

Ames Public Library Policy

Section: Administration

Subject: Donations

Board

Approved: 12/96

Reviewed: 4/03, 8/05, 11/11

Revised: 8/00, 8/05, 10/08,
11/11

POLICY

The Ames Public Library welcomes donations to enhance library services. The library coordinates an active development program for donations of cash, annuities, and real property through the Ames Public Library Friends Foundation (APLFF). This policy serves to set guidelines for the donations of cash, securities, real property, and tangible goods that are accepted for the benefit of the library service. *[Iowa Code §392.5 and Ames Municipal Code §15.7(9)]*

Acceptance of Donations: Acceptance of any donation, including cash, securities, real or personal property, will be determined by the library board based on its suitability to the purposes and needs of the library, laws and regulations that govern the ownership of the donation, and the library's ability to meet the requirements, if any, associated with the donation. The library board reserves the right to refuse or reject any donation.

All donations to Ames Public Library are accepted only on the condition that they may be retained, sold, given away, or disposed of at the sole discretion of the library board of trustees, upon recommendation by the library director. The library will not accept donations which would require or cause the library to act in violation of established policies forbidding discrimination, particularly on the grounds of age, sex, sexual orientation, religion, physical or mental disabilities, race, ethnicity, or national origin.

Upon acceptance of a donation, an appropriate deed of gift or similar document transferring sole and exclusive ownership of the item(s) to Ames Public Library will be executed, with a copy provided to the donor.

Monetary Donations: Unless otherwise specified by the donor, the Board of Trustees of the Ames Public Library will coordinate the receipt of donations, such as cash and securities received as donations, memorials, or bequests, with the APLFF, which operates exclusively for the benefit of the Ames Public Library. Donations will be used for the public benefit of the library as approved by the library board of trustees.

The Ames Public Library, in cooperation with the APLFF, will make an effort to inform potential donors of the options for donations and the possible tax credits for endowment donations under the Endow Iowa Tax Credit Program.

Books and Other Media: Donated books and media items become the property of the APLFF. Such items may be added to the library collection in accordance with the Ames Public Library Collections Policy, sold for the benefit of the library, donated to other libraries or non-profit agencies, or discarded. Donated items will not be returned to the donor and may be withdrawn according to the Collections Policy.

Upon request, the APLFF will provide a receipt for the donated items but will not set a fair market or appraised value to any item.

Works of Art and Other Personal Property of Value: Acceptance of donations of personal property, art objects, portraits, antiques, collectibles, and museum objects is at the sole discretion of the library board of trustees. Donations of items for extended display or preservation are not normally accepted. The library board of trustees may, however, consider accepting such items in light of the following criteria:

- Relevance to the library or Ames history
- Availability of adequate and appropriate space to display or house the item(s)
- Expenses involved in the maintenance, care, security, or display of the item(s).

Works of art and other personal property of value may either be retained as property of the library or liquidated for cash funds, at the sole discretion of the library board of trustees.

Donors are responsible for an appraisal when an art work, collectible, or other personal item of value is donated to the library to obtain a tax benefit. Donors are expected to inform the library, prior to acceptance of the donations, of any associated costs, such as delivery or maintenance. Donors will be expected to pay any expenses not disclosed prior to acceptance.

Placement and display of a work of art or real item is at the sole discretion of the library.

Real Property: Donations and bequests of real property are accepted at the sole discretion of the library board of trustees. Trustees may require appraisal, title opinion, boundary survey, environmental assessment, or other professional evaluations at the expense of the donor prior to acceptance of real estate.

References:

Municipal Code §15.7 (9) Powers, Duties of Trustees.

The board of library trustees has and exercises the following powers:

(9) To accept gifts of real property, personal property, or mixed property, and devises and bequests, including trust funds; to take the title of said property in the name of said library; to execute deeds and bills of sale for the conveyance of said property; and to expend the funds received by them from such gifts for the improvement of said library.

Iowa Code §392.5 Library Board.

A city library board of trustees functioning on the effective date of the city code shall continue to function in the same manner until altered or discontinued as provided in this section.

In order for the board to function in the same manner, the council shall retain all applicable ordinances, and shall adopt as ordinances all applicable state statutes repealed by 1972 Iowa Acts, chapter 1088.

A library board may accept and control the expenditure of all gifts, devises, and bequests to the library.

Iowa Code §22.7 Confidential Records.

The following public records shall be kept confidential, unless otherwise ordered by a court, by the lawful custodian of the records, or by another person duly authorized to release such information:

14. The material of a library, museum or archive which has been contributed by a private person to the extent of any limitation that is a condition of the contribution.
52. a. The following records relating to a charitable donation made to a foundation acting solely for the support of an institution governed by the state board of regents, to a foundation acting solely for the support of an institution governed by chapter 260C, to a private foundation as defined in section 509 of the Internal Revenue Code organized for the support of a government body, or to an endow Iowa qualified community foundation, as defined in section 15E.303, organized for the support of a government body:
 - (1) Portions of records that disclose a donor's or prospective donor's personal, financial, estate planning, or gift planning matters.
 - (2) Records received from a donor or prospective donor regarding such donor's prospective gift or pledge.
 - (3) Records containing information about a donor or a prospective donor in regard to the appropriateness of the solicitation and dollar amount of the gift or pledge.
 - (4) Portions of records that identify a prospective donor and that provide information on the appropriateness of the solicitation, the form of the gift or dollar amount requested by the solicitor, and the name of the solicitor.
 - (5) Portions of records disclosing the identity of a donor or prospective donor, including the specific form of gift or pledge that could identify a donor or prospective donor, directly or indirectly, when such donor has requested anonymity in connection with the

gift or pledge. This subparagraph does not apply to a gift or pledge from a publicly held business corporation.

b. The confidential records described in paragraph “a”, subparagraphs (1) through (5), shall not be construed to make confidential those portions of records disclosing any of the following:

- (1) The amount and date of the donation.
- (2) Any donor-designated use or purpose of the donation.
- (3) Any other donor-imposed restrictions on the use of the donation.
- (4) When a pledge or donation is made expressly conditioned on receipt by the donor, or any person related to the donor by blood or marriage within the third degree of consanguinity, of any privilege, benefit, employment, program admission, or other special consideration from the government body, a description of any and all such consideration offered or given in exchange for the pledge or donation.

Relationship Agreement Between the Ames Public Library Board of Trustees and the Ames Public Library Friends Foundation. *See attached.*