy.
7. Conduct professional expert searches when requested by the Finance and Investment Committee.
8. Monitor the performance of the Professional Expert(s) to provide the Finance and Investment Committee with the ability to determine the progress toward meeting the investment objectives.
9. Communicate matters of policy, manager research, and manager performance to the Finance and Investment Committee.
10. Review Foundation fund's investment history, historical capital markets performance, and review the investment policy statement with any newly appointed members to the Finance and Investment Committee.

Section 4.6 General Investment Principles

1. Investments shall be made solely in the interest of the Antelope Valley College Foundation.
2. The Fund shall be invested with the care, skill, prudence and diligence under the circumstances then prevailing that a prudent person acting in like capacity and familiar with such matters would use in the investment of a fund of like character and with like aims.
3. Investment of the Fund shall be so diversified as to minimize the risk of large losses, unless under the circumstances it is clearly prudent not to do so.
4. Cash or cash equivalents should be invested in interest-bearing accounts whenever possible while maintaining safety and liquidity.

Section 4.7 Investment Management Policies

1. *Preservation of Capital* - Consistent with their respective investment opinions and philosophies, professional experts should make reasonable efforts to preserve capital, understanding that losses may occur in individual securities.
2. *Risk Aversion* - Understanding that risk is present in all types of securities and investment opinions, the Finance and Investment Committee recognizes that some risk is necessary to produce long-term investment results that are sufficient to meet the Foundation Fund's objectives. However, the professional experts are to make reasonable efforts to control risk and will be evaluated regularly to ensure that the risk assumed is commensurate with the given investment opinions and objectives.
3. *Adherence to Investment Discipline* - professional experts are expected to adhere to the investment management advice for which they were hired. Experts will be evaluated annually by the Finance and Investment Committee for adherence to investment discipline.

Section 4.8 Specific Investment Goals

Over the investment horizon established in this statement, it is the goal for invested assets to:

1. Meet or exceed the benchmark. The stock component of the benchmark will be comprised of

the S&P 500 Index and the bond component will use the Lehman Aggregate Bond Index. Emphasis will be placed on performance over a market cycle.

S&P 500 Stock Index	60%
Lehman Aggregate Bond Index	40%

2. Display an overall level of acceptable risk in the portfolio that is consistent with the risk associated with policies as established in 4.7 (Investment Management Policies) specified above. Risk will be measured by the standard deviation of quarterly returns.

Specific investment goals and constraints for each professional expert, if any, shall be incorporated as part of this statement of investment policy. Each expert shall receive a written statement outlining his/her specific goals and constraints.

Section 4.9 Definition of Risk

The Finance and Investment Committee realizes that there are many ways to define risk. It believes that any person or organization involved in the process of managing the Antelope Valley College Foundation assets must understand how it defines risk so that the assets are managed in a manner consistent with the Foundation objectives and investment strategy as outlined in this statement of investment policy. The Finance and Investment Committee defines risk as the standard deviation of quarterly returns.

Section 4.10 Liquidity

To minimize the possibility of a loss occasioned by the sale of a security forced by the need to meet a required payment, the Finance and Investment Committee will periodically provide investment counsel with an estimate of expected net cash flow. The Finance and Investment Committee will notify the investment experts in a timely manner, to allow sufficient time to build up necessary liquid reserves. To maintain the ability to deal with unplanned cash requirements that might arise, the Finance and Investment Committee requires that not less than 2 months of operating expense shall be maintained in cash or cash equivalents.

Section 4.11 Investment Guidelines

1. Allowable Assets
 - A. Cash Equivalents
 - Treasury Bills
 - Money Market Funds
 - Commercial Paper
 - Banker's Acceptances
 - Repurchase Agreements
 - Certificates of Deposit
 - B. Fixed Income Securities
 - U.S. Government and Agency Securities
 - Corporate Notes and Bonds
 - Mortgage Backed Bonds
 - Preferred Stock
 - Fixed Income Securities of Foreign Governments and Corporations

- Planned Amortization Class Collateralized Mortgage Obligations (PAC CMOs) or other “early tranche” CMOs
- C. Equity Securities
 - Common Stocks
 - Convertible Notes and Bonds
 - Convertible Preferred Stocks
 - American Depositary Receipts (ADRs) of Non-U.S. Companies (Exception: emerging growth)
 - Stocks of Non-U.S. Companies (Ordinary Shares)
 - REIT (real estate investment trusts)
- D. Commingled Securities
 - Mutual Funds that invest in securities as allowed in this statement.
 - Exchange traded funds (ETF)
- E. International Funds
 - Up to 20% in international funds with no more than 10% in emerging markets.
- F. Other Assets
 - GIC's - Guaranteed Insurance Contracts

2. Stock Exchanges

To ensure marketability and liquidity, investment advisors will execute equity transactions through the following exchanges: New York Stock Exchange, American Stock Exchange, and NASDAQ over-the-counter market. In the event that an investment manager determines that there is a benefit or a need to execute transactions in exchanges other than those listed in this statement, written approval is required from the Finance and Investment Committee.

3. Prohibited Investments

Prohibited investments include, but are not limited to the following:

- A. Commodities and Future Contracts
- B. Private Placements
- C. Options
- D. Limited Partnerships
- E. Venture-Capital Investments
- F. Interest-Only (IO), Principal-Only (PO), and Residual Tranche CMOs
- G. Derivative Securities

4. Prohibited Transactions

Prohibited transactions include, but are not limited to the following:

- A. Short selling
- B. Margin Transactions

5. Asset Allocation Guidelines

The assets placed under professional management by the Antelope Valley College Foundation shall be in accordance with the following asset allocation guidelines:

- A. The asset allocation target will be determined quarterly.

ASSET CLASS	ALLOCATION TARGET	RANGE
Equities	55%	20-65%
Fixed Income	35%	10-50%
Cash & Equivalents	10%	5-50%

- B. The Finance and Investment Committee may employ investment managers whose investment disciplines require investment outside the established asset allocation guidelines. However, taken as a component of the aggregate Foundation Funds, such disciplines must fit within the overall asset allocation guidelines established in this statement. Such investment managers will receive written direction from the Finance and Investment Committee regarding specific objectives and guidelines.
 - C. The Finance and Investment Committee recognizes the importance of diversification in a portfolio. Attention should be given to the "Sector Weightings" within the various positions held in the portfolio to avoid significant overlap in one issue or asset class. The committee realizes there are limits set by portfolio managers regarding the amount of exposure in one asset class or position held within any particular fund.
 - D. In the event that the above aggregate asset allocation guidelines are violated for reasons including but not limited to market price fluctuations, the Finance and Investment Committee will instruct the investment manager(s) to bring the portfolio(s) into compliance with these guidelines as promptly and prudently as possible. In the event that any individual investment manager's portfolio is in violation of its specific guidelines, for reasons including but not limited to market price fluctuations, the Finance and Investment Committee expects that the investment manager will bring the portfolio into compliance with these guidelines as promptly and prudently as possible without instructions from the Finance and Investment Committee.
6. Guidelines for Fixed Income Investment and Cash Equivalents
- A. Foundation funds may be invested only in investment grade bonds rated B or higher.
 - B. Foundation funds may be invested only in commercial paper rated A1 or higher.
 - C. Fixed income maturity restrictions are as follows:
 - Maximum maturity for any single security is 25 years.
 - Weighted average portfolio duration should not exceed 15 years.
 - D. Money market funds selected shall contain securities whose credit rating at the absolute minimum would be rated investment grade by Standard and Poors, and/or Moody's.

