



## HAITIAN AMERICAN NURSES ASSOCIATION OF FLORIDA, INC.

<b>Section:</b>	<b>Policy &amp; Procedures: GIFTS ACCEPTANCE AND RESTRICTIONS</b>		
	<b>Issued: 01/2023</b>	<b>Revised:</b>	<b>Page 1 of 2</b>

**Purpose:** The purpose of this policy is to provide guidance with respect to the solicitation of gifts and/or donations, to or from donors, vendors, or potential referral sources, while complying with applicable federal and state laws and the Code of Ethics Ordinance.

**Policy:** To prevent undue influence and/or avoid the appearance of impropriety, the Board of Directors and members at large may not give or receive a gift or donation from a vendor, donor, and or potential referral source, or others who may influence the recipient's decision-making unless the gift or donation is given or accepted in accordance with this policy. It is the responsibility of the Board of Directors to ensure that this standard is implemented.

**Procedures:** The following guidelines govern the acceptance of gifts made to the Haitian American Nurses Association of Florida, Inc. (HANA) for the benefit of its operations, programs or services.

### **General Guidelines:**

The practices of the association will comply with the following requirements:

- Any decision to solicit and/or accept potentially controversial gifts and/or donations will be made by the Board of Directors after careful consideration of the positive impact of the gift and/or donations on the organization.
- The association solicits and accepts gifts and/or donations that are consistent with its mission and that support its core programs, as well as special projects.
- In the course of regular fundraising activities, the association will accept donations of money, real property, stocks, and in-kind services.
- Certain types of gifts and/or donations must be reviewed prior to acceptance due to the special liabilities they may pose for the association. Examples of gifts that will be subject to review include gifts and/or donations of real property, gifts and/or donations of personal property, and gifts and/or donations of securities.

Whereas there is the potential for controversy if certain gifts and/or donations are accepted, the organization has adopted the following Gift Acceptance guidelines:

- **Values**—Whether the acceptance of the gift and/or donations compromises any of the core values of the association.
- **Compatibility**—Whether there is compatibility between the intent of the donor and the organization's use of the gift and/or donations.



## HAITIAN AMERICAN NURSES ASSOCIATION OF FLORIDA, INC.

- Public Relationships—Whether acceptance of the gift and/or donations damage the reputation of the association.
- Primary Benefit—Whether the primary benefit is to the association versus the donor.
- Consistency—Acceptance of the gift and/or donations needs to be consistent with prior practice.
- Effect on Future Giving— Whether the acceptance of the gift and/or donations encourages or discourages future gifts and/or donations.

### Use of Legal Counsel

The association will seek the advice of legal counsel in matters relating to the acceptance of gifts and/or donations when appropriate. Review by counsel is recommended for:

- Gifts and/or donations of securities that are subject to restrictions or buy-sell agreements.
- Documents naming [*Organization Name*] as trustee or requiring the association to act in any fiduciary capacity.
- Transactions with potential conflicts of interest (*see the policy for conflict of interest*).
- Gifts requiring the association to assume financial or other obligations.
- Gifts of property that may be subject to environmental or other regulatory restrictions.

### Restrictions on Gifts

The association will not accept gifts that:

- (a) Would result in the association violating its ByLaws,
- (b) Would result in the association losing its status as an IRC § 501(c)(3) Not-for-Profit Organization,
- (c) Are too difficult or too expensive to administer in relation to their value.

Approved by:	Board of Directors
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