

CAPITAL REGION COMMUNITY FOUNDATION

CONFIDENTIALITY POLICY

The Capital Region Community Foundation maintains and manages much information that must be kept confidential. This includes information about donors, prospective donors, grantees, prospective grantees, and professional advisors and their firms. The effective functioning of the Community Foundation also requires respecting the confidentiality of discussions that take place and information that is shared in the course of conducting foundation business.

The foundation's board has adopted this policy on confidentiality to assist the foundation's trustees, officers, employees, agents, fiduciaries and volunteers in fulfilling their confidentiality obligations and commitments. While the policy addresses some common confidentiality concerns, it is not an exhaustive list of all situations where a confidentiality obligation may arise. Questions about whether information is confidential or about situations in which confidential information may be released or discussed should be directed to the foundation's president and CEO. As used in this policy, the term "foundation personnel" includes the foundation's trustees and officers, employees, agents, fiduciaries, consultants and volunteers.

General rule: Information in the possession of the foundation and discussions of foundation business should generally be presumed to be confidential. All Community Foundation personnel at every level are responsible for maintaining confidentiality.

Confidentiality of donor information: Except as required by law, the foundation will not disclose information about a donor or a donor's gift. However, unless otherwise requested by the donor, the foundation may publish the names of individual donors in the foundation's annual report and other reported listings. In the case of memorial gifts, the foundation will provide the names of donors to the authorized representative(s) of the decedent unless the donor has requested anonymity. The foundation will not disclose the amount of any gift without the donor's consent. The foundation may accept anonymous gifts to it on a case by case basis.

Confidentiality with respect to grant applicants and grantees: The foundation will not disclose the identity of grant applicants except as necessary to process the application and will protect financial and personal information that applicants submit to it. This includes information provided by applicants for grants to individuals such as scholarships. The foundation may, however, disclose the identity of grantees and the amount awarded.

Confidentiality of foundation business: Except as authorized by the foundation's board, or by an appropriate board committee, discussions and records of the foundation's operations are generally not to be disclosed. This includes information about the foundation's financial operations, fundraising, investments, personnel, grantmaking and contractual relationships. The positions of individual trustees, officers, employees, agents, fiduciaries and volunteers should not be discussed, even within the foundation, except in the course of official foundation meetings and processes where those subjects are discussed, or except as otherwise necessary and prudent.

Exceptions: This policy does not apply to disclosures to attorneys, accountants and other professionals providing assistance to the foundation. It also does not apply to disclosures to tax authorities, government agencies, courts, or as otherwise required by law. This policy does not prohibit the foundation and its representatives from disclosing information when it receives prior authorization from the donors and/or appropriate parties in the ordinary course of business.

The following are considered public documents and information contained in them is not subject to the confidentiality requirements of this policy:

- The foundation's annual report or financial review once it has been accepted by the board.
- The foundation's Form 990 as required to be publicly disclosed. This does not include the names and addresses of donors as that information is not required to be disclosed.
- The foundation's investment and spending policies and investment performance.

Protection of confidential information: Foundation personnel who have executed a copy of this policy may access confidential information necessary to the performance of their functions. Foundation personnel are expected to exercise sound judgment in securing information taken outside the foundation's offices or copied from its network. Any information so removed should be returned as soon as possible and deleted from laptops or other personal devices.

Penalties: Penalties for violating this policy can include sanction or termination of employees and removal of board members, as well as any other remedies available under the law.

I have read the policy on confidentiality and agree to comply with it.

Printed Name

Signature

Date

I am a: **Board Member** **Staff Member** **Volunteer**
 Consultant/Contractor **Committee Member**