GIFT AND DONATION POLICY
OF THE HILLSDALE FREE PUBLIC LIBRARY
AND ITS SUPPORTING ORGANIZATIONS

As Approved by the
Library Board of Trustees
on November 8, 2021
GIFT AND DONATION POLICY OF
THE HILLSDALE FREE PUBLIC LIBRARY
AND ITS SUPPORTING ORGANIZATIONS

Adopted by the Board of Trustees of the
Hillsdale Free Public Library on November 8, 2021

Adopted by the Board of Trustees of the
Friends of the Hillsdale Free Public Library, Inc. on ___, 20__

Adopted by the Board of Trustees of the
Hillsdale Free Public Library Foundation, Inc. on __, 2020

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The Hillsdale Free Public Library and its supporting organizations (as defined herein) welcome donations, gifts, bequests and grants from individuals, trusts, businesses, foundations, government agencies, and other community organizations (“Donations”). Any Donations accepted by the Library or its supporting organizations are explicitly considered to be a supplement to the Library’s operating budget, not a substitute for normal sources of funding, and will be accepted and used to augment the Library’s offerings, and in accordance with the Library’s mission and related Library policies.

RECEIVING ORGANIZATIONS

SECTION 1. Donations may be made directly to the Library, or to or through its supporting organizations (the “Supporting Organizations”, and with the Library, the “Library Group”), pursuant to the policies enumerated below.

THE HILLSDALE FREE PUBLIC LIBRARY (“Library”) is a municipal library established pursuant to NJSA 40:54-1, and is managed by the Library’s Board of Trustees (the “Library Board”). Charitable contributions, bequests, transfers or gifts to the Library are tax-deductible under the Internal Revenue Code (“IRC”) Sections 509(a)(1) and 170(b)(1)(A)(vi), if made for a public purpose.

THE HILLSDALE FREE PUBLIC LIBRARY FOUNDATION, INC. (the “Foundation”) is a New Jersey non-profit corporation with EIN 83-4055855, is a “publicly supported organization” under IRC 509(a)(1) and 170(b)(1)(A)(vi), has been qualified by the IRS as a tax-exempt organization pursuant to IRC Section 501(c)(3), and is eligible to receive contributions, bequests, transfers or gifts, which are tax-deductible under federal law.

THE FRIENDS OF THE HILLSDALE FREE PUBLIC LIBRARY, INC. (the “Friends”) is a New Jersey non-profit corporation with EIN 22-3396892, is a “publicly supported organization” under IRC 509(a)(1) and 170(b)(1)(A)(vi), has been qualified by the IRS as a tax-exempt organization pursuant to IRC Section 501(c)(3), and is eligible to receive contributions, bequests, transfers or gifts, which are tax-deductible under federal law.
SECTION 2. Current contact information for the Library and each of the Supporting Organizations will be maintained on the Library’s Website.

SECTION 3. The Library, the Friends, and the Foundation are legally and functionally separate and distinct entities, but each have determined that, in order to provide a cohesive and coherent public donation policy, they will separately but jointly adopt these provisions.

SECTION 4. Each Supporting Organization may establish additional rules or restrictions with respect to Donations made to it, provided that such rules or restrictions are not inconsistent with this Policy.

SECTION 5. The Library Group reserves the right to refer or transfer a Donation, prior to or after acceptance, to the Library or another of the Supporting Organizations (if permissible under bylaws and IRS rules) for treatment in accordance with Library policies. For ease of processing, it is strongly recommended that potential Donors contact the Library Director or one of the Supporting Organizations prior to making a Donation for advice, e.g., as to the receipt and potential use of funds.

TYPES OF DONATIONS

SECTION 6. Donations may be made in any of the following forms, subject also to further policies of the Supporting Organizations:

(A) CASH OR CHECKS: Monetary contributions to the Library Group may be used to purchase Library materials and provide programs and services, or for other purposes to benefit the Library as may be determined, or may be invested to provide materials, programs and services in the future.

(1) One-time Donations. Donations of cash or checks, either with or without an intended purpose or memorial, may be made to the Library or the Supporting Organizations.

(2) Matching Donations. Corporate or other matching Donations may be arranged to be accepted by the Library or either of the Supporting Organizations.

(3) Endowments. Donations in the form of an endowment (i.e., intended to be held and spent over a period of time) must be embodied in a written agreement among the Donor, the Library, and any other receiving Supporting Organization.

