



Confidentiality Policy and Agreement for Directors, Staff, and Committee Members of Montgomery County Community Foundation

The Montgomery County Community Foundation (Foundation) of Montgomery County, Texas, recognizes that the efficient operation of the Foundation requires the maintenance and management of extensive donor and prospect records. These records may contain sensitive information that has been shared with or developed by the Foundation staff on a confidential basis. Foundation staff, board members, and committee members have an ethical and legal obligation to respect the privacy of our constituents, and to protect and maintain the confidentiality of all information and records about our constituents that we may learn or create in the course of providing services to them. Protecting donor confidentiality is an essential part of providing good service to donors.

Additionally, care must be taken to preserve confidentiality of discussions that take place, information that is shared, and decisions that are made in the course of conducting Foundation business.

PURPOSE

The purpose of this policy is to express the position of the Foundation on confidentiality. While the policy addresses some common confidentiality concerns, it is not an exhaustive list. Questions about whether information is confidential or about situations in which confidential information may be released or discussed should be directed to the Foundation Executive Director and/or Board President.

PROVISIONS

1. Confidentiality of Records:

The management staff shall be responsible for maintaining the confidentiality of donor and prospect records, fund information, and business records of the Foundation. At the discretion of management, staff may make all or part of any records available to Foundation board members to assist them in executing their specific responsibilities. The Foundation's auditors, legal counsel and other contractors are authorized to review donor and prospect records, fund records, and business 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 confidentiality of said records. Staff may share information with donors, fund beneficiaries and grantees pertaining to their own gifts, funds, grants, etc.

2. 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. 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.

3. Memorial/Tribute Gifts:

The names of donors of memorial 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.

4. Anonymous Gifts:

The Foundation is authorized to accept anonymous gifts and to handle them appropriately. The name of the donor may be withheld from the Board of Directors if so requested by the donor. When made known to Board members they will respect the anonymity of any such gift.

5. Individual Scholarship Grants:

The Foundation will not disclose the identity of scholarship grant applicants except as necessary to process the application, and will protect financial and personal information contained therein. The Foundation will generally disclose grantees and amounts awarded.

6. No Disclosures to Third Parties

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 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 with the exception of services needed to conduct Foundation business.

7. 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. 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. Foundation staff, board members, volunteers, and contractors will hold strictly confidential all information of a private nature, including, but not limited to, all items explicitly discussed in this policy providing they sign the confidentiality agreement.

CONFIDENTIALITY AGREEMENT

I HAVE READ AND UNDERSTAND THE FOREGOING CONFIDENTIALITY POLICY AND AGREEMENT. I AGREE TO ITS TERMS, AND MY ACTIONS HAVE BEEN AND WILL CONTINUE TO BE GUIDED THEREBY.

Date/Name (printed or typed)

Signature

This Conflicts of Interest Policy was approved by the Foundation’s board of directors on:

Date

Board Secretary