USA GYMNASTICS FOUNDATION GIFT ACCEPTANCE POLICY

Introduction

Formerly known as the National Gymnastics Foundation and created from the excitement generated by the success of the 1984 Olympic Games in Los Angeles, the USA Gymnastics Foundation was formally rebranded and relaunched in 2024.

The USA Gymnastics Foundation raises funds to inspire world-class achievement at all levels of the sport and in life. USA Gymnastics Foundation (the "Foundation") is a not-for-profit public charity that will receive financial support primarily in the form of charitable gifts from individuals, corporations, other public charities (including donor-advised fund sponsoring organizations), private foundations, and planned giving vehicles.

The Board of Directors has adopted the following gift acceptance policy (the "Policy"), effective as of the date written below:

I. Purpose

The purpose of the Gift Acceptance Policy is intended to provide guidance to prospective donors and their advisors when considering a gift to the USA Gymnastics Foundation. The Policy also governs the acceptance of charitable gifts, ensuring that they are consistent with the USA Gymnastics Foundation mission and values and do not place undue burden on the Foundation.

II. Gift Definition

A gift is a voluntary transfer of money or other assets to an organization from a donor, which can be an individual, a corporation, or a grant-making organization, such as a foundation. No tangible benefit of any kind will be exchanged for a gift.

III. Authority

The Board of Directors retains the ultimate decision-making authority with respect to whether a gift should be accepted and the terms of such gift. The Board of Directors has delegated the authority for reviewing a gift for conformance to the Policy to the Executive Director of the Foundation. The Executive Director may consult the Board of Directors at any time regarding whether to accept or return a gift including, but not limited to, when questions arise regarding conflict of interests, non-traditional or unusual gifts, or gifts that may carry significant risk or burden.

IV. Use of Counsel

The Foundation and Board of Directors may consult with and/or seek the advice of legal counsel in any and all matters relating to the acceptance of gifts.

V. Use of Advisors

The Foundation encourages donors to seek independent professional legal and tax counsel to represent the donor's interests and to explore the alternatives, costs, tax benefits and obligations of potential gifts. The Foundation shall have no responsibility to provide, and shall not provide, technical, legal or tax advice to the donor or an analysis of the resulting tax and estate planning consequences to the donor.

VI. Conflict of Interest

Any circumstances that may reasonably be perceived as creating a conflict of interest must be brought to the attention of the Executive Director and Board of Directors. Under no circumstances may a gift provide an improper personal benefit to the donor, or to any employee, officer, or member of the Board of Directors.

VII. Prohibited Gifts

The Foundation reserves the right to refuse or return gifts to donors in its discretion. This includes the right to refuse or return a gift if the donor's character or reputation for honesty, personal integrity, or personal or professional ethics is no longer consistent with the mission of the Foundation or the association of the donor with the Foundation would bring discredit to Foundation. Gifts containing restrictions that are inconsistent with the Foundation's purposes may be refused or returned. The Foundation will not accept gifts whose acceptance would restrict the Foundation's ability to carry out its purposes or place an undue burden on the Foundation.

VIII. Restricted Gifts

The Foundation encourages donors to give unrestricted gifts that will further the Foundation's mission and programs. Generally, gifts of $24,999 and below are considered unrestricted Annual Fund Gifts to the Foundation. Gifts above $25,000 are considered Major Gifts and may be restricted to a specific, approved purpose. The exception to this is the Champions Council, where all gifts are unrestricted contributions to the Foundation. From time to time, the Foundation may run specific campaigns or program funds that will accept restricted gifts below $24,999 for a defined timeline. In any instance in which the Foundation accepts a restricted gift, the purpose must be consistent with the Foundation's activities, not place undue burden on the resources of the Foundation, subject the Foundation to adverse publicity, or impede the Foundation from acquiring gifts from other sources.

IX. Types of Gifts

a. Cash

The Foundation may accept gifts of cash in the form of currency (U.S. and foreign), checks, credit card payments, ACH, or wire transfers.

b. Publicly Traded Securities
The Foundation may accept gifts of publicly traded securities. For recordkeeping purposes (including tracking donor fulfillment of pledges), the Foundation will record as revenue the amount the Foundation receives on the sale of the securities, less any commissions paid on the sale.

c. Non-Publicly Traded Securities
The Foundation may accept gifts of closely held securities, including debt and equity positions in non-publicly traded companies, as well as interests in Limited Liability Partnerships (LLPs) or Limited Liability Companies (LLCs). The Foundation will not accept gifts of closely held securities that the Foundation would not be permitted to purchase as an investment under its investment policies.

d. Tangible Personal Property
The Foundation may accept tangible personal property that is either (i) saleable or (ii) appropriate for use by the Foundation. The Foundation and the donor will agree in advance whether the Foundation may sell donated tangible personal property.
    1. Contributions of Tangible Property for Sale (not Related Use).
    The Foundation may accept in-kind contributions of items that the Foundation intends to sell rather than put to a related use. The sale of an item may affect the value of the donor's charitable contribution deduction. Therefore, before accepting such a contribution, the Foundation will evaluate its ability to sell the item and inform the donor of its intent to sell the item. Upon receipt of a gift of tangible property, the gift will be liquidated as soon as practicable. In order to properly credit and recognize the donor, as well as to reflect the value of in-kind contributions on its books, the Foundation will ask donors for information about the fair market value of their in-kind contributions: if the donor will file IRS Form 8283, the Foundation will request a copy of the form (and the accompanying appraisal, if applicable); otherwise, the Foundation will request the donor's reasonable estimate of the fair market value. However, in accordance with IRS rules, the Foundation will not refer to the value of an in-kind contribution in an acknowledgment letter or advise donors whether they are entitled to take a charitable contribution deduction for their contributions.
    2. Contributions of Tangible Personal Property for Directly Related Use. The Foundation may accept in-kind contributions of goods for use by the Foundation in furtherance of the

