

Community Foundation *for* Muskegon County Donor Initiated Fundraising Policy Statement and Guidelines

Thank you for expressing your confidence in the Community Foundation *for* Muskegon County (the “Foundation”) by establishing a Fund with us. We are pleased to work with you to help develop and grow the Fund. Working one-on-one with key donors regarding major and planned gifts is the ideal strategy to accomplish that goal and the Foundation is a perfect partner. We have several flexible and tax-wise estate planning options as well as easy ways to accept gifts of appreciated securities and other assets. We believe that building relationships and asking people for these direct gifts is the best way to grow your Fund. To that end, we periodically provide learning opportunities such as webinars and other trainings to help promote fund development, and Foundation development staff is available for consultation. We encourage you to take advantage of these opportunities.

However, there may be times when you would like to organize a fundraiser in support of the Fund. When an individual or a volunteer group conducts fundraising activities or solicitations using the Foundation’s name and/or the name of a Fund within the Foundation, the IRS views this as being done on behalf of the Foundation, making the Foundation legally responsible for the fundraising activity. For this and other reasons it is important that certain guidelines be followed when you hold a fundraiser for your Fund.

Donor/Fundraising Group Responsibilities:

- You, as the fundraising group, will retain responsibility for all fundraising events and matters related to them, including payment of all costs and expenses, compliance with laws, reporting, and other requirements of every kind such as licensing, tax payment, and any liability insurance.
- Not all fundraising events are of a type that would require liability insurance but if you decide liability insurance is necessary for your event, the Foundation should be a named insured.
- You may not pay a professional fundraiser to solicit donations (gifts) for a Fund of the Foundation, and you are not authorized to bind the Foundation to any contract or agreement unless we specifically authorize it in writing.
- The fundraising group will be responsible for all losses incurred by the event. The Foundation will not be held responsible for losses.
- Certain activities have specific implications as to their charitable deductibility. Note that if the donor will receive any goods or services (such as admission, dinner, performance, etc.) in exchange for the contribution, this is required by the IRS to be disclosed upon solicitation and the contribution will likely be only partially tax-deductible.
- Prior to printing your materials, selling your tickets, etc., you will need to review IRS quid pro quo disclosures and contact the Foundation so we can ensure the donor acknowledgements we provide are in compliance.

Foundation Responsibilities:

- Gifts or additions to the Fund will be handled by the Foundation in a manner consistent with our normal gift acceptance policies and procedures. Checks should be made payable to the Foundation and noted for the Fund. The Foundation will provide official tax receipts for gifts received into the Fund where the date, amount, donor's name and address are provided. Contributions of property may be considered by the Foundation for acceptance into the fund, subject to the Foundation's Gift Acceptance Policy. Contributions of services, while appreciated, generally are not deductible and will not be receipted.
- The Foundation may refuse to accept contributions and/or provide donor acknowledgements from a fundraising effort that it determines to be inconsistent with the mission and goals of the Foundation or not in compliance with these guidelines.
- The Foundation does not provide staff to manage or participate in fundraising events.
- The Foundation will not be held responsible for losses. The Foundation may require the fundraising group to purchase a letter of credit or provide a written personal guarantee.
- The Foundation may require the fundraising group to execute an indemnification and hold harmless agreement in favor of the Foundation.
- In no case will the Foundation incur a liability for event expenses.
- The Foundation does not (and in the case of Donor Advised Funds, cannot) provide reimbursement of expenses to the Fund's donors, advisors, and related persons.
- The Foundation has made approved language, logo files, and branding information available on our website. It is important that any materials and publicity make clear that the fundraising is done on behalf of a Fund of the Foundation, rather than by the Foundation.

Effective: Approved by Board of Trustees 10-16-15