Standard 5: Fundraising

Land trusts conduct fundraising activities in an ethical and responsible manner.

Practice 5A: Legal and Ethical Practices

1. Conduct an analysis of state charitable solicitation laws and register where the land trust determines it is appropriate

2. Do not compensate internal or external fundraisers based on a commission or a percentage of the amount raised

Practice 5A1: Conduct an analysis of state charitable solicitation laws and register where the land trust determines it is appropriate

It is the policy of the Conservancy to comply with all federal and state charitable solicitation laws. The Conservancy shall register annually with the Commonwealth of Virginia as a charitable organization.

Practice 5A2: Do not compensate internal or external fundraisers based on a commission or a percentage of the amount raised

The Conservancy shall not compensate internal or external fundraisers based on a commission or a percentage of the amount raised. Limitation of fundraising expenditures shall be controlled through the Board's annual budget approval process and the inspection and approval of monthly financial reports at meetings of the Board and Executive Committee.

Adopted 10/7/2009; revised 9/2/2015; revised 4/4/2018

Blue Ridge Land Conservancy Practices

Standard 5: Fundraising

The land trust conducts fundraising activities in an ethical and responsible manner.

Practice 5B: Accountability to Donors

1. Provide accurate solicitation materials and other communications to donors and the public

2. Provide timely written acknowledgment of all gifts, including land and conservation easements, in keeping with IRS charitable contribution substantiation requirements

3. Maintain financial and other systems to document and comply with any donor restrictions on gifts

4. Have a written policy or procedure to ensure donor privacy concerns are honored

Practice 5B1: Provide accurate solicitation materials and other communications to donors and the public

It is the policy of the Blue Ridge Land Conservancy that all representations made in promotional, fundraising, and other public information materials and communications to donors shall be accurate and not misleading with respect to the Conservancy's accomplishments, activities, and intended use of funds.

Practice 5B2: Provide timely written acknowledgment of all gifts, including land and conservation easements, in keeping with IRS charitable contribution substantiation requirements

The Conservancy shall acknowledge in a timely manner all gifts, including land and conservation easements, with a document stating the donor's name and address, date of receipt of the gift, and the amount. The document shall also state the purpose for which the funds will be used. If the donor receives no benefits in connection with the gift, the document shall state such. If the donor does receive benefits in connection with the gift, the Conservancy shall state in writing the fair market value of that benefit, and that the tax deductible portion of his/her gift equals the whole gift minus fair market value. "Fair market value" is defined as the amount the item would be worth if it were sold to the general public. Fair market value is not the cost to the Conservancy to obtain that item. If the benefits are deemed to be "insubstantial" according to IRS guidelines, then the document shall state the following: "Under IRS guidelines, the estimated value of [insert the benefits received] is not substantial; therefore, the full amount of your payment is a deductible contribution."

The Conservancy shall notify purchasers in writing that no part of any payment for auction or admission tickets or other purchases that make the donor eligible for a prize is deductible, whether the donor "wins" or not. However, if the price of the individual ticket exceeds the fair market value of the item, the excess may be deductible.

Practice 5B3: Maintain financial and other systems to document and comply with any donor restrictions on gifts

Donor-Restricted Gifts

If presented with an offer of a gift restricted for a specific purpose, the Conservancy shall consider whether it is willing or able to use the money or land donation as the donor intends. If not, the Conservancy shall explore what the donor wants to accomplish through the gift, while at the same time helping the donor better understand the Conservancy's mission and programs. Through this process, the Conservancy and the donor may arrive at a mutually-agreeable way to redirect the gift. However, if the Conservancy cannot honor the donor's wishes, it shall refuse the gift.

All funds shall be spent for the purpose(s) identified in the solicitation or as directed in writing by the donor. The following policies shall apply to special circumstances:

- **Surpluses**: If the Conservancy is raising funds for a restricted purpose and only needs a certain amount to accomplish its goal, it shall specify what will happen to any surplus.

- **Matching funds**: If the Conservancy is raising funds to meet a match, it shall indicate the total that must be raised to meet the match and what will happen to donations received in excess of that.

- **Shortfalls**: In the event a match is not met or a goal for property acquisition is not reached, the Conservancy shall offer donors the choice of allowing the Land Conservancy to apply the funds to the organization's other work or of having their contributions returned.

In general, if the Conservancy finds itself with money raised for a particular purpose and is unable to use it for that purpose, it shall ask the donor for permission to use the money for another purpose.

Donor Rights

Donors shall have the following rights and privileges:

- To be informed of the mission of the Conservancy, the way the resources will be used and the Conservancy's capacity to use donations effectively for their intended purposes;
- To be informed of the identity of those serving on the Conservancy's Board and to expect the Board to exercise prudent judgment in its stewardship responsibilities;
- To have access to the Conservancy's most recent financial reports;
- To be assured their gifts will be used for the purposes for which they were given;
- To receive appropriate acknowledgement and recognition;
- To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by the law;
- To be informed whether those seeking donations are volunteers, employees of the Conservancy or hired solicitors;
- To have the opportunity for their names to be deleted from mailing lists that the Conservancy may intend to share; and,
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Intended purposes and accurate records

The Board and Executive Committee shall ensure that all funds are used for their intended purposes through review and approval of monthly financial statements prepared by the Treasurer at regular meetings. Funds shall not be used for purposes other than the donor's original intent without written approval from the donor.

Practice 5B4: Have a written policy or procedure to ensure donor privacy concerns are honored

The Conservancy shall not publish or publicly acknowledge a gift, or share a donor's personal information with another organization (for example, in a mailing list swap), if the donor has requested that his or her personal information or donation remain confidential.