Section 4.12 Selection of Investment Managers

The Finance and Investment Committees' selection of investment manager(s) must be based on prudent due diligence procedures. A qualifying investment manager must be a registered investment advisor under the Investment Advisors Act of 1940, or a bank or insurance company. The Finance and Investment Committee requires that each investment manager provide, in writing, acknowledgment of fiduciary responsibility to the Antelope Valley College Foundation and a current securities license.

Section 4.13 Investment Manager Performance Review and Evaluation

Performance reports generated by the investment manager shall be compiled at least quarterly and communicated to the Finance and Investment Committee. The investment performance of total portfolios, as well as asset class components, will be measured against commonly accepted performance benchmarks. Consideration shall be given to the extent to which the investment results are consistent with

the investment objectives, goals, and guidelines as set forth in this policy. The Finance and Investment Committee intends to evaluate the portfolio(s) over at least a three-year period, but reserves the right to terminate an investment manager for any reason including the following:

- A. Investment performance that is significantly less than anticipated given the discipline employed and risk parameters established, or unacceptable justification of poor results.
- B. Failure to adhere to any aspect of this statement of investment policy, including communication and reporting requirements.
- C. Significant qualitative changes to the investment management organization. Investment managers shall be reviewed annually regarding performance, personnel, strategy, research capabilities, organizational and business matters, and other qualitative factors that may impact their ability to achieve the desired investment results.

Section 4.14 Investment Policy Review

To assure continued relevance of the guidelines, objectives, financial status and capital market expectations as established in this statement of investment policy, the Finance and Investment Committee will review investment policy at least annually.

SECTION V.

GIFTS

Section 5.1 Background and Purpose

The purpose of this policy is to provide management with the criteria and framework by which donations may be accepted or recommended to the Board of Directors for acceptance.

Section §72670 of the California Education Code and Title 5 of the California Code of Regulations (Section §59259 (j)) provides the broad authority for the Foundation to function as the sole recipient of gifts, bequests, devises, endowments, trusts, and similar funds in support of Antelope Valley College. At the adoption of this policy statement, the specific authority of the Foundation to function as the recipient of gifts and related funds for and on behalf of Antelope Valley College is set forth in the Master Agreement between the District Board of Trustees of the Antelope Valley College District and the Directors of the Antelope Valley College Foundation. Any changes in policy or procedures need to be approved by the Board of Directors of the Foundation and the President/Superintendent of the Antelope Valley Community College District. The provisions of this policy shall be interpreted with the authority recited above.

The Foundation is an IRS qualified Section 501(c)(3) tax-exempt charitable-educational organization. IRS has classified the Foundation as not being a private Foundation under Section 509 (a) of the Internal Revenue Code. The State of California has classified the Foundation as a public benefit under the Nonprofit Corporation Law.

Section 5.2 Policy

1. General

- A. Only gifts, bequests, devises, endowments, trusts and similar funds which are designated for the use of (in trust for) the College or to the Foundation for College programs or projects may be considered for acceptance. The Foundation Executive Director has the authority to accept all donations that do not violate the Board of Trustees policies or the educational mission of the College except as provided below.
- B. Except as provided below, the Foundation Executive Director, or his/her designee, has authority to accept gifts or related funds and instruments designated by the donor/grantor for purposes or uses that are consistent with the policies of the Board of Trustees, or for established instructional or support programs and functions within the educational mission of the College or District authorized by the College Superintendent/President (or designee).
- C. The valuation and substantiation of charitable gifts is a matter between the donor/taxpayer and the taxing agency. Therefore, the Foundation, as a recipient of such gifts, will not estimate to the donor the value of non-cash gifts. The Foundation will cooperate fully with the donor in the gift substantiation process required by the taxing agency.

If the total tax deductible non-cash contribution to all charitable organizations will exceed five hundred dollars (\$500) in the same tax year, the Foundation will complete a part of IRS Form 8283. If the total value of the gift is assessed over five thousand dollars (\$5,000), a qualified appraisal must be obtained by the donor in order to complete Form 8283. If the Foundation disposes of the non-cash gift over five thousand dollars (\$5,000) within two years of receipt, the Foundation will complete IRS Form 8282 and send a copy to the donor and the IRS.

- D. The Foundation will develop and manage the Donor Recognition Program for the College.
2. Special Acceptance Criteria
Gifts for new College programs, real property gifts or donations creating a substantial or unique obligation of the Foundation and/or the College shall be submitted to the College Superintendent/President (or designee) for evaluation and approval/non-approval. Examples of gifts that may create a unique obligation on the part of the Foundation and/or the College include but are not limited to the following: equipment, vehicles of all types, marine craft, aircraft, supplies and materials and real estate. Gifts that have the potential of violating College policies, state or federal laws or creating a liability for the Foundation or the College will also be submitted to the College's Superintendent/President (or designee) for review prior to acceptance. The Superintendent/President (or designee) will evaluate the acceptability of the gift and its conformance to District policies and regulations. The Superintendent/President (or designee) may at his/her discretion submit a letter to the Foundation or the board of trustees relative to acceptance/non-acceptance of the proposed gift.
 3. Reports to the Board of Trustees
At the next regular meeting of the board of trustees following acceptance of any gift not requiring approval, a summary report of such gifts shall be submitted to the board.
 4. Implementing Guidelines
The Executive Director of the Foundation is authorized to establish management guidelines consistent with this policy for purposes of implementing this policy statement.
 5. Liquidation of Gifts
 - A. It shall be the general policy of the Foundation to liquidate gifts of land, stock, bonds or other collateral upon receipt or as soon thereafter as practical unless such gifts are accepted with restrictions.
 - B. The liquidation of such gifts shall be the responsibility of the Finance and Investment Committee and the funds from such sales shall be placed in unrestricted Foundation funds – unless there are donor stipulations, which shall then be honored.
 - C. Any exceptions to this liquidation of gifts policy shall be brought before the entire Foundation Board for approval.
 - D. The Finance and Investment Committee will review at minimum on an annual basis all exceptions to liquidation policy and forward any recommendations to the Board of Directors for approval.

SECTION VI. **NAMING OPPORTUNITIES**

Section 6.1 Role of the Development Office

Naming opportunities are recognized as being integral to the fund-raising process and an important form of donor recognition. As such, the Antelope Valley College Foundation and the Antelope Valley College Development Office shall conduct the naming opportunities program.

Section 6.2 Named Endowment Funds

Named endowment funds offer a way to associate an individual or organization's name in perpetuity with the important work of Antelope Valley College. Names associated with endowed funds at Antelope Valley College become a part of the language and legacy of the District, bringing honor to the name and inspiring students and faculty for generations to come.

Endowment funds management procedures are defined and governed by the Antelope Valley College Foundation Fund Management Service Policy.

Section 6.3 Endowment Giving Opportunities

The following major endowed giving opportunities at Antelope Valley College would provide significant and lasting support for faculty, students and programs:

- Endowed Chair/Distinguished Professor – minimum \$1.25 million
- Named Lectureship Series – minimum \$250,000
- Named Artist-in-Residence – minimum \$100,000
- Named Library Collection – minimum \$50,000
- Named Awards - Faculty/Staff/Students – minimum \$10,000

Named student scholarships are governed by the Scholarship Program Policies and Procedures.

Antelope Valley College welcomes planned gifts, as well as outright gifts, to establish endowments. Planned gifts offer donors the opportunity to provide a gift through a bequest in a will or revocable trust, or through an irrevocable provision in a pooled income fund or charitable remainder trust. Naming opportunities during the donor's lifetime will recognize irrevocable planned gifts. The college Superintendent/President (or designee) and the Vice President of Academic Affairs will oversee the designation of Endowed/Distinguished Professors, Outstanding Faculty and Lectureship Series naming opportunities.

