



## Confidentiality Policy

### **I. Introduction**

Fremont Area Community Foundation maintains and manages much information that must be kept confidential. This includes information about donors, prospective donors, grantees, prospective grantees, and wealth 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 Community Foundation business.

The Community Foundation's Board has adopted this Confidentiality Policy to assist the Community Foundation's trustees, employees, committee members, volunteers, (agents, fiduciaries, and consultants/contractors if applicable) 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 by Community Foundation staff to their supervisor or by others to the Community Foundation's President and CEO. As used in this policy, the term "Community Foundation representatives" includes the Community Foundation's trustees, employees, committee members, and volunteers (agents, fiduciaries, and consultants/contractors if applicable).

### **II. General Rule**

Information in the possession of the Community Foundation and discussion of Community Foundation business should generally be presumed to be confidential. All Community Foundation representatives at every level are responsible for maintaining confidentiality.

### **III. Confidentiality of Donor Information**

Except as required by law, the Community Foundation will not disclose information about a donor or a donor's gift. However, unless otherwise requested by the donor, the Community Foundation may publish the names of individual donors in the Community Foundation's annual report and other reported listings. In the case of memorial gifts, the Community Foundation will provide the names of donors to members of the immediate family unless the donor has requested anonymity. The Community Foundation will not disclose the amount of any gift without the donor's consent. The Community Foundation may accept anonymous gifts on a case-by-case basis.

#### **IV. Confidentiality with Respect to Grant Applicants and Grantees**

The Community 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. This includes information provided by applicants for grants to individuals such as scholarships and hardship assistance. Except in the case of hardship assistance grants to individuals, the Community Foundation will generally disclose the identity of grantees, the purpose of the grant, and the amount awarded. Scholarship applicants' non-financial information may be shared with scholarship donors.

Grant decisions must first be released by authorized Community Foundation staff. Community Foundation representatives shall only disclose that information after the authorized public release.

#### **V. Confidentiality of Community Foundation Business**

Except as authorized by the Community Foundation's board or President and CEO or as necessary to perform job duties, internal discussions and records of the Community Foundation's operations are generally not to be disclosed. This includes non-public information about the Community Foundation's financial operations, fundraising, investments, personnel grantmaking, strategic plans, and contractual relationships. The positions of other individual Community Foundation representatives regarding as to the foregoing subjects shall not be discussed, even within the Community Foundation, except in the course of official Community Foundation meetings and processes where those subjects are discussed.

#### **VI. Exceptions**

Notwithstanding the above, nothing in this policy is intended to restrict employee speech or social media activity in violation of law.

This policy does not apply to disclosures to attorneys, accountants, and other professionals providing assistance to the Community Foundation. It also does not apply to disclosures to tax authorities, government agencies, courts, or as otherwise required by law.

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

- The Community Foundation's annual report or financial review once it has been accepted by the board
- The Community 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 Community Foundation's investment and spending policies and investment performance reports

### **VII. Protection of Confidential Information**

Community Foundation representatives who have executed a copy of this policy may access and use confidential information necessary to the performance of their functions. Community Foundation representatives are expected to exercise sound judgment in securing information taken outside the Community 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.

### **VIII. Penalties**

Penalties for violating this policy can include sanction or termination of employees and removal of other Community Foundation representatives.

*Adopted by Fremont Area Community Foundation Board of Trustees on 12/17/2015*

## Confidentiality Policy Acknowledgement

I have read the Policy on Confidentiality and agree to comply with it.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

Date \_\_\_\_\_

I am a: \_\_\_\_\_Trustee      \_\_\_\_\_Employee

\_\_\_\_\_Volunteer

\_\_\_\_\_Committee Member

\_\_\_\_\_Agent/Fiduciary/Consultant/Contractor