(4) Substantial Donations. Substantial monetary Donations not otherwise specified may be used to establish an endowment or trust in an interest-bearing account or suitable investment vehicle, the terms of which will typically be agreed upon among the Donor, the Library, and any receiving Supporting Organization.

(5) Restrictions. Acceptance of any restriction upon a Donation (e.g., intended purpose or memorial) is subject to the approval of the Library Director (under $1,000) or Library Board ($1,000 or over) and the Board of any receiving Supporting
Organization, and must be made the subject of a written receipt, memorandum or agreement between the receiving organization and the Donor.

(6) Use of Funds. Monetary Donations made without restriction are typically deposited to the Library’s or Supporting Organization’s separate donation account, to be used for the purchase of programs, services, materials, or equipment not included in the Library’s normal operating budget, or for such appropriate purposes as determined by the Library Director, Board, and/or Supporting Organization. All donations of restricted funds will be maintained separately from, and not commingled with, non-restricted funds, but may be commingled with other funds also being used for the same restricted purpose, but their balance and use shall be reported separately to the Donor as the agreement with the Library Group may provide.

(B) READING AND AUDIO/VISUAL MATERIALS: Owing to a lack of storage space and personnel to staff regular book sales, the Library does not generally accept books, magazines, audio books, DVDs, music CDs, etc. for donation. Exceptions are limited, and may include: periodic Book Sales sponsored by the Friends or Foundation (and at such times and upon such conditions as they may establish); works of a local author; books of exceptional local interest; or items advertised by the Library as being needed. Acceptance of any materials by the Library is at the discretion of the Library Director. Potential Donors should contact the Director before bringing any items to the Library. If an item is accepted for the Library’s collection, it may be acknowledged by placing a bookplate in the book or otherwise noted on the media; such acknowledgment is at the discretion of the Library Director.

(C) TECHNOLOGICAL EQUIPMENT: Donations of computers, printers, technological equipment and software are generally not accepted because it is in the best interest of the Library to, *inter alia*, standardize its technological holdings, and adhere to software licensing agreements. It is possible that such Donations would be accepted on a limited basis, particularly in bulk, or for resale or other distribution. Potential Donors should contact the Library Director.

(D) INTERIOR AND EXTERIOR FURNISHINGS AND LANDSCAPING ITEMS: Donations of furnishings or landscaping items are accepted only at the discretion of the Library Director, and are subject to Library policies for use of interior and exterior space. Potential Donors should contact the Library Director.

(E) SECURITIES, STOCKS OR BONDS: Donations of securities, stocks, bonds, etc. should be restricted to market securities that are publicly traded, and may be accepted by the Library or a Supporting Organization only upon prior approval of its Board. Such Donations would typically be sold immediately, but may be held for investment purposes, at the discretion of the receiving Organization’s Board. Potential Donors should contact the Board of the Library or Supporting Organization directly in advance to discuss how such Donations will be handled.

(F) REAL ESTATE: Donations of real property may be accepted by the Library or a Supporting Organization upon prior approval of its Board, and only when a buyer for the property has been identified in advance and the acceptance and sale is
accomplished in a three-way transaction to immediately transfer title from the Donor through the Library or Supporting Organization to the new owner. Potential Donors should contact the Board of the Library or Supporting Organization directly in advance to discuss how such Donations will be handled.

(G) ART, ARTIFACTS AND JEWELRY: Donations of jewelry, artifacts and artwork may be accepted by the Library or Supporting Organization in its discretion and with the advice of its governing Board, and will typically be sold, with the proceeds of the sale going to the receiving Organization, unless such pieces are expressly approved and requested by the Library Board for retention or display in the Library Building. Such Donations must be unconditional, transferring ownership and all the rights of ownership to the receiving Organization. Donations are accepted solely upon the understanding that the Board of the receiving Organization have the right to determine all considerations relating to the retention, use, display or disposition of the Donation, unless otherwise agreed in advance between the receiving Organization (with advice of the Library Board) and the potential Donor.

(H) IN-KIND DONATIONS: The Library Group may in its discretion accept in-kind Donations such as merchandise coupons, complimentary admissions in support of Library programs, building/maintenance products/services, or free or reduced-fee consulting services. As with all Donations, the Library Group will not, and disclaims any obligation to, place a cash value on such Donations.