Section 6.4 Facilities and Landscape Naming Opportunities

The Antelope Valley College facilities and landscape on the campus offer many opportunities for the names of generous donors to be associated with the College in a lasting and permanent manner. Classrooms, laboratories, support and other facilities may be named in recognition of generous major gifts to Antelope Valley College. These gifts may be in the form of an outright cash gift for purchase of equipment or room furnishings, donation of new equipment for the named facility, or establishment of a special fund for renovations, program enhancements or landscape improvements. Listed below are some of the many naming opportunities available and guidelines for appropriate gift levels.

1. GROUP ONE: Named Bricks, Plaques, and Benches
2. GROUP TWO: Donor Walls
3. GROUP THREE: Buildings
4. GROUP FOUR: Areas within Buildings
5. GROUP FIVE: Exterior Campus Sites/Landscaping Projects

GROUP ONE: Named Bricks, Plaques and Benches

Group one consists of named bricks, plaques, benches, or named seats in future auditorium space for established gift amounts.

- a. Brick Program
- b. "Buy-A-Seat" Program (such as theaters, auditoriums, stadium seats, etc.)
- c. Benches

GROUP TWO: Donor Walls

Donor Walls may be located in buildings throughout the campus and usually have several levels of recognition. The names of each giving level will be unique to the program area in which the donor wall is located.

Annual Gift:

President's Circle – \$1,000 or more unrestricted
President's Gold Circle - \$5,000 or more unrestricted
AVC Partners – \$5,000 to \$9,999

One-time or Defined Pledge:

AVC Benefactors – \$25,000 to \$49,999
AVC Society – \$50,000 to \$99,000
Trustees Academy – \$100,000 to \$999,999
AVC Founder's Circle – \$1,000,000 and above

GROUP THREE: Buildings

This group contains opportunities for recognition of donors supporting new and existing buildings. Named buildings will be valued at no less than \$1 million. The established criteria will be applied to determine the level of donor gift for each naming opportunity.

Buildings in this group include:

Administration Building
Agriculture Building
Applied Arts, Allied Health & Offices
Business Education
Child Development Center
Fine Arts (Art & Gallery)
Fine Arts (Theatre)
Fine Arts (Music & Offices)
Fine Arts
Facilities
Field House
Gymnasium
Health Sciences Building
Library
Learning Center
Liberal Studies & Offices
Liberal Studies
Lecture Halls
Math/Engineering
Offices – Math/Science
Offices – Technical Ed
Offices – Language Arts & Social Science
Science 1
Science 2
Science 3
Student Center
Athletic Stadium
Student Services & Information
Temporary 300-301
PE Offices
Temporary 901-906
Technical Ed 1
Technical Ed 2
Technical Ed 3
Technical Ed 4
Technical Ed 5
Technical Ed 6
Technical Ed 7
Theater

No building on the campus shall be named for a religious or political organization, cult, service organization or a special interest group of any type. Buildings may be renamed for families, individuals and their spouses, or the name of a private nonprofit 501(c)(3) Foundation naming the required gift if the Foundation name is that of an individual or family. Corporate entities and other organizations may be recognized on the College's Donor's Wall under the appropriate level of giving category

GROUP FOUR: Areas within Buildings

Group four includes areas within buildings, such as conference rooms, offices, labs, classrooms, foyers, studios, interior atriums, etc. Gift recognition in this group is in pre-determined minimum gift amounts and listed on a Naming Opportunities List developed for each of the buildings and for the areas on the campus.

GROUP FIVE: Exterior Campus Sites and Landscape and Beautification Projects

Outside areas may include streets, fountains, gardens, benches, pathways, golf driving range, parking lots, atriums, commons, courtyards, quads, clock towers, etc.

Section 6.5 Affixing Relative Values to Buildings, Rooms, and Areas Within and Outside of Buildings

The Development Office will establish a coherent and organized approach – involving appropriate staff – to determine the value of buildings and outside areas on campus in order to establish the appropriate donation for naming purposes. Such staff may include the director of facilities planning and campus development, Deans and/or faculty familiar with the facility and its program, the vice President of business services, etc. The Executive Director of the Foundation and any appropriate staff he/she chooses to involve will establish the actual cash values for each naming opportunity. The valuing of the buildings and areas on campus will adhere to sound principles and practices of fund-raising so as to avoid undervaluing or overvaluing facilities.

Buildings, rooms, labs, foyers, offices, other areas within buildings, and outside areas on the campus will be valued using the following criteria:

- Importance to a program, to students or to the community
- Visibility or prominence
- Appeal to potential donors
- Size

Section 6.6 Review and Approval of Naming Opportunities Lists

1. Request Procedure

- a. Requests for the naming of buildings, their interior areas and for exterior areas on the campus shall be brought to the District's Physical Resources Committee.
- b. Upon study, the District's Physical Resources Committee will make recommendation to accept, deny, or modify the naming of a building, structure, or area to the Superintendent/President (or designee), who will carry the committee's recommendation and his own to the Cabinet for further review.
- c. The Superintendent/President (or designee) will forward the requests and recommendations to the Antelope Valley College Foundation Board for review and then to the Antelope Valley College Board of Trustees for final review and approval.
- d. Requests for the naming of library collections will be brought to the Dean who has oversight of the Library. The Dean will adhere to the guidelines outlined above.

- e. Committees will forward their recommendations to the Superintendent/President (or designee) within 30 days of the written request.

Section 6.7 Naming Opportunities as Recognition for Service

On occasion a member of the Antelope Valley College staff or a volunteer may be nominated for a naming opportunity without tender of a gift of cash or other real property. Such an individual may be recommended to have a building, area within a building, or outside site named for him or her. Such a naming recommendation may be made when the service that the recommended individual has rendered meets the following criteria:

1. Service rendered may be documented as clearly and measurably exceeding in quality and accomplishment what might be ordinarily expected of someone occupying the same position.
2. Such service was rendered over a period of not fewer than ten years.
3. Such service has materially and profoundly contributed to the overall advancement of the institution through any combination of the following: facilities improvements; program development and enhancements; fostering consensus building; noteworthy fund raising; creation of partnerships with business and industry and other public and private agencies that clearly advance the institution; providing leadership that clearly and significantly contributes to the advancement of the institution; is recognized in the field of education and/or by business and industry or government as having made significant contributions to the educational profession or to the economic development of the region, or to workforce development, thereby bringing status and recognition to the institution; other pertinent criteria.
4. The value to the institution of the contribution made by the nominee is considered to be equivalent or nearly equivalent to the value of the facility or area to be named for him/her in terms of institutional advancement, and the nomination form clearly delineates this equivalency in terms of the previously listed criteria for evaluating the service.
5. There should be an appropriate relationship between the use of the facility or its function and the person for whom it is named as a recognition.
6. Guidelines for nominating and providing appropriate supporting documentation will be made available in the office of the Antelope Valley College Foundation. The completed nominating form will be submitted to the Foundation Office. The proposed building or area to be named for the individual will be included with the nomination. A committee comprised of District representation of administrators, faculty, students, staff, and community volunteers serving on the Foundation Board will review the nomination and make a recommendation to the District's Physical Resources Committee.

Section 6.8 Procedure for Establishing Relative Values of Buildings and Areas

The Development Office is responsible for establishing the values and protocols for all District naming opportunities. The Executive Director will involve Foundation board member representative(s), appropriate staff in this process, such as the director of facilities planning and campus development, Deans and/or faculty familiar with the naming opportunity and/or its programs, the vice President of business services, etc. Those involved in the process may change according to the facility or area being valued. The Naming Opportunities List(s) shall be submitted to the District's Physical Resources Committee for review and comment.

