

# **FREEPORT COMMUNITY FOUNDATION CONFIDENTIALITY AND PRIVACY POLICY**

Adopted September 2013

## **Overview**

Board members, employees and volunteers of the Freeport Community Foundation (FCF) may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with FCF to any person, including relatives, friends and business and professional associates, other than to persons who have a legitimate need for such information and to whom the FCF Board or Governance Committee has authorized disclosure. Board members, employees, and volunteers shall use confidential information solely for the purpose of performing services as a board member, employee or volunteer for FCF. This policy is not intended to prevent disclosure where disclosure is required by law. To safeguard the Foundation's integrity as a responsible decision-maker, to protect its capacity to gather data necessary to make those decisions, and to enable the Foundation to responsibly carry out its important duties in the community, the Foundation subscribes to the policy on confidentiality and privacy presented below.

## **Confidentiality and Privacy Policy**

The Freeport Community Foundation Board of Directors and employees and volunteers shall not engage in private discussion of or otherwise disclose to third parties information regarding Foundation matters (except when engaged in the conduct of the proper business of the Foundation). All information that is not a matter of public record or not otherwise authorized by the appropriate authority (i.e., the Board, a committee of the Board, the Board President and Executive Director) to be disclosed as public shall be considered confidential. Furthermore, and not in limitation of this policy, the following shall apply:

- The positions or statements of individual Board members or staff shall not be discussed outside of official Foundation meetings and processes. Likewise, the decisions of the Board or staff shall not be disclosed without appropriate authorization.
- Content of Foundation business, including documents, reports, records, data, minutes or analysis of these materials performed by the Foundation shall not be discussed or shared outside of official meetings and processes. This includes information regarding donors, donations, pending grants, contracts and agreements entered into by the Foundation, policies and processes of the Foundation, financial information (except for audit reports) and business records of the Foundation, and other relevant data. Information regarding the Foundation's investment performance will be routinely published.
- All information on personnel matters, except where disclosure is required by law (such as disclosure of compensation for the highest paid individuals on the Form 990) should always be considered confidential.
- The Foundation shall not sell, exchange, share or otherwise release information about its donors unless disclosure is authorized by the donor or required by law. Donors and any other recipients of Foundation mail or electronic mail messages may opt out of any lists maintained by the Foundation and used for such communications.
- All of the materials provided to a Board member or staff member about an organization as part of the grant-making process and all discussion that takes place as part of the grant-making process, whether an internal individual conversation or a discussion at a committee meeting, is confidential.

- Legal counsel opinions should always be considered confidential.
- Any materials specifically marked as “confidential” as approved by both the Board President and Executive Director or, in the absence of the Board President, the Vice-President, is confidential.
- An individual with questions about what is or is not appropriate to discuss outside of the Foundation or wishes to seek permission to make a public disclosure of information that is otherwise confidential should speak with the Board President, Executive Director, or Governance Committee.

Otherwise confidential information can be released or made available for review in response to a written request from a government agency or a subpoena for records in connection with a civil lawsuit, a criminal prosecution, or an administrative proceeding.

All employees and board members must sign an agreement acknowledging their understanding of the confidentiality policy, including their agreement to refrain from disclosure of confidential information even after termination of employment or separation from the Board.

Penalties for violating these confidentiality policies can include sanction or termination of employees and removal of board members.

At the end of a board member’s term in office or upon the termination of an employee’s employment, he or she shall return, at the request of FCF, all documents, papers, and other materials, regardless of medium, that may contain or be derived from confidential information in his or her possession.

A blank Confidentiality Agreement is found on page 3 of this policy.



**Freeport Community Foundation**  
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## **CONFIDENTIALITY AGREEMENT**

*For Board of Directors, Employees, and Volunteers.*

I acknowledge and agree that all confidential information and/or grant files, contribution files, donor records, donor lists, charitable gift information, resource development data, 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 Freeport Community Foundation.

Accordingly, I agree that at the end of my relationship with the Freeport Community 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 complications and all information stored or maintained on computer, tapes, discs, E-mail or any other form of technology.

I agree to maintain confidentiality, as outlined above, to the best of my ability in my role as a volunteer or employee.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

I am a:  Board Member  Staff Member  Volunteer