

Tecnológico de Monterrey Foundation Gift Acceptance Policy

Tecnológico de Monterrey Foundation	Policies
Gift Acceptance Policy	Rev. Date: 03/07/2022

I. Mission, Background, and Purpose.

The mission of Tecnológico de Monterrey Foundation (the "Foundation") is to promote education, with a primary emphasis on supporting the programs and mission of Instituto Tecnológico y de Estudios Superiores de Monterrey (sometimes referred to herein as the "University" or "Tecnológico de Monterrey") and with a secondary emphasis on supporting other educational endeavors among the Hispanic communities of North America. The Foundation has been and expects to remain a strong supporter of the University, although it is separate and distinct legally and in its functions and objectives. Certain provisions of this Policy are adopted in recognition that some donors may have a different view of the Foundation's relationship with the University.

The Foundation may accept gifts and contributions only if such gifts and contributions are properly treated for United States federal income tax purposes as gifts or contributions to the Foundation. By contrast, the Foundation will not accept gifts or contributions that are earmarked such that the contributed property must in all events be distributed by the Foundation to or for the benefit of a particular person or some other organization.

The purpose of this policy is to set forth guidelines and requirements for the officers, employees, and volunteers of the Foundation with respect to the solicitation and acceptance of gifts and contributions on behalf of the Foundation. The Foundation's Board of Trustees has ultimate authority regarding all matters addressed in this policy and any uncertainties regarding the provisions of this policy or the subject matter addressed herein shall be resolved by the Board of Trustees.

II. No Provision of Legal or Tax Advice.

The Foundation and its representatives will not provide legal or tax advice to any actual or prospective donor or contributor. Written communications with actual or prospective donors or contributors should advise such donors or contributors to consult their own advisors regarding any legal or tax implications related to their gifts or contributions.

III. Consultation with Foundation Legal and Tax Advisors.

Except as otherwise determined on a case-by-case basis by the Foundation's Chairman of the Board, President, or Vice Chairman of the Board, no Foundation representative shall accept a gift or contribution of the following type without first consulting with a tax or legal advisor to the Foundation:

- A. Securities that are not publicly traded on a recognized exchange in the United States
- B. Real property interests, including interests in time share properties
- C. Gifts that impose any monetary or similar obligation on the Foundation
- D. Property the disposition of which is restricted or subject to a buy-sell agreement
- E. Gifts naming the Foundation as a trustee or requiring the Foundation to act as a fiduciary
- F. Gifts of property that involve potential conflicts of interest
- G. Interests in partnerships or limited liability companies
- H. Automobiles, boats, or airplanes
- I. Interests in retirement plans, charitable remainder trusts, charitable lead trusts, life insurance policies, or annuities
- J. Membership interests, including interests in frequent flyer programs
- K. Interests in patents, copyrights, and other intellectual properties
- L. Any other gifts that may create unusual or significant financial, legal, or tax concerns
- M. Gifts by a donor with the expectation to influence an admission decision or to obtain a return in value other than recognition

IV. Ethical Considerations.

Because the reputation of the Foundation is of utmost importance, the Foundation will work to avoid accepting gifts that conflict with or may appear to conflict with the mission of the Foundation. Additionally, in making decisions regarding potential gifts and contributions, all Foundation officers and representatives will adhere to the Foundation's Conflicts of Interest Policy and will consider the following potential concerns:

- A. Whether the values and mission of the Foundation will or may be compromised by accepting the gift.
- B. Whether accepting the gift will actually benefit the Foundation and allow it to comply with its charitable obligations.
- C. Whether accepting the gift will or may damage or diminish the reputation of the Foundation (e.g., by accepting a gift from a disreputable donor; where the source of the gift is questionable or may have been acquired by illegal or immoral activities; or where the gift is otherwise deemed not appropriate by the Foundation).
- D. Whether accepting the gift will or may discourage future gifts to the Foundation
- E. Gifts that might compromise the integrity, independence, accuracy, or autonomy of the work at Tecnológico de Monterrey and its students, faculty, or other researchers.
- F. Restricted sectors, type of assets, countries and regions in any asset class:
 - a) Tobacco (including e-cigarettes, vaping, and other derivative products)
 - b) Drugs, including companies dedicated to the commercialization of marijuana
 - c) Weapons, military equipment, or those involved in any type of war material such as explosives, bombs, rockets, missiles, etc.
 - d) Extraction, production and exploitation of coal and derivatives of coal
 - e) Penny stocks
 - f) Derivatives such as Contract for Difference (CFD), Collateralized Debt Obligation (CDO), among others
 - g) Exchange Traded Commodity (ETC)
 - h) Any entity on the United Nations Security Council sanctions list.

V. Preferred Gifts.

In general, Foundation representatives will consider the following with respect to proposed gifts or contributions of the following specific types of property:

A. Cash. Cash gifts will generally be accepted in any form including US currency, check, money order, and credit card. Credit card donors must provide card number, expiration date, the name of the card holder, and any other qualifying information needed to secure the transaction. In general, Foundation representatives should request that donors giving cash provide information identifying themselves so that the Foundation can maintain accurate and complete records and, when required, report relevant information to the IRS.