The Development Office and the Superintendent/President (or designee) shall establish gift levels in terms of dollar amounts affixed to each building with input from staff in the program area that the facility serves.

Professional fund-raising guidelines and practices will be used to assure that these values are not under- or over-stated.

Section 6.9 Board of Trustees Acceptance of Naming Recommendations

Naming of facilities and sites shall be recommended to the Superintendent/President (or designee) and then brought to the Board of Trustees for approval. The Board of Trustees reserves the right to accept or reject a recommendation.

Section 6.10 Signage

1. Donor's Name

A donor will be given the opportunity to define how his/her name should appear on signage. The options offered include:

- A. First and last name (i.e., Ethyl Jones Child Development Center)
- B. First name, middle initial, last name (i.e., James A. Jones Child Development Center)
- C. First names of each spouse or of two family members and last name (i.e., James and Ethyl Jones Child Development Center)
- D. Last name (i.e., The Jones Child Development Center)
- E. Any of the above with a generational designation (i.e., James A. Jones, III Child Development Center)
- F. Any of the above with the word Memorial to commemorate a deceased individual (i.e., James A. Jones, III Memorial Child Development Center)

2. Typeface and Signage

Whenever possible, all plaques and lettering are to be in conformance with established forms of donor recognition. Lettering will be placed according to the standards established by the Office of Facilities Planning and Campus Development. The following are recommended:

- Building name – 16 inch maximum (12 inch recommended)
- Major Wing naming – 6 inch maximum (4 inch recommended)
- Lobby naming – 6 inch maximum
- Laboratory/Studio/Suite – 4 inch recommended
- Classroom/Office/Conference Room – 3 inch recommended
- All other areas – 3 inch recommended
- Donor Wall naming – 3 inch recommended

Lettering generally will not be placed lower than 20" from the ground and will be of a metallic, non-corrosive material (brass, bronze, or aluminum), and treated to a matte or satin finish. High polish reflective lettering is not permitted, nor any form of self-illuminated or lighted lettering. All signage must be consistent with Antelope Valley College's existing signage.

Section 6.11 Gift Recognition Replacement

1. In the event that donor names must be removed for new construction, or in the event a building is destroyed by natural disaster and is rebuilt and to be used for its original purpose, recognition shall be replaced per the original agreement. In the event a building is drastically altered through construction, Antelope Valley College shall reserve the right to add donor names to a building and/or alter the

placement of the donor signage and typeface to correspond with the reconstruction. Any donor's signage displaced as a result of this will be rededicated in an alternative location.

2. The Development Office is responsible for maintaining a complete inventory of all displaced donor's signage and the safe storage of any plaques or letters removed in this process.
3. Antelope Valley College reserves the right to remove any gift recognition as a result of the non-payment of a pledge, or the failure to fulfill the terms of a gift-acceptance agreement.
4. Naming opportunities will be available for deferred gifts only if the gifts are irrevocable, and the Antelope Valley College Development Office is provided with a copy of the duly signed and executed estate planning document designating the gift as irrevocable.

SECTION VII.

SCHOLARSHIP PROGRAM POLICIES AND PROCEDURES

Section 7.1 Scholarship Donor-Foundation Agreement

To establish a scholarship fund with the Antelope Valley College Foundation, the donor completes the Scholarship Agreement form. The Foundation executive director is available to clarify items on the form and assist the donor in making decisions related to the criteria for awards. A prospective donor may call the Development Office to schedule an appointment or to receive guidance over the telephone.

The Scholarship Agreement form should be returned to the Development Office with a check or money order made out to the Antelope Valley College Foundation. Donors who wish to make their gift by credit card will need to contact the Foundation Office for assistance. To be awarded within the same academic year, the scholarship gift must be received by the Development Office on or before the last day of December in the year prior to the scholarship being awarded.

Changes or revisions may be made to the Scholarship Agreement at a future date at the discretion of the donor; however, changes will not take effect until after an award cycle has been completed if the scholarship has already been advertised in the scholarship handbook.

Donors are encouraged to keep the criteria for awards as broad as possible to assure that the scholarship can be awarded. Donations designated for specified programs and/or designated for specified student eligibility criteria shall be administered in accordance with the donor's stipulation(s) and applicable law. The Executive Director of the Foundation can assist a prospective donor with this.

Section 7.2 Minimum Scholarship Awards

The minimum scholarship award is \$250.

Section 7.3 Endowed Scholarships

An endowed scholarship may be established in the name of the donor or in another name specified by the donor with an initial minimum gift of \$10,000. Scholarship awards will be given based on the spending policy established in this document. The endowed scholarship funds will be subject to the gift fee policy established in this document.

The corpus of the endowed account is defined as that amount originally endowed by the donor plus any future endowed amounts contributed to the fund by the donor and/or any percentage reinvested by the Foundation to maintain the fund value over time.

A donor may under some circumstances start an endowed scholarship fund with a \$2,000 gift, but at that time he or she will be required to submit a viable plan to bring the endowment to the \$10,000 level within five years starting from the date that the endowment was established. If the endowment does not reach the \$10,000 level within the allotted five years, the fund will be liquidated and the balance swept into the AVC Scholarship Endowment Fund. The fund will not earn interest income until it reaches the minimum \$10,000 requirement.

Scholarship awards will be made as long as there is sufficient appreciation to make the initial minimum \$250 award. A donor may fund the scholarship awards separately with an additional gift annually until such time that the endowed fund has grown sufficiently to make the stipulated awards.

Section 7.4 Designated Scholarship Funds

To establish a designated (not endowed) named scholarship fund, the donor must gift at least \$1,000 and commit to making scholarship gifts from this account for a minimum of three years. The minimum scholarship award will be \$250. The donor may stipulate that one or more awards at or above that level will be made each semester or annually.

If the account balance is insufficient to award the designated scholarship amount, the scholarship donor will be contacted and given the opportunity to contribute to that fund in order to reach the needed balance. If after three (3) years no contribution is made or a contribution is made that is not sufficient to make the designated award(s), the fund will be liquidated and the balance redirected to the AVC Scholarship Endowment.

Because the scholarship handbook is published at least a semester before the selection process begins, it is important that donors maintain the balances in their scholarship accounts.

Section 7.5 General Scholarship Fund

One-time scholarship awards will be handled through the Temporary Restricted Fund. The award will be made in the name of the donor or his/her business, or in honor or memory of a person designated by the donor. The minimum award remains \$250.

Section 7.6 Selection of Scholarship Recipients

The Antelope Valley College Scholarship Selection Committee may be composed of faculty, staff, donors, community volunteers and Foundation directors. The committee meets in the spring to select qualified scholarship recipients. Students are requested to complete a general scholarship application. The Scholarship Committee evaluates the student's qualifications for the various scholarships offered. Donors are notified annually of their respective scholarship recipients.

In accordance with IRS 526 regarding Charitable Contributions, donors are not allowed to solely make scholarship selections for their specific scholarship. They are, however, invited to participate in the overall scholarship committee to assist in the selection of scholarships.

Section 7.7 Disbursement of Scholarship Checks

Students continuing their studies at Antelope Valley College will have their scholarship checks credited to their accounts at the Cashier's Office upon proof of enrollment for the upcoming fall semester.

If the student is transferring to a four-year university, the scholarship check will be forwarded to the Financial Aid Office of the four-year university. The student must notify the Development Office of the name and address of the four-year school he/she is attending and the check will be sent to that institution. The student will be notified that the check will be available at the four-year university upon proof of enrollment.

