

**COMMUNITY FOUNDATION FOR MONTEREY COUNTY**  
**CONFIDENTIALITY POLICY**  
**Approved October 25, 2016**

Through the course of employment, service on the Board, or volunteering at the Community Foundation for Monterey County you will have access to and become acquainted with information of a confidential, sensitive and/or proprietary nature. The protection of confidential, sensitive, and proprietary information is of utmost importance to the continued viability and success of the Community Foundation. The information may pertain to present or future clients, donors, prospective donors, grantees, prospective grantees, wealth advisors and their firms, other Board members, business associates or past or current employees.

The Foundation's Board has adopted this Confidentiality Policy to assist the Foundation's directors, 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/CEO, the board chair, and/or the chair of board committees. As used in this Policy, the term "Foundation personnel" includes the Foundation's directors and officers, employees, agents, fiduciaries, consultants and volunteers.

**General Rule:** The Community Foundation respects the privacy rights of its employees, both past and current, and maintains its personnel matters and records in the strictest of confidence. While serving on the Board, Foundation Board members may have access to or become acquainted with information concerning past and current Foundation employees, personnel matters, salary and pay scale information. Such information shall not be communicated, disclosed or otherwise utilized for any unauthorized purpose, whether such information was gained within or outside the scope of the member's service on the Board.

Individual Board members should not respond to inquiries or requests for information concerning past or current Foundation employees, personnel matters or records, or information concerning Foundation salaries or pay scales. Any such inquiries or requests for information shall be referred to the President/CEO. Board members who receive such inquiries or requests for information shall immediately notify the President/CEO.

**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 members of the immediate family 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.

## **COMMUNITY FOUNDATION FOR MONTEREY COUNTY CONFIDENTIALITY POLICY**

**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 and hardship assistance. Except in the case of hardship assistance grants to individuals, and scholarships, the Foundation will generally 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 directors, 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.

**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. 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 audited financial statement 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 portfolio holdings and performance
- The Foundation's investment and spending policies

**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.

**Children's Online Privacy Protection Act:** The Foundation will comply with all laws as they relate to the Children's Online Privacy Protection Act (COPPA).

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

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Print Name**

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