Foundation's mission. When the Foundation has discretion over the disposition of the items, the contribution is generally considered a gift to the Foundation rather than a pass-through contribution. For example, the Foundation may accept décor for an event. The Foundation will acknowledge in-kind contributions consistent with IRS rules. In order to properly credit and recognize the donor, as well as to reflect the value of in-kind contributions on its books, the Foundation will ask donors for information about the fair market value of their in-kind contributions: if the donor will file IRS Form 8283, the Foundation will request a copy of the form (and the accompanying appraisal, if applicable1); otherwise, the Foundation will request the donor's reasonable estimate of the fair market value. However, in accordance with IRS rules, the Foundation will not refer to the value of an in-kind contribution in an acknowledgment letter or advise donors whether they are entitled to take a charitable contribution deduction for their contributions.

e. Other Gifts
The Board of Directors shall consider the acceptance of other gifts not mentioned above, including, but not limited to, real estate, retirement assets, life insurance, deferred or planned gifts, memorials, honorariums, intangible property, cryptocurrency, charitable lead trusts, charitable remainder trusts, and charitable gift annuities.

X. Gift Instrument

The Foundation and donor will execute a gift agreement or pledge letter (the "Gift Instrument") for any gift equal to or greater than $25,000 that is restricted as to timing or purpose, and for a pledge of any amount that meets one or more of the following criteria:

- Challenge: the pledge will be paid if and when the Foundation is able to raise sufficient additional funds from other sources.
- Match: the donor pledges to match funds received from other sources, on a 1-to-1 or other basis.
- Reliance: prior to and in anticipation of receiving the gift, the Foundation expects to incur significant expenses.
- Public Announcement: the Foundation will make a high-profile public announcement of the pledge.

Each Gift Instrument will include:

i. The amount of the gift, including a payment schedule, typically no more than four years, if the gift will not be paid in full at the time of executing the Gift Instrument, and a description of any condition or contingency to payment;

ii. If the gift is a pledge, language indicating whether the pledge sum is intended to be binding on the donor and enforceable against the donor's estate;
iii. A statement indicating the Foundation's acceptance of the gift and any restrictions;
iv. If the gift is restricted as to purpose, procedures to address changes in circumstances, including how the Gift Instrument can be amended, options in the event that there is inadequate funding to support the stated purpose, and alternative uses of the gift if the circumstances make it impracticable or impossible for the Foundation to carry out the original intent of the donor;
v. Any applicable time limits; and
vi. Other appropriate restrictions as may be required.

XI. Donor Acknowledgement and Anonymity

The Foundation shall recognize and acknowledge major donors in accordance with established donor recognition policies. Donors may elect to remain anonymous, and such preferences shall be fully honored as permitted by law. Donor recognition or anonymity shall be indicated by the donor in the Gift Instrument. The Foundation shall ensure that all donor preferences regarding acknowledgment or anonymity are maintained in compliance with applicable confidentiality policies and ethical fundraising standards.

XII. Matching Gifts and Recognition

Individuals who make gifts that are matched by their employers, or some other entity shall be recognized in accordance with the total of their personal gifts and matching gifts.

XIII. Return of Gifts

It is the Foundation's policy to decline gifts from donors who reserve the right to request the return of all or a portion of the gift. Exceptions to this policy may be made by the Board of Directors if determined to be in the best interest of the Foundation.

XIV. Refusal of Gifts

The Foundation reserves the right to refuse or return any gift that is not consistent with its mission and purpose, places undue burdens on the Foundation, that violates the terms of any of the Foundation's formation or governance documents, that could introduce a conflict of interest, expose the Foundation to liability or adverse publicity, or that could violate local, state or federal law.

XV. Ethical Standards and Compliance

The Foundation shall administer gifts properly, shall comply with all applicable laws and regulations, including those governing reporting and retention, and shall provide formal acknowledgments for gifts. The Foundation follows IRS guidelines with respect to gift acknowledgements. The Foundation shall not furnish property appraisals or gift valuations to donors for tax purposes. The Foundation acknowledgment letters may acknowledge the value of a gift in the case of a cash, check or other monetary donation or if required by applicable law. Otherwise, the donor is solely responsible for determining gift valuations for his or her own tax purposes. The Foundation shall consult with independent professional advisors where it deems such action to be appropriate. The Foundation shall strive to consider the interests of the donor and disclose to the donor all essential information, including any fees, prior to acceptance of the donor's gift. Donors may be advised to consult with legal or tax counsel or other appropriate advisors.

XVI. Endorsement

Acceptance of a gift is not a sign that the Foundation endorses a donor, organization, or viewpoint.

XVII. Changes to Policy

The Board of Directors reserves the right to amend the Policy.

Adopted: February 24, 2025