
2212 GIFT RETURN POLICY

Effective: July, 2003
Revised: March, 2006
Last Reviewed: April, 2016
Resp. Office: Treasurer
Approval: Treasurer

PURPOSE

To comply with Pennsylvania law, guarantee proper allocation of donations, avoid adjustments, and maintain consistent donor relations, no gift to the University shall be returned to a donor unless a clear error in the amount of payment or payee has occurred.

POLICY

The University is a non-profit charitable organization. Under Pennsylvania law, a gift committed to charity may not be diverted from that charitable purpose. Therefore, once the University receives a gift, the gift must be used to further the University's charitable purposes. Thus, the University policy, consistent with Pennsylvania law, is that no gifts to the University shall be returned to a donor.

If the University is approached by a donor requesting that a gift be returned, the University should respond consistently that the return of gifts is prohibited by law and under the policies of the University.

In unusual cases, after review by the Office of General Counsel and the Vice President for Finance, a gift may be transferred to another charity as allowed by law (usually with the consent of a representative of the Office of Attorney General and after approval by the Orphans' Court).

Upon a donor's request, the University may refund money to a donor who has erroneously overpaid on a pledge, or to entities which should have forwarded the check to a different institution. In each case, the donor must provide the appropriate taxpayer identification number. Verification of paying account is necessary to ensure the refund is made to original payor account.

If a donor has taken a charitable tax deduction for all or part of a returned gift, the donor must report as part of gross income to the Internal Revenue Service the return of the gift.