The student must contact the Development Office within the academic year following the scholarship award to be eligible to receive the funds. If the student does not enroll in courses in the academic year ending June 30 following the scholarship award, the scholarship is forfeited. The donor will be contacted, and the funds returned to the original fund account.

SECTION VIII.
ADMINISTRATIVE GUIDELINES FOR SUPPORT GROUPS

Section 8.1 Definition, Purpose and Privileges

Provisions of this section are in accordance with AP3600 defining auxiliary groups for Antelope Valley College. Because all fund raising in support of Antelope Valley College must come through the Antelope Valley College Foundation, any organizations created as auxiliary groups that include fund raising in their purpose will be considered support groups. They will be recognized as such and administered by the Antelope Valley College Foundation.

1. A support group is any group, organization, foundation, or association other than a college alumni association or the Antelope Valley College Foundation:
 - (1) Whose primary purpose is to provide assistance through fund raising, public outreach, and other support for the College's mission; or
 - (2) Whose representatives or activities make the entity indistinguishable from the college itself; or
 - (3) That acts as an agent of or intermediary for the College. Support groups typically operate with some affiliation or collaboration with the college to raise gift funds and/or provide public support for the college. Each support group shall be organized and operate so that contributions will be directed through or the Antelope Valley College Foundation and shall be deemed tax-deductible under relevant provisions of state and federal tax law.
2. A support group that has received official recognition from the College is authorized to use the name of the College or any institutional unit thereof. Additionally, the District may permit a support group to use space, equipment, and staff support in the performance of its recognized support activities. Without such recognition, no group may (1) represent itself as raising funds or otherwise providing support on behalf of, or for the benefit of, the College, a campus or institutional unit thereof; (2) use the name of the College or any of its campuses, facilities, or programs either expressly or by implication in connection with such activities; (3) use College facilities, equipment, or personnel in connection with such activities.

Section 8.2 Official Recognition

1. General Recognition
 - A. The Antelope Valley College Foundation must approve for the fund raising activities of its support groups and is expected to maintain documentation compliance.
 - B. A support group must request and receive official recognition from the Superintendent/President (or designee), subject to these Administrative Guidelines (hereinafter referred to as the "guidelines").
 - C. A request for the recognition will be denied when an organization does not meet the required terms for recognition or when the Superintendent/President (or designee) determines that an organization does not serve the best interest of the College.
2. Initial Recognition

The District shall develop procedures for registration of support groups. Potential support groups must submit the following to the Superintendent/President (or designee):

 - A. A current list of officers, Board of Directors (if any) and principal contact person for the organization.

- B. A statement of the organization's purpose and goals and/or enabling documents (i.e., bylaws, constitution, articles of incorporation or other governing documents).
- C. A current roster of names and addresses of donors and members must be provided upon request by the Superintendent/President (or designee).
- D. A statement signed by the officers/representatives of the organization stating that the Board of Directors (or the governing body) has read and formally voted that it will comply with the policy and these guidelines.
- E. A list of the types of activities, including fund raising and membership drives, the organization intends to undertake and how the organization financially intends to support these activities.
- F. Subject to the approval requirements set forth in Section 8.4 – 3 A and 3 B below, for a tax-exempt organization with accounts at any financial institution, a list identifying all such accounts, including the institution's name and address, and the account numbers; and a statement signed by an appropriate officer or representative of the organization authorizing representatives of the College to receive from the financial institution any information, records, or photocopies of transactions relating to the account(s) as the College may at any time request from the financial institution.

3. Annual Renewal of Recognition

For continued recognition, the District is responsible for annual approval of support groups and is expected to maintain files, records, and materials as needed. A support group must submit the following to the Superintendent/President (or designee) on an annual basis:

- A. An updated list of officers, Board of Directors (if any) and the principal contact person for the organization;
- B. Any changes to the organization's structure, purpose and goals, and /or enabling documents (i.e., bylaws, constitution, articles of incorporation or other governing document);
- C. An updated roster of names and addresses of donors and members must be provided upon request by the Superintendent/President (or designee);
- D. A statement signed by the officers/representatives of the organization stating that the Board of Directors (or the governing body) had read and formally voted that it will continue to comply with the policy and these guidelines
- E. For a tax-exempt organization, a statement of revenues, and expenses [and net income] for the last fiscal year and a copy of the organization's annual IRS Form 990 and financial statements;
- F. An annual plan of fund-raising, membership drives and other activities for the ensuing fiscal year and how the organization will financially support these activities;
- G. Subject to the approval requirements set forth in Section 8.4 – 3 A and 3 B below, for a tax-exempt organization with accounts at any financial institution, a list identifying all such accounts, including the institution's name and address, and the account numbers; and a statement signed by an appropriate officer or representative of the organization authorizing representatives of the College to receive from the financial institution any information, records, or photocopies of transactions relating to the accounts(s) as the College may at any time request from the financial institution.

Section 8.3 Failure to Comply

If a support group does not comply with these guidelines, the Superintendent/President (or designee) shall by written notice require the support to comply within a reasonable time period or have its recognition as a support group withdrawn.

1. In the event the group fails to comply within the time period specified, the Superintendent/President (or designee) may withdraw the support group's official recognition and take all necessary actions in that regard.
2. Upon withdrawal of recognition, the assets of the support group shall be transferred to The Antelope Valley College District or the Antelope Valley College Foundation, as designated by the Superintendent/President (or designee), for purposes consistent with the terms of individual gifts and purposes of the support group. In the event the support group fails within a reasonable time period to transfer its assets, the District counsel shall take such legal action as may be necessary to compel transfer.
3. Once official recognition has been withdrawn, the support group may no longer use the College's name, facilities, equipment, or support staff. Should the support group fail to cease these activities, the District counsel shall take such legal action as may be necessary.

Section 8.4 Organization

1. Each support group's operations shall be conducted and managed by its governing body, as set forth in its statement of purpose, goals, and/or enabling documents. These documents shall include the following clauses:
 - A. The Superintendent/President (or designee) and the head of the sponsoring department(s) (or designee) are ex-officio voting members of the governing body; and
 - B. In the event of dissolution, or if a support group elects to become a non-recognized organization, its assets shall be transferred within three (3) months to the Antelope Valley College District or the Antelope Valley College Foundation, as designated by the Superintendent/President (or designee), for purposes consistent with the terms of the individual gifts and purposes of the support group.
 - C. The Vice President of Business Services, college auditor and/or internal audit shall be authorized to receive, from any financial institution with which the organization maintains accounts, any information, records, or photocopies of transactions relating to the accounts as the College may at any time request from the financial institution.
2. A support group created after the effective date of these Guidelines shall operate as an unincorporated organization that instructs all donors to make charitable donations directly to the Antelope Valley College Foundation solely for the benefit of the College programs/departments for which the funds are donated.
3. A tax-exempt organization in existence prior to the effective date of these guidelines may receive official recognition as a support group.
 - A. Any such support group is required to have liability insurance in amount(s) appropriate to the activities of the organization. Other insurance needs (e.g., Directors and Officers insurance) should be reviewed with an insurance representative as necessary.
 - B. A support group is prohibited from participating in any political campaign on behalf of any candidate for public office. However, advocacy on behalf of the College is permitted if it is

consistent with legislative, budgetary, and electoral objectives of the College; done in conjunction with the College; and with formal written approval from the Superintendent/President (or designee) of the District. Under those conditions, a support group may attempt to influence legislation on behalf of the College provided that it is not a substantial part of the group's activities.