B. Securities. Outright gifts of securities that are publicly traded on an exchange in the United States will generally be accepted. Except as otherwise determined from time to time by the Foundation's Chairman of the Board, President, or Vice Chairman of the Board, all such securities will be sold promptly upon receipt with the proceeds of such sales to be invested by the Foundation in the normal course of business. Gifts of securities subject to any restrictions or that are not publicly traded on an exchange in the United States will be considered on a case-by-case basis.

VI. Pledges, Recurring Contributions, and In-Kind Gifts.

Although current outright contributions are preferred over pledges, written pledges to the Foundation may be solicited and accepted if the manner and timeframe for satisfying the pledge are reasonable and consistent with this policy. For example, a pledge to contribute cash will generally be acceptable, but a pledge to transfer a partnership interest would generally not be acceptable without prior review from the Foundation's legal and/or tax advisors. Foundation representatives should develop a standard form that can be used for pledges made to the Foundation and detailed procedures for accounting for pledges.

The Foundation may accept contributions that are set up to recur on a periodic basis. Foundation representatives should develop a standard form that can be used for recurring contributions that capture all relevant information that may be needed to collect such contributions (e.g., credit card information or ach debits to donor accounts, with the associated credit card and banking information).

Foundation representatives may solicit in-kind gifts (such as the use of free office space or free advertising) in appropriate circumstances and may ordinarily accept in-kind contributions of property or services that are appropriate and useful for the Foundation and consistent with this policy.

VII. Anonymity and Gift Acknowledgment.

The Foundation will ordinarily seek to honor donor requests to remain anonymous in the Foundation's public disclosures, but the Foundation cannot guarantee that a donor's identify will remain anonymous.

The Foundation will promptly send a gift acknowledgment to each donor who contributes \$10 or more to the Foundation. Each such acknowledgement will thank the donor for their gift, provide the name and mailing address of the Foundation, and specify the date and amount of the gift. The acknowledgment will also include either (a) a statement that the donor did not receive any goods or services in exchange for the gift, or (b) a statement describing any goods or services provided to the donor in exchange for the gift and an estimate of the value of such goods or services.

VIII. Anti-Money Laundering.

The Foundation will accept gifts of \$5,000 or more only if the Foundation has information regarding the name and address of the donor and a method of contacting the donor if needed.

IX. Fundraising Code of Conduct.

The Foundation and its representatives will make reasonable efforts to comply with and uphold the following donor rights set forth in the Donor Bill of Rights created by the Association of Fundraising Professionals:

- A. To be informed of the Foundation's mission, of the way the Foundation intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
- B. To be informed of the identity of those serving on the Foundation's governing board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
- C. To have access to the Foundation's most recent financial statements.
- D. To be assured their gifts will be used for the purposes for which they were given, subject to applicable legal requirements including those that require the Foundation's Board of Trustees to exercise independent judgment.
- E. To receive appropriate acknowledgement and recognition.
- F. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.

- G. To expect that all relationships with individuals representing the Foundation will be professional in nature.
- H. To be informed whether those seeking donations are volunteers, employees of the Foundation, or hired solicitors.
- I. To have the opportunity for their names to be deleted from mailing lists that the Foundation may intend to share.
- J. To feel free to ask questions when making a donation and to receive prompt, truthful, and forthright answers.

X. Cash Receipt Practices.

Gifts that are received by mail or in person to the Foundation will be processed in the following manner to ensure that each gift is accurately accounted for and attributed to the correct source.

- A. Cash donations are accepted in the following forms: checks, money orders, cash and credit cards (credit cards via mail, phone or online donation).
- B. The accountant office in the United States will receive all gifts that arrive by mail, log them and submit documentation (and log) to an appropriate officer of the Foundation or such officer's designee, and deposit them in a Foundation bank or financial account. The log must include any donation by credit card, which may be processed via the Foundation's online page.
- C. The accountant office will deposit checks promptly, generally within three days of receipt. Checks of \$10,000 or more will be deposited on the same day. Credit cards will be processed within one day of receipt/share info on the log.
- D. Credit card gifts made over the phone will be kept in a log, shared with an appropriate officer of the Foundation or such officer's designee and entered by such person into the online giving page.
- E. Gifts made online will be processed by an appropriate officer of the Foundation or such officer's designee and will be reconciled as the funds get deposited.
- F. Online donations will include automatically a thank you letter / acknowledgement letter. For those gifts that are equal to or larger than \$1,000, an appropriate officer of the Foundation or such officer's designee will prepare and send a personalized thank you letter on Foundation stationery, including electronic signature of an appropriate officer of the Foundation.
- G. Appropriate officers or representatives of the Foundation will generate a csv file for and upload it into the Foundation's CRM.
- H. Matching gift paperwork will be reviewed and managed by an appropriate officer of the Foundation.

XI. Tecnológico de Monterrey name use, seal, or logo requests.

Tecnológico de Monterrey's marks, including its name, are owned by Insituto Tecnológico y de Estudios Superiores de Monterrey and are valuable University assets. Making a gift to the Foundation does not confer on the donor the right to use the Tecnológico de Monterrey, Tec de Monterrey, or ITESM name or any of the following without specific and prior written consent from Tecnológico de Monterrey: the name of any faculty member, employee, or student or any trademark, service mark, trade name, logos, photographs, or other symbol of Tecnológico de Monterrey. Foundation representatives should coordinate all requests for such use with the office of communications of Tecnológico de Monterrey.