CONFIDENTIALITY POLICY

The Community Foundation of Northeast Alabama (hereinafter the "Foundation") has an ethical and legal obligation to respect the privacy of donors, grantees and applicants, and to protect and maintain the confidentiality of all information it acquires concerning these parties.

Confidentiality, for the purpose of this document, includes information that should be held in the strictest confidence and trust whether disclosed orally or in writing, to directors, volunteers, staff, donors, prospective donors, vendors or others holding a business relationship with the Foundation.

With these principals in mind, the Foundation has developed this "Confidentiality Policy" to more clearly define the scope and nature of confidential information.

I. Governing Documents

The Foundation has a merged history of institutions dating back to 1920. With this history has come growth and transition recorded in wills, court orders, and Internal Revenue Service rulings. All of these documents are a matter of public record and can be obtained from the Calhoun County Probate Court, Circuit Court or from the Foundation office. A standard fee will be charged for photocopying costs.

II. Confidentiality of Records

The Foundation Trustees, staff and volunteers shall be responsible for maintaining the confidentiality of donor and prospect records, fund information, and all Foundation information and communication. At the discretion of the President/CEO, staff may make all or part of any record available to Foundation volunteers to assist them in executing their specific responsibilities. The Foundation's auditors, legal counsel and other contractors are authorized to review donor/prospect and fund records as required for the purposes for which they are engaged.

All persons accessing donor/prospect or fund records in the conduct of Foundation business shall maintain the confidentiality of said records. This applies to grant and scholarship applications, donor gifts and the various types of fund agreements. Staff may share information with donors, fund beneficiaries, and grantees pertaining to their own gifts, funds, grants, etc. Except in those instances, any copies of confidential information held outside the Foundation office shall not be maintained in files for extended periods, and are to be destroyed as soon as possible.

Trustees, staff and volunteers will consider all Foundation information and communication confidential. They may not delegate their responsibility for maintaining confidentiality to anyone else including but not limited to subordinates, co-workers, or family members.

III. Publication of Donor Names

Unless otherwise requested by the donor, the names of all individual donors may be printed in the Foundation's annual report and in other appropriate listings or categories. The Foundation will not publish the amount of any donor's gift without the permission of the donor. Unless otherwise specified in the document, donors making gifts to the Foundation by bequest or other testamentary device are deemed to have granted such permission.
IV. Remembrance Gifts

The names of donors of memorial, honorarium or tribute gifts may be released to the honoree, next of kin, or appropriate member of the immediate family, unless otherwise specified by the donor. Gift amounts are not to be released without the express consent of the donor.

V. Gifts Benefitting Not-For-Profit Organizations

The names of donors of gifts made to institutional endowment funds or endowment funds supporting not-for-profit organizations may be released to the corresponding not-for-profit organization. Gift amounts may also be released, unless otherwise specified by the donor.

VI. Anonymous Gifts

Donors may choose to remain anonymous by communicating their intent to the Foundation. The name of the donor and/or gift amount may be withheld from Foundation publications, not-for-profit beneficiaries, remembrance gift beneficiaries, and/or the Board of Trustees if so requested by the donor. When made known, the Foundation will respect the anonymity of any such gift.

VII. Third Party Disclosures

The Foundation shall not release to third parties or allow third parties to copy, inspect or otherwise use Foundation records or other information pertaining to a grant applicant or the identification of a donor or donor's gifts. No disclosures to third parties of such information, including addresses and demographic information shall be made without the donor's consent.

VIII. Confidentiality of Foundation Business

Discussions that take place in the context of the Foundation’s operations require discretion, including discussions pertaining to grants or scholarships, personnel issues, development activities, operational fundraising, investment management, etc. The positions or statements of individual board members, advisors, or staff, as well as all Foundation business will not be shared or discussed with non-trustees outside of official Foundation meetings, sessions, or communications. The only persons who may speak for the Board outside of its official written resolutions and actions shall include a designated spokesperson or the President/CEO. Likewise, the content of Foundation business, including documents or Foundation analysis of documents, should not be discussed, photocopied, transmitted electronically or shared after a meeting or session.

IX. Public Disclosure

The Foundation will comply with both the letter and spirit of all public disclosure requirements, including the open availability of its Form 990 tax returns and annual audit. This Confidentiality Policy shall not be construed in any manner to prevent the Foundation from disclosing information to taxing authorities or other governmental agencies or courts having regulatory control or jurisdiction over the Foundation. However, all board members, staff, volunteers, agents and contractors must hold strictly confidential all information of a private nature, including, but not limited to, all items explicitly discussed in this policy.

X. Consequences of Policy Violation

Violations of the Confidentiality Policy are considered serious, and may result in disciplinary action, up to and including dismissal for employees, agents or contractors, or removal from the Board of Trustees or the separation of any volunteer from a committee or other representative role on behalf of the Foundation. Violations of this policy are to be reported to the President/CEO or the Chairperson of the Board.
Confidentiality Agreement

By signing below, I acknowledge that:

i) I have received a copy of the Confidentiality Policy;

ii) I have read and I understand the Policy; and

iii) I agree to abide by this Policy

in my actions and conduct as a trustee, community advisor, agent, volunteer, contractor, and employee of the Foundation.

I acknowledge and agree that all confidential information and/or grant files, contribution files, donor records, donor lists, charitable gift information, resource development data, investment statements, manuals, letters, contracts, agreements, notes, notebooks, records, reports, memoranda and all other Foundation materials, documents and data used, prepared or collected as part of my work with the Foundation, in whatever form, are and will remain the property of the Foundation.

Accordingly, I agree that at the end of my relationship with the Foundation, I will destroy or return to the Foundation all Foundation documents and other materials of any kind which constitute or contain any confidential information, in my possession or control, regardless of how stored or maintained, including all originals, copies and compilations and all information stored or maintained on computer, tapes, discs, email or any other form of technology.

Signature: ________________________________ Date: ______________

Printed Name: ____________________________

Revised and approved September 13, 2005
Revised & Approved April 17, 2012
Revised & Approved May 10, 2012
Revised & Approved May 8, 2014