Section 8.5 Support Group Activities

1. Continuing Education Courses

Support groups may not offer continuing education courses. Support groups may offer general interest lecture series or seminars such as those types offered by a museum or arboretum support group.

Section 8.6 Financial Activities

1. The financial transactions of a support group that is not a tax-exempt organization must be processed through a fund in the Antelope Valley College Foundation.
2. A support group shall operate on a fiscal year basis commencing each July 1 and ending each June 30.
3. Contracts, grants, clinical trials, or specific projects funded by external sponsors must be entered into directly by the District and the research sponsor, not through a support group. Gifts designated for a specific research project or a specific researcher, or otherwise intended to support research activities, may be made only to Antelope Valley College District or the Antelope Valley College Foundation, and must conform to applicable College policies and procedures. Among other things, this will enable the College to comply with the State of California Political Reform Act that requires disclosure by the faculty member of any financial interest in the donor. A support group may not be used as a vehicle to avoid these requirements.
4. Only the Antelope Valley College Foundation may hold endowments. A support group may not hold and invest endowment funds for the benefit of the College. Tax-exempt support groups may, however, accept endowments on behalf the Antelope Valley College Foundation. Support groups without tax-exempt status can accept endowments only in the name of the Antelope Valley College Foundation. The terms of the endowments must be reviewed with the Antelope Valley College Foundation Executive Director prior to formal acceptance. In addition, nothing in this paragraph shall preclude the ability of support groups to have current expenditure funds invested in certificates of deposit and/or interest-bearing instruments.
5. A support group may not (a) directly or indirectly employ; or (b) supplement the salary of; or (c) provide any consulting fees, loans, or perquisites to any College employee outside of the established College personnel policies and practices.
6. The financial activities of a support group shall be administered in accordance with prudent business practices and generally accepted accounting principles.
7. The financial transactions of a tax-exempt support group may be processed separately and transfers then made to the AVC Foundation. They may also establish a College auxiliary account in the name of the support group and administer it in accordance with the District policy regarding auxiliary accounts.

8. Support groups shall not maintain non-gift income balances in excess of \$50,000 without the prior written approval of the Superintendent/President (or designee).

Section 8.7 Accounts with Financial Institutions

1. With the express, written permission of the Superintendent/President (or designee), and the specific written approval of its governing body, a tax-exempt support group may maintain accounts with a financial institution. Separate accounts must be maintained so that expenditures made solely for the benefit of members of the support group may be made from funds other than membership dues:
 - A. Payments for audit, tax preparation, or legal fees; payments for insurance or taxes; and payments or transfers of assets for cash management to and between banks and other financial institutions;
 - B. Payments to donors to refund contributions as permitted by law, or to return overpayments pursuant to a donor's request;
 - C. Payments to other organizations of donations or remittances made in error to the support group;
 - D. Payments of direct fund-raising expenses in accordance with the organization's annual plan and with the written approval of the Superintendent/President (or designee);
 - E. Transfers to Antelope Valley College or the Antelope Valley College Foundation; and
 - F. Legally appropriate payments from its accounts to support ballot measures clearly beneficial to the College and endorsed by Antelope Valley College.
2. With the express, written permission of the Superintendent/President (or designee), a support group that is not a tax-exempt organization may maintain a bank account solely for non-gift income (e.g., membership dues, ticket sales, advertising, etc.) that is to be expended solely for the benefit of the members themselves (such as gatherings, social events, etc.)
3. Support groups are prohibited from using the College or the Antelope Valley College Foundation, an Alumni Association or any other District entity's tax identification number when opening an account with a financial institution. The Superintendent/President (or designee) shall be given, in writing, the tax identification number used by the support group as soon as it is obtained from the IRS.
4. All checks in excess of \$1,000 drawn on external bank accounts require two signatures by members of the support group's governing body.

Section 8.8 Business Transactions

The governing body shall approve business transactions involving a support group and the personal or business affairs of any support group trustee, director, officer, and staff member or volunteer in advance. In addition, trustees, directors, officers, staff members and volunteers of a support group shall disqualify themselves from making, participating in making, or in any way attempting to use their official positions to influence a decision in which they have or would have a financial interest.

Section 8.9 Fund Raising/Membership Dues Activities

1. A support group must be officially recognized in order to conduct fund-raising activities in support of the College's mission.
2. A support group shall submit plans for proposed solicitations to the Antelope Valley College Foundation Executive Director for review and approval before communication with prospective

donors, and shall instruct donors to make gifts directly to the Antelope Valley College Foundation. A support group that is a tax-exempt organization with its own tax identification number, however, may accept and acknowledge gifts in its own name. Under no circumstances may College funds or gifts made payable to Antelope Valley College Foundation or to any other College entity be deposited into a bank account maintained by a support group.

3. Funds received by a tax-exempt support group intended to benefit the District must be transferred at least quarterly, or at any time the balance exceeds \$100,000, to Antelope Valley College or the Antelope Valley College Foundation for allocation in fulfillment of the intentions of the donor (s). A letter shall accompany transfers of gift funds from the support group attesting to the original donor's explicit intentions, together with a copy of any original letter from a donor that establishes any gift term other than the name of the fund.
4. A support group may not attach additional terms, conditions or restrictions, reporting requirements, intellectual property rights, or other conditions to a gift without the prior written approval of the Superintendent/President (or designee). The College and /or the Antelope Valley College Foundation retain the authority to accept or reject gifts and transfers of funds from support groups.
5. A support group may not solicit or accept deferred gifts (i.e., estates and bequests, trusts or life insurance, etc., or real or tangible personal property). All planned gifts must be given directly to Antelope Valley College or the Antelope Valley College Foundation.
6. A support group may not hire fund-raising consultants or fund-raising personnel. If such consultants or fund-raising personnel are deemed necessary by the governing board of the support group and the Superintendent/President (or designee) to assist a support group with a particular activity, the support group can make arrangements with the Superintendent/President (or designee) for the College to hire such consultants or personnel, and shall reimburse the College for the full cost.
7. All fund-raising campaigns in excess of an amount determined by the District must be approved in writing by the Superintendent/President (or designee) and the Dean or Head of the unit that it will support to ensure that the proposed fund-raising activities are appropriate and do not conflict or interfere with the fund-raising activities of other campaigns.
8. A support group shall establish an accounting record for each fund-raising campaign listing revenues, expenses, [and net income], and submit it to the Superintendent/President (or designee).
9. A support group may not impose gift-processing fees or other charges against its gifts except as documented and approved in writing in advance by the Superintendent/President (or designee) and the support group's governing body. If charges against restricted gifts or income therefrom are to be made for costs of administering a gift to the support group, the support group shall include in its literature a statement to that effect.
10. Non-gift membership dues assessed by a support group on its members are to be limited to a reasonable amount per individual per year.

Section 8.10 Audit

1. A support group shall permit the Superintendent/President (or designee, including the College Auditor) to inspect and audit its books and records, as well as those of its financial institution(s) as relates to the support group's account(s) on request. In addition, a support group shall permit, if applicable, the District auditor to review directly all bank account records.
2. The governing body of a tax-exempt support group that had gross annual revenues less than \$500,000 shall provide a copy of the organization's annual IRS Form 990 and financial statements to the Superintendent/President (or designee) within 90 days of the end of the fiscal year.
3. The governing body of a tax-exempt support group that had annual revenues between \$500,000 and \$1 million shall contract and pay for an annual review of its financial statements prepared by a reputable, independent accounting firm acceptable to the College. Such review shall be completed within 90 days of the end of the fiscal year.
4. The governing body of a tax-exempt support group that had gross annual revenues in excess of \$1 million shall contract and pay for an annual audit for such fiscal year. Such annual audit shall;
 - A. Be conducted by the College's external auditors, or
 - B. Be conducted by a reputable, independent accounting firm with written approval by the Superintendent/President (or designee) and the College Auditor of the engagement letter between the support group and the firm;
 - C. Include an opinion on the financial statements of the support group prepared in accordance with generally accepted accounting principles as applicable to the nature of the support group;
 - D. Include a supplementary statement that nothing came to the attention of the auditors that causes them to believe that the support group was not in compliance with the Policy and these Guidelines, noncompliance with which could have a material effect on the support group's financial statements for the fiscal year;
 - E. Include a management letter addressed to the appropriate members of the support group's governing body conveying audit findings and recommendations, including management's response to the findings and recommendations;
 - F. include written communications with the support group's governing body pursuant to auditing standards; and
 - G. be completed within 90 days of the end of the fiscal year.

