

Clayton Business & Community Association, Inc.

Policy and Procedure on Giving

Introduction

CBCA's mission and charitable purpose is to invest the profits generated through its volunteer efforts to support worthy charitable, community, educational and humanitarian causes and programs that benefit the Clayton community or are otherwise consistent with CBCA's mission and charitable purpose. CBCA invests in such causes, programs and endeavors through a variety of monetary awards (e.g., donations, gifts, grants)(hereafter, "donations").

The purpose of this Policy and Procedure on Giving is to set forth the procedures and considerations the CBCA executive board shall follow in considering and evaluating donation requests directed to CBCA. The overarching consideration in evaluating any donation request is that the request, if granted, is consistent with CBCA's charitable purpose and does not jeopardize CBCA's federal or state tax exempt charitable status. Any request that is not deemed consistent with CBCA's charitable purpose or that may jeopardize its tax exempt charitable status may be rejected on those bases alone.

CBCA desires that its donations provide meaningful support to the recipient(s) and are not merely a source of general revenue to fund overhead. CBCA receives donation requests through a Request For Donation form approved by the CBCA executive board. The executive board is charged with receiving, screening, and investigating all donation requests. A written summary of the donation request is presented to the membership along with the executive board's recommendation (e.g., accept, reject, with or without conditions) for vote at CBCA's monthly general membership meetings. The executive board is authorized to approve donation requests at or below a level set forth in the bylaws without a vote of the membership.

Procedure:

Donation requests must be received on CBCA's current "Donation Request" form available on www.claytoncbca.org. Any supporting documentation must accompany the Donation Request Form.

Donation requests must be tendered to CBCA c/o its current president. The CBCA president shall initially review the form and determine if it is properly completed. Any incomplete form will be returned to the applicant with an explanation of those items that are incomplete.

The CBCA president shall have overall responsibility for investigating all donation requests. The CBCA president may perform this task personally, or may delegate all or a portion of the investigation to a sitting board member or member, so long as the investigation is performed under the supervision and oversight of the CBCA president.

Once the Donation Request Form is deemed complete by the CBCA president, and once the investigation of the donation request has been completed, the request shall be placed on the agenda of the next regular executive board meeting (or special meeting pursuant to the bylaws) for discussion and vote.

Any completed donation request the executive board deems to be for a purpose or support of any activity, event, or endeavor that could jeopardize CBCA's federal or state tax exempt charitable status or could violate any federal or state law may be rejected. In making this determination, the executive board shall be authorized to retain and seek the advice of an appropriate professional, whose services shall be paid for with CBCA funds.

The CBCA executive board shall discuss the request, taking into account the factors set forth below, and by motion do one of the following:

1. Return the request to the applicant for further consideration or investigation;
2. Approve the amount requested, with or without conditions, if the amount requested is at or below the executive board's donation approval threshold set forth in the bylaws;
3. Reject the amount requested, if the amount requested is at or below the executive board's donation approval threshold set forth in the bylaws, subject to reconsideration as set forth below;
4. Forward the request (including requests at or below the executive board's donation approval threshold) to the membership for discussion and vote consistent with the protocols set forth in the bylaws. Forwarding the request to the membership shall be accompanied by one of more of the following recommendations:
 - a. A statement of neutrality or no recommendation;
 - b. The donation be accepted at the amount requested;
 - c. The donation be rejected;
 - d. The donation be accepted with conditions. Conditions may include, but are not limited to, one or more of the following:
 - i. An amount different than that requested;
 - ii. An amount conditioned on the occurrence of an event (e.g., that the applicant raise verified matching funds up to a certain amount or within a certain period of time); or
 - iii. An amount conditioned on the provision of certain post-donation documentation.

5. The CBCA president shall convey the executive board's recommendation (including any conditions) in writing to the applicant as soon as reasonably possible after the executive board's consideration of the request.
6. Any applicant whose donation request has been rejected or approved (either by the executive board or the membership) with conditions may seek reconsideration of the rejection or conditions upon the presentation of new information, data, documentation, or other facts that came into existence after the donation request was initially considered by the executive board. Any such request must be in writing addressed to the CBCA president and received within 10 calendar days after the applicant has been informed of the decision on its application. The executive board shall further investigate the new information, etc. and determine further handling subject to the procedures and factors set forth in this policy and procedure.

Donation Request Factors

Factors the executive board may consider in this task include, but are not limited to, those listed below. The below factors are not listed in order of importance or weight. Not all factors may apply to any particular request and, depending upon the nature of the request, additional factors not set forth below may be considered:

1. Will the donation request, if approved, be used for a purpose consistent with CBCA's giving philosophy and charitable purpose as recognized by federal and state tax exempt law or regulations?
2. Is the applicant a nonprofit organization (IRS 501(c)(3) or (c)(4))?
3. Is the applicant based in Clayton or in the close vicinity of Clayton?
4. Will the donation request, if approved, be used to provide general revenue to the applicant to be used at the applicant's discretion?
5. Will any of the applicant's members financially benefit from the donation request if approved?
6. How many of the applicant's members are members of CBCA?
7. What is the CBCA's past experience with donation requests from, or donations to, the applicant?
8. What is the geographical area, relative to Clayton, to which this request, if granted, will be applied or benefit conferred?
9. Will the amount requested (or the timing of its payment) by the applicant, if approved, adversely affect CBCA's ability to meet its financial obligations?

- 10. Will the donation, if approved, be used to purchase material goods for the benefit of the applicant and its constituency? If so, what is the anticipated durability (in terms of time and/or number of persons who will benefit) of the material goods to be purchased?**
- 11. What additional efforts, apart from any potential donation from CBCA, has the applicant pursued to secure donations for the same purpose?**
- 12. Has the applicant provided volunteers for any of CBCA's fundraising events? If so, for how long? If not, has the applicant committed to providing volunteers?**
- 13. What are the applicant's sources of revenue and expense? Does the applicant follow sound financial and administrative practices?**
- 14. To what extent does the applicant pay wages, salaries, or stipends to any of its management or staff? If any, will the applicant stipulate that any award will not be used to fund such expenses?**
- 15. If requested, and if the applicant is an IRS approved charity (Internal Revenue Code Section 501(c)(3)), will the applicant agree to provide CBCA with a copy of its most recent income statement and balance sheet?**
- 16. Will the applicant agree to provide CBCA with post donation documentation verifying that CBCA's donation was used for the purpose for which it was granted?**
- 17. Will the applicant, if requested, be willing to make an in-person presentation to the executive board and/or membership?**

This Policy and Procedure on Giving may be amended from time to time at the discretion of the CBCA executive board and published to the membership.

Adopted:

Attest:

**Brenda Safreed
Secretary**

[end]