Counsel

The Conservancy cannot give legal or financial advice and shall direct all donors to seek their own legal or financial counsel should questions arise regarding the legality or deductibility of a gift or payment.

Adopted 10/7/2009; revised 9/2/2015; revised 4/4/2018

Blue Ridge Land Conservancy Practices

Standard 5: Fundraising

Land trusts conduct fundraising activities in a lawful, ethical and responsible manner.

Practice 5C: Fundraising Plan

1. Develop and implement a fundraising plan or program appropriate to the land trust's size and scope to secure adequate support for its activities

Practice 5C1: *Develop and implement a fundraising plan or program appropriate to the land trust's size and scope to secure adequate support for its activities*

It is the policy of the Blue Ridge Land Conservancy to develop and implement a fundraising plan or program appropriate to the conservancy's size and scope to secure adequate support for its activities. The annual fundraising plan shall be developed each spring by the development committee and staff in conjunction with the preparation of the annual budget. Fundraising activities shall be of sufficient quantity and capacity to meet the revenue needs called for in the budget without exceeding budgeted expenditures. The fundraising plan shall be presented to the board of trustees in conjunction with the annual budget and approved prior to the start of the next fiscal year.
The Blue Ridge Land Conservancy's annual fundraising may consist of several parts, including, but not limited to, the following:

- Annual giving: An ongoing campaign of solicitation, retention and acknowledgement of individuals and families that make a one-time, annual gift to the land conservancy.
- Corporate giving: An annual campaign of soliciting corporate sponsors for events and programs.
- Board giving: Annual donations made by current members of the board of trustees.
- Special fundraising efforts: Fundraising initiatives geared around the holiday giving season, new donor acquisition, anniversaries, participation in community events, or other priorities.
- Special events: Events such as annual dinners and fundraiser auctions.
- Stewardship fees: Fees collected for stewardship generated by accepting the donation of a conservation easement or fee-simple interest in land.
- Government funds: Fees from the transfer of state land conservation tax credits and other monies.
- Proceeds from invested funds: Includes proceeds conservancy funds invested in its stewardship fund.
- Program fees: Fees collected for hikes and other educational programs.
- Grants: Funds solicited for both specific programs and general operating support.
- In-kind support: Rent, donations of printing and catering, and other in-kind contributions.
- Online giving: donations to the conservancy through its website and Facebook page.
- Monthly giving: Automated monthly contributions managed through the conservancy's donor management software.
- Planned giving: Gifts in wills, gifts of stock and other assets, gifts of land, and other large gifts.
- Vehicle donations: Donations of used vehicles to the conservancy, which are subsequently sold.
- Corporate buying programs: Partnership programs with grocery stores or online retailers in which the conservancy receives a portion of sales made by supporters at those establishments.
- Fees for services.
- Miscellaneous donations and income.

The fundraising plan shall specify the following:

- What components shall be implemented to meet budgeted revenue
- Expected revenue from each component, as well anticipated expenses
- Who is responsible (staff, board, committee) for the component
- When the component is to be implemented
- Consideration of worst-case scenarios and contingency plans if components do not meet expected revenue targets

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Blue Ridge Land Conservancy Practices

Standard 5: Fundraising

Land trusts conduct fundraising activities in a lawful, ethical and responsible manner.

Practice 5D: Non-conservation Real Property for Resale

1. When acquiring non-conservation real property with the intent of selling it to advance the land trust's mission,

a. Obtain a written acknowledgement from any donor of the land trust's intent to sell before accepting the property

b. Follow applicable transaction policies and procedures

c. Maintain the property while in the land trust's ownership in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk

Practice 5D1: When acquiring non-conservation real property with the intent of selling it to advance the land trust's mission,

a. Obtain a written acknowledgement from any donor of the land trust's intent to sell before accepting the property

b. Follow applicable transaction policies and procedures

c. Maintain the property while in the land trust's ownership in a manner that retains the land trust's public credibility, manages community expectations and minimizes risk

It is the policy of the Conservancy that when it holds land in fee simple land temporarily with the intent to transfer it to a private owner, a public agency, or NGO, it shall follow these guidelines:

- The land should be managed or maintained in such a way that liability risks are minimized and the Conservancy's credibility is maintained.
- Neighbors and community leaders should be aware of the Conservancy's plans to sell the properties and not hold them for permanent conservation.
- Properties that are sold should reflect the property donor's intentions.
- Hazards shall be minimized through the following activities and others: posting the property, chaining off access roads, collecting garbage, removing hazardous trees, maintaining mowed areas and fencing, and addressing any other evident liability concerns.

[Formerly Practice 8L]

It is the policy of the Blue Ridge Land Conservancy that if it receives an offer of a fee simple donation of land that does not have sufficient conservation values to protect, the Conservancy may accept the offer and sell the land to fund its operating expenses or its stewardship and legal defense fund. The following considerations must be taken into account:

- The Conservancy will work with the potential donor to identify the conservation values of the property to determine if sufficient conservation values exist to merit protection through fee ownership of the property.
- If it is determined that sufficient values do not exist, the donor shall attest in writing that he or she understands that if the Conservancy accepts the donation, it will be sold and the proceeds used to fund its operating expenses or its stewardship and legal defense fund.

- The Board shall vote to accept the land as non-conservation land to be sold.
- The Conservancy shall obtain an appraisal to determine the fair market value of the property and an asking price.
- The property shall not be sold for less than fair market value without the approval of the Board.
- The Conservancy will take into account practices 4C, 9I.

Adopted 10/7/2009; revised 9/2/2015; revised 4/4/2018