Section 8.11 Superintendent/President's Responsibilities

1. The Superintendent/President (or designee) is responsible for ensuring that adequate controls and processes are in place to determine that support groups are in compliance with the Policy and these Guidelines. Each recognized support group shall be notified in writing that compliance with these guidelines and any College policies and District regulations previously referenced herein are a condition of continued recognition.
2. The Superintendent/President (or designee) shall designate an official of the District unit that benefits from the support group to ensure that the support group is in compliance with the Policy and these Guidelines, unless the Superintendent/President (or designee) designates another District entity as having those responsibilities.
3. The District shall determine the procedures necessary for a support group to be officially recognized, consistent with the Policy and these Guidelines. The Superintendent/President (or designee) may

require additional and more stringent rules than those found in these guidelines, but at no time may a District adopt rules that effectively void or liberalize the Policy and these Guidelines.

4. The District shall publish annually a list of all officially recognized support groups. The list shall be maintained in the District responsible for support group compliance.
5. The District shall maintain a control record of all accounts with financial institutions approved pursuant to Section IV, Section 4.13 above, and shall forward a copy of such control record to the Treasurer of Antelope Valley College on a quarterly basis.

Section 8.12 Miscellaneous

A. The Superintendent/President (or designee) may make an exception for a support group, which normally would fall under Guidelines because of a unique situation. However, no such exception shall void or liberalize the requirements for accounts with financial institutions to be approved pursuant to Section IV, Section 4.13 above. The Superintendent/President (or designee) may recommend such an exception in a letter that identifies the specific exception being requested and explains why the exception is necessary.

B. In addition to the above, the Superintendent/President (or designee) at the District may provide an exception to all or part of these Guidelines. For those support groups with minimal levels of activity, i.e., those whose activities result in gross revenues of less than \$10,000 per year. Notwithstanding the foregoing, no such exception shall void or liberalize the requirements for accounts with financial institutions to be approved pursuant to Section IV, Section 4.13, above. Such an exception or exceptions must be documented in a writing that identifies the specific exception(s) and explain why the exception(s) is/are necessary.

The Superintendent/President (or designee) may establish additional operational conditions as may be appropriate, consistent with the Policy and these Guidelines.

SECTION IX. SPENDING POLICY

I. Purpose and Background

In order to maintain its 501 (c)(3) nonprofit status, the Foundation is required to spend annually (5) five percent of the value of its portfolio. To both support the Antelope Valley College Foundation's programs in the present, as well as to ensure growth for the future, the Foundation has adopted a spending guideline based on a rolling total return to the investment portfolio. The Board of Directors recognizes that the most important element to ongoing sustainability is preservation of future purchasing power.

II. Endowment Spending

The Board of Directors has established a total spending objective equal to four percent (4%) of the rolling 12-quarter average (3-year) of fair market value for the total Endowment fund for each fiscal year.

III. Target Rate of Return

In order to accomplish this goal, the target rate of return for the portfolio is 7 percent:

- Spending – *total expenses* 6 percent
 - Management Fee 2 percent
 - Distribution 4 percent
- Real Growth 1 percent

TARGET RETURN 7 percent

The amount available for spending according to a donor's specifications will be 4% of the 12-quarter (3 year) rolling average of the market value of the foundation pool.

The amount available for spending on operational expenses (Annual Management Fee) will be 2% of the 12-quarter (3 year) rolling average of the market value of the foundation pool.

SECTION X.
IRS

Section 10.1 IRS Rules and Regulations – Adherence

The Foundation shall strictly adhere to all IRS rules and regulations that pertain to a non-profit Foundation classified as 501(c)3. Generally accepted accounting and reporting procedures shall be utilized to ensure explicit understanding of all revenues and expenditures. Due diligence shall be exercised by staff and external qualified auditors shall be employed on a regular basis.

Section 10.2 Foundation Responsibilities Regarding Donor Premiums

1. Definitions:

- A. DONATIVE'S INTENT – Court decisions state, “a gift is not a gift unless it is motivated by detached and disinterested generosity.”
- B. PREMIUMS – An incentive of some value offered (given) to a donor; the value may be deemed to be of minimal (token) “or it may be deemed to be of substantial value.”
- C. DISCLOSURE RESPONSIBILITY – This responsibility has been placed upon each non-profit organization by the IRS with the ultimate “threat” of loss of tax-free status.
- D. FAIR MARKET VALUE – As defined in IRS publication 526, fair market value is the price at which property would change hands between a willing buyer and a willing seller, neither having to buy or sell, and both having reasonable knowledge of all the relevant facts.

2. Foundation Responsibility/Disclosure

The Foundation shall exert reasonable effort to notify donors of the deductibility amount of each gift. This shall be done through printed information, which shall indicate the value of any “premium” involved to alert the donor(s) of the potential deductibility of the value of the premium, if substantial.

3. IRS Rules – Substantive Value Guidelines for Implementations of Policy

In February of 1990, the IRS issued “safe harbor” rules for premiums of minimal value;

- “Donor can safely ignore premiums or benefits if their value totals less than two (2) percent of the contribution with a cap of \$50.” Total pledge shall be considered amount of gift.
- Foundation can give “token items” without tax consequences provided (1) the donor gives more than \$27.26 and (2) the total cost of premium(s) does not exceed \$5.45.
- “Value of a benefit is based upon fair market value, not upon its cost to the non-profit organization.”

- “IRS assumes that a donor used (accepted) any offered benefits unless the donor specifically refuses it.”
- “Final burden of proof of deductibility of a gift falls upon the taxpayer.”

SECTION XI. POLICIES

Section 11.1 Exception to Policies

If the Executive Director deems an exception to a policy advisable and/or necessary, and if it is not feasible to call a board meeting, the Executive Committee shall have power to authorize the exception.

Any such exception(s) shall be reported to the board at its next scheduled meeting. Ratification of such action shall be requested.

Section 11.2 Annual Policy Review

By June 1 of each year, the policies shall be reviewed and updated by the Bylaws and Policies and Procedures Committee and submitted to the Executive Committee for its consideration and its recommendation to the board.

SECTION XII. **BOARD NOMINATIONS**

Section 12.1 Purpose

The Nominations and Board Development Committee is a standing committee charged with the responsibility of identifying potential Board members and candidates for nominations to the Executive Officer positions and Standing Committee chairs.

Section 12.2 Timeframe

By January, the Nominations and Board Development Committee shall present a list of prospective candidates to the Executive Committee for its review and approval.

The Foundation Board of Directors will approve the final slate of candidates for the positions of director, officer or standing committee chair at the last meeting of the fiscal year.

Whenever called upon to do so by the Executive Committee or the Board of Directors, the Nominations and Board Development Committee shall present to the Executive Committee the names of individuals to fill vacant directorates or qualified directors to fill vacant offices in accordance with the AVC Foundation Bylaws.

