



Gift and Bequest Policy

The Lower Susquehanna Synod of the Evangelical Lutheran Church in America

The Lower Susquehanna Synod of the Evangelical Lutheran Church in America (“Synod”) welcomes and encourages donations, bequests, and charitable gifts that will help further and fulfill its mission. The following policies and guidelines govern the acceptance of gifts made to the Synod or for the benefit of any of its programs.

Administration

The Synod Council will oversee the gift and bequest acceptance process for Synod. The Lower Susquehanna Synod Gift Acceptance Committee is responsible for reviewing all gifts made to the Synod, screening gifts, seeking legal counsel as needed, accepting gifts in accordance with this policy, and making recommendations to the Synod Council on gift acceptance issues when appropriate.

The Lower Susquehanna Synod Gift Acceptance Committee (“Acceptance Committee”) shall consist of the Bishop, the Synod Treasurer, one member of Synod Council appointed by the Vice President, and two members of the Finance and Budget Committee appointed by the Chairman of the Finance and Budget Committee, and any development personnel.

General Gift Acceptance Guidelines

- All gifts or bequests arrangements shall be reviewed for acceptance by Acceptance Committee.
- Gifts or bequests designated for a campaign or project already approved by Synod Council do not require additional review.
- The Synod Council reserves the right to decline to accept any gift or bequest if, in the judgment of Synod Council, acceptance of such gift would be detrimental to the mission of the synod or the proper administration of the synod's resources.
- The Synod Council retains discretionary authority to designate a portion of any gift or bequest to the Lower Susquehanna Synod Legacy Fund. This may be done in consultation with the donor or the donor's surviving family.
- Property received from Congregations that no longer exist will be dealt with according to the Model Constitution for ELCA Congregations.

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Non-Monetary Gifts

The general policy will be to sell or otherwise convert quickly to cash gift or bequest of any publicly traded securities (e.g. stocks, bonds, mutual funds, etc.) and real estate. Criteria for accepting real estate are more fully described in Appendix A.

The Acceptance Committee may recommend retaining a non-monetary gift or bequest without conversion to cash. Exceptions may apply, such as a gift that directly supports the mission of the Lower Susquehanna Synod. The Acceptance Committee will notify any donor of a non-monetary gift or bequest regarding the intended action with respect to that gift or bequest (i.e. rejection, retention, sale, or other disposition).

Donor Designated Gifts

Undesignated gifts or bequests provide the Lower Susquehanna Synod with the greatest flexibility in meeting the needs of the synod and its ministries. Donors should be encouraged to make undesignated gifts where possible and appropriate.

From time to time the Synod, in connection with particular projects or ministries, solicits gifts through campaigns. Such gifts are designated and set aside to be used for the named project or ministry. The Always Being Made New campaign, approved by the Synod Assembly in 2014, will be a designated campaign of the Synod.

At times, donors may wish to designate the purposes for which a gift or bequest may be used. Although the Synod would like to accept all gifts and bequests as offered, it is not always practical or desirable for the Synod to accommodate donor gift designations. The Gift Acceptance Committee will provide a list of current needs of the Synod and its ministries.

The Synod Council shall receive an annual review from the Finance Committee of all outstanding designated funds for current appropriateness and to make a judgment as to whether it would be beneficial to the Synod to make the funds undesignated or differently designated. In such cases, where the Synod Council deems it appropriate, the Synod Council shall appoint a representative to request such a change by the donor or donor's authorized representative.

Administration

It is the responsibility of the Synod Council to ensure that all gifts and bequests are properly recorded and that such records are kept current and accessible to facilitate periodic review of funds, assist in communication with the donor or the donor's surviving family, and serve as a historical record of ministry with the Synod.

Every gift or bequest, whether accepted or rejected, shall be acknowledged in writing by a Synod Officer.

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Appendix A - Criteria for Accepting Outright Gifts or Bequest of Real Estate

A gift or bequest of real estate will be accepted if the gift or bequests meet these criteria:

1. The donor obtains, at the donor's expense, a qualified appraisal as required by law.
2. Mortgaged property having the mortgage placed at least five years prior to the gift. Generally, the amount of mortgage balance should not exceed 50% of the agreed-upon property valuation.
3. The property is free of liens (other than a possible first mortgage).
4. An examination of title, paid for by the synod, verifies the donor(s) is (are) the current owner(s) of the property; or, preferably, a title insurance binder is obtained, showing the donor(s) as owner(s) of the property and has (have) clear title. Payment of the title insurance may be negotiated with the donor(s).
5. Taxes and assessments on the property are current and fully paid.
6. A qualified, professional on-site check of the property determines the property to be salable for the price of the property appraisal. Payment for the inspection may be negotiated with the donor(s).
7. An environmental assessment will be performed to determine the presence, nature, and extent of any toxic wastes or other environmental hazards. This item shall not be satisfied until the Synod Council accepts and approves this item in writing. Payment of the assessment is the responsibility of the donor(s).
8. An examination of the property determines that it meets “code” in such areas as wiring, plumbing, heating, etc. to ensure the salability of the property.
9. Bargain sale rules as required by law apply if the synod either purchases the property for an amount less than its appraised fair market value or accepts responsibility for an unpaid mortgage which the donor(s) pass(es) on as part of the property transfer.
10. The donor(s) will be encouraged to consult with their tax and financial advisors to see how the tax laws apply to them. Neither legal nor financial advice can or will be given by the Synod Council.
11. Property gifts at variance with these policies will be considered on a case-by case basis in consultation with advisors the Synod Council deems necessary to adequately evaluate the scope of the gift and its implications for the ministry of the Lower Susquehanna Synod.

Adopted by Synod Council

SC14.09.65.

September 13, 2014

Thomas E. McKee, synod secretary