

# **Donor List Usage Policy**

*Elk Grove Community Foundation dba Elk Grove Regional Scholarship Foundation (EGRSF)*

## **A. Policy Statement**

This Donor List Usage Policy ("policy") addresses how EGRSF, a California nonprofit public benefit corporation, will manage, handle, and control the use of the Foundation's donor list (including, but not limited to, all information related to such donors, "Donor List"). This policy applies specifically to the Foundation's Board of Directors, committees, officers, employees, volunteers, other persons contractually or otherwise working on Foundation-sponsored matters, and other persons having or granted access to the Donor List (collectively).

## **B. Purpose**

Recipient Party may have a legitimate need to access and use the Donor List. In such situations, confidentiality and care in the use of the Donor List is in the best interests of the Foundation, since unauthorized disclosure and use could injure individuals and organizations both inside and outside of the Foundation. In addition, such disclosure and use could involve unfair business advantage, personnel action, and other risks. Thus, the Foundation desires to establish a clear, reasonable and fair standard for the use of the Donor List.

## **C. Objectives**

1. Recipient Party will have a clear understanding of:

- the guidelines for access to, use of, and dissemination of the Donor List;
- responsibility to return the Donor List to the Foundation upon termination of the relationship with the Foundation; and
- the consequences of violations of this policy.

2. This policy will minimize:

- the potential for confidential, sensitive, and proprietary information or data to be compromised, and
- Recipient Party being accused of inappropriate activity or the appearance of impropriety.

## **D. Applicability**

This policy applies to the Donor List, which, for purposes hereof, contains (or is deemed to contain) current and past donors to the Foundation as well as individuals and entities identified by the Foundation as prospective donors.

## **E. Dissemination of Policy and Usage of Donor List**

This policy and the Foundation's "**Donor List Usage Agreement**" (attached to this policy) shall be disseminated to each Recipient Party; provided, however, that:

- Recipient Party shall not have any access to the Donor List unless Recipient Party has first signed the Foundation's Donor List Usage Agreement and the "Confidentiality Agreement" (attached to the EGRSF Confidentiality Policy), and
- any dissemination of the Donor List under this policy does not grant or imply any license or right to Recipient Party to use the Donor List for personal or business purposes.

Examples of appropriate usage of the Donor List include, but are not limited to:

- Foundation meeting announcements
- New Donor welcome letters
- Donor "thank you" letters
- Foundation newsletters

## **F. Authority**

It is the expressed will of the Foundation's Board that any and all information pertaining to Donors, current, past, and prospective:

- may be used only in connection with the authorized, lawful business of the Foundation, consistent with the terms of this policy and the Elk Grove Regional Scholarship Foundation Confidentiality Policy; and
- is considered as confidential and shall not be shared with or distributed to individuals or business entities outside of the Foundation, except with the prior, written permission of the Foundation's Administrative Committee with concurrence of legal counsel.

It is also the expressed will of the Foundation's Board that:

- any and all of the Foundation's confidential, sensitive or proprietary information or data (collectively, "Confidential Information") shall remain confidential and not disclosed;
- information or data deemed confidential shall include donor lists, financial information, and any other information specifically marked as confidential;
- all Confidential Information shall at all times remain the property of the Foundation and shall be deemed to be furnished to Recipient Party in confidence and solely in connection with Recipient Party's obligation to the Foundation.

## **G. Disclosure**

Recipient Party may not disclose the Donor List within or without the Foundation, except to those authorized to receive the Donor List. It is incumbent on Recipient Party to ascertain whether or not a person is authorized to receive the Donor List. Recipient Party shall act with the utmost and due care to avoid any unauthorized (inadvertent or otherwise) disclosure of the Donor List and shall not use the Donor List for personal gain of Recipient Party or others or for the advantage of other organizations or entities.

## **H. Return of the Donor List**

At any time upon request of the Foundation, and in any event promptly upon termination of any relationship with the Foundation, regardless of whether such termination is initiated by the Foundation or by Recipient Party, Recipient Party shall deliver all copies of the Donor List, in whatever form, to the Foundation.

## **I. Report of Violations**

It is the responsibility of Recipient Party to notify any officer of the Foundation or any officer of the Foundation's Board of any violations of this policy that Recipient Party knows or suspects exist. The failure of Recipient Party to give such notice shall constitute a violation of this policy.

## **J. Violations**

Violations of this policy shall be referred to the Foundation's Executive Committee for appropriate action and the Foundation's Executive Committee shall take immediate action, including, but not limited to:

- The immediate return of the Donor List from the unauthorized person
- Recommendation of appropriate action to be taken against Recipient Party responsible for the unauthorized disclosure

- The immediate review and modification, if necessary, of this policy and Foundation procedures to guard against any future compromise of the Donor List and violation of this policy
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Adopted November 2006

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