Section 12.3 Process

Following an orientation meeting, the Nominations and Board Development Committee shall actively solicit candidate recommendations from the entire Board of Directors. In selecting candidates, the committee shall take into consideration geographical location, industry, and relationship with Antelope Valley College, ethnicity, gender and other factors that will result in a broad community representation. Where practical, an effort shall be made to have at least two candidates for each vacant position to be considered by the committee.

Committee members will propose a list of possible candidates to the Executive Committee for approval at the January meeting.

Each candidate will be contacted by a team of at least two individuals, one of whom is a member of the committee. The committee will then reconvene to discuss the nominees and draft a slate of candidates to present to the Board of Directors for approval at the last meeting of the fiscal year.

Approved candidates will be presented at the third quarter Board of Director's meeting for final approval to approach.

The appropriate member(s) of the Nominations and Board Development Committee will contact the approved candidates to inform them of their confirmation. The committee will schedule a new-member orientation prior to the end of the current fiscal year.

Standing Committee chairs and Executive Officers will be selected in collaboration with the incoming President. The incoming President will have final approval.

Section 12.4 Director Emeritus

Any director of the Foundation who has served with distinction on the Board more than five years and has been a major contributor may be eligible for nomination and election as Director Emeritus of the Board of

Directors. A Director Emeritus shall have the privilege of attending all meetings and discussions but shall have no vote. The Director Emeritus will be elected through the same nominations process listed above.

Section 12.5 Honorary Memberships

Honorary memberships may be awarded to individuals who by their standing in the community will lend support to the Foundation's efforts. An Honorary Director shall have the privilege of attending Board of Director's meetings and discussions but shall have no vote. The Honorary Director will be elected through the same nominations process listed above.

Section 12.6 Friends of the Foundation

Former board members who are unable to serve as required by these bylaws but still want to support the AVC Foundation may become members of the Friends of the Foundation. A member of the Friends of the Foundation must be a donor, and shall have the privilege of attending all meetings and discussions but shall have no vote.

SECTION XIII. **Donor Recognition Policies**

Section 13.1 General Introduction

Recognition of donors is an integral part of the College's advancement efforts. It is important to thank donors promptly for their gifts in a manner appropriate to the size of their gifts and consistent with their personal wishes. The guiding principle of all donor recognition endeavors is to abide with donors' wishes for recognition or anonymity. It sets the stage for continuing correspondence with the donor and lays the foundation for continuing a mutually satisfying relationship between the donor and the College. Donors who are given the opportunity to join in College community activities and who are recognized for their participation are often the best sources for future gifts.

A District-wide gift recognition policy will assure consistency in honoring donors and establish the acknowledgement responsibility for the various steps in the recognition process.

Section 13.2 Giving Levels

- A. The College receives many gifts annually for myriad purposes. All gifts must be acknowledged in a consistent manner and receive equivalent giving level status and benefits, keeping in mind that the more personal the recognition, the more likely additional gifts will be received.
- B. Giving level status is generally based on cumulative annual giving during a fiscal year, which may include corporate matching gifts generated by the individual donor. Foundation and corporate gifts are included for purposes of donor recognition.
- C. Based upon annual cumulative giving, these levels are:

<i>Individual Giving level</i>	<i>Gift amount</i>
Scholar's Circle	\$2,500 to \$4,999
AVC Partners	\$5,000 to \$9,999
Foundation Circle	\$10,000 to \$14,999
AVC patron	\$15,000 to \$24,999
AVC Benefactor	\$25,000 to \$49,999
AVC Society	\$50,000 to \$99,999
Trustees Academy	\$100,000 to \$999,999
AVC Founder's Circle	\$1,000,000 and above

<i>Corporate Giving level</i>	<i>Gift amount</i>
Scholar's Circle	\$2,500 to \$4,999
AVC Partners	\$5,000 to \$9,999
Foundation Circle	\$10,000 to \$14,999
AVC patron	\$15,000 to \$24,999
AVC Benefactor	\$25,000 to \$49,999
AVC Society	\$50,000 to \$99,999
Trustees Academy	\$100,000 to \$999,999
AVC Founder's Circle	\$1,000,000 and above

Section 13.3 Gift Processing

- A. All gifts will be recorded in the donor database. Donors of gifts up to \$1,499 will receive predetermined benefits, incentives and acknowledgment as outlined in the approved giving levels. Recognition of donors of gifts of \$1,500 or more will be more personal based on the interest or purpose of the gift, and may include permanent recognition, publicity and other honors. Guidelines for personalized recognition also are included in Section VI.
- B. In addition, soft credit may also be added for Foundation/ corporation matching gifts received that came about as a result of or are controlled by the individual donor.

Section 13.4 District-wide Recognition

- A. District-wide donor wall
 - 1. Categories

The name of major donors to the District (\$25,000 or more) will be recognized publicly for their contributions in a central location on campus. Inclusion at the donor recognition site is based on the following criteria:

 - *Single gifts from individuals of \$25,000 or more (single gift)
 - *Single gifts from corporations and foundations of \$100,000 or more (single gift)
 - *Cumulative lifetime gifts of \$100,000 or more by an individual
 - *Cumulative lifetime gifts of \$500,000 or more by a corporation or foundation

Each category of giving will be listed in separate sections at the donor recognition site.
 - 2. Location

The Superintendent/President and Executive Director of the Antelope Valley College Foundation will determine the location and design of the donor recognition site. It should be a unique design that does not compete with recognition or activities of other groups.
 - 3. Stewardship

The Executive Director of the Antelope Valley College Foundation, who will also arrange events to honor inductees to the site, will maintain the donor recognition site.
- B. Annual Honor Roll of Donors

Based upon cumulative annual giving within the fiscal year, an Annual Honor Roll of Donors should be published. Prior to printing, the Executive Director of the Antelope Valley College Foundation will screen the donor honor roll for accuracy and appropriate donor recognition or anonymity.
- D. Donor recognition for endowments is discussed in Section 6.2.

Section 13.5 In-Kind Donations

Recognition of In-kind gifts will be determined by the Executive Director and Stewardship Chair, or, in the instance of division or program gifts, by the appropriate District representative. They will determine the appropriate level of recognition for the donation. In-kind gifts are handled at the discretion of the individual college program for the purpose of donor recognition.

SECTION XIV. APPENDIX

Section 14.1 Institutional Policies –Procurement of Goods and Services

For consistency, the Foundation shall utilize existing institutional procurement policies and personnel wherever possible.

Section 14.2 Purchasing Authority

1. Through delegation, the Executive Director has authority to commit funds for the procurement of goods and services.
2. All individuals shall maintain confidentiality on price and terms involved in specifying, requisitioning, approving, and purchasing goods and services.

Section 14.3 Definition of Terms

1. Acquisition: for purposes of this policy, the term “acquisition” means purchase, rental, lease, lease/purchase, or lease with option to purchase, for the contracting of service.
2. Furniture and Equipment: All items of movable furniture and equipment which are capitalized within the guidelines for budgeting, accounting, and reporting for the Antelope Valley Community College District.
3. Real property: All items, fixed in nature, which are capitalized within the guidelines for budgeting, accounting, and reporting for the Antelope Valley Community College District.

Section 14.4 Dollar Limits and Purchasing Requirements

1. Dollar limits and purchasing requirements are governed by the policies of the Antelope Valley Community College District.

Section 14.5 Real Property

1. Acquisition of land, buildings, site improvements, and internal systems (mechanical, electrical, and electronic) shall be processed through the District’s purchasing department.