(I) PLANNED GIVING: The Library welcomes contributions by individuals: as part of an estate plan; through bequests or living trusts; or by beneficiary designation in an insurance policy. Such Donations may be unrestricted or restricted as to purpose, or may be utilized to establish an endowment fund with unrestricted or restricted income, all subject to acceptance by the Board of the receiving Organization. Such Donations are typically but not exclusively accepted by the Foundation, and potential Donors or their representatives should contact the Board of an Organization to discuss such plans in advance.

(J) OTHER: Donations in addition to the pre-established list may be accepted subject to Library Board approval. Generally speaking, Donations should provide for complete funding by Donor of costs related to transportation, installation, and transfer of the item. Potential Donors should contact the Library Director for advice as to which organization should handle intake of the potential Donation.

RECOGNITION AND NAMING OPPORTUNITIES

SECTION 7. Acknowledgment of Donations will be made by the receiving Organization by receipt at the time of Donation or by mail or e-mail within thirty days, as appropriate.

SECTION 8. Donations made to the Library are expressly considered to be public information and donor, sponsor and/or partner names may be used by the Library without restriction, unless the Donor requests anonymity and the Library Board and Donor agree in writing and in advance to such as a term and condition of the Donation, and that such anonymity is permitted by
law. Donations made to a Supporting Organization may be made public upon such terms and conditions as the Donor and the Board of the Supporting Organization may agree in writing.

SECTION 9. Recognition of Donations and naming opportunities, including without limitation of physical property (e.g., Library rooms or meeting spaces or equipment), in bookplates or upon tangible items, or in connection with programs, or in the media or otherwise, are subject to: (1) and Library Naming and Recognition Policy, which should be consulted by potential Donors; (2) the terms of any specific agreement between the Library Group and the Donor; and (3) applicable law.

SECTION 10. The foregoing provisions impose no obligation upon the Library Group to publicize a Donation or Donor unless agreed to in writing and in advance of the Donation.

FURTHER PROVISIONS

SECTION 11. The Library Group retains the right, in its complete and unrestricted discretion, to accept or reject Donations, subject to applicable national, state and municipal laws, statutes, or ordinances. In no event shall the Library Group accept a Donation which is in conflict with the Library’s or the Supporting Organization’s mission and stated policies.

SECTION 12. It is explicitly understood and agreed that, upon the making of a Donation, the Donor possesses and claims no authorship, copyright, trademark, or intellectual property rights to any physical or digital items donated (except where, e.g., the donation is a book authored, or other creative work is prepared or created, by the Donor) and that, if such claims or rights are asserted by the Donor, they are waived as against the Library and Supporting Organizations unless made the subject of specific provisions in a written agreement.

SECTION 13. Once an item is accepted by the Library Group, the item becomes the sole property of the Library and/or other receiving Supporting Organization, and may be handled in any way the Library or receiving Supporting Organization deems appropriate. Without limitation upon the Library Group, the Library Group will typically require that the Donor sign an instrument in which the Donor gives and assigns irrevocably to the Library or receiving Supporting Organization, its successors and assigns, all of its right, title and interest in the donated items, both as to use, form and content as well as to literary property right, copyright and right of renewal, statutory or otherwise, which it may have, and the Donor represents that it is lawfully entitled to do so.

SECTION 14. The Library and the Supporting Organizations reserve the right at all times to dispose of any Donation (by sale, transfer, disposal or otherwise) to each of them without notification to the Donor, in the sole judgment of their Boards, of items worth less than $1,000, or of the Board in the case of items potentially worth $1,000 or more. more.

SECTION 15. Donations will be tax deductible to the extent provided by law. The Library Group, its Boards, and its staff disclaim any obligation to, and do not as a matter of policy, place a value on donated items or certify tax deductibility. The Library Group disclaims any oral advice by their representatives (including, e.g., officers, employees or staff) as to the fact or extent of deductibility of Donations. Donors should consult their tax professionals for advice on such matters in advance of making a Donation. The Library Group will issue a receipt to the Donor.
acknowledging and describing the Donation for tax purposes, but only will list a value for the Donation when that value is readily determinable, such as monetary contributions.

Adopted by majority vote of the Board of Trustees of the Hillsdale Free Public Library, on November 8, 2021.

[Signature]
Print Name: Carol Schepler
Position: President

Adopted by majority vote of the Board of Trustees of the Hillsdale Free Public Library Foundation, Inc., on J[---] 20[---].

[Signature]
Print Name: [Signature]
Position: President

Adopted by majority vote of the Board of Trustees of the Friends of the Hillsdale Free Public Library, Inc., on May 16, 20[---].

[Signature]
Print Name: [Signature]
Position: President

(end)