



## Scholarship Fund Annual Review Form

*To be completed annually by the scholarship committee chair. Completed forms may be emailed, faxed or returned to ACF by regular mail*

The Annual Review Form provides updates to scholarship committee chairs on changes in regulations regarding scholarships, new tools for scholarship funds (such as our online application process), and allows for committees to inform the Alaska Community Foundation of recommended changes to their committees or applications, to request assistance, and to recommend plans for the coming year. Return this completed form with supporting documents to ACF. Scholarships cannot be opened or processed until all forms are returned to ACF. Thank you for supporting Alaska's students!

### Scholarship Fund Information

SCHOLARSHIP NAME: \_\_\_\_\_

FUND BALANCE: \_\_\_\_\_ AVAILABLE BALANCE: \_\_\_\_\_

DATE OF BALANCE: \_\_\_\_\_

COMMITTEE CHAIR NAME (please update if this has changed): \_\_\_\_\_

CONTACT PHONE: \_\_\_\_\_ EMAIL: \_\_\_\_\_

### 1. Current Year Activity – check boxes as appropriate

Given the available balance of the scholarship fund, we:

- DO NOT RECOMMEND** opening the scholarship cycle. ACF will review your request and keep you updated over the course of the year. If you select this option, you do not need to complete this form, but should read it for future reference.
- RECOMMEND** opening the scholarship cycle this year. **Complete sections 2 – 3 and sign at the bottom.**
  - Recommended open date: \_\_\_\_\_ (default open date is February 1)
  - Recommended close date: \_\_\_\_\_



## 2. Scholarship Committee Requirements – check boxes as appropriate

### Committee Composition

Through the Pension Protection Act of 2006 (PPA), the IRS limits the allowable participation of “disqualified persons” on scholarship committees. Disqualified persons may not represent more than 1/3 of a selection committee or otherwise control committee decisions. Under the PPA, “disqualified persons” include:

- Scholarship fund founders (individuals OR organizations).
  - Substantial contributors (total gifts of \$5,000 or more – individuals OR organizations).
  - The family members, employees, or associates of any of the above.
- I am the founder or a substantial donor to this scholarship fund. I understand that together, I (and my family and my employees or associates) and other donors may constitute a maximum of 1/3 of the scholarship committee.
- I am the representative of a donor organization. I understand that together, members of my organization or other donors to the fund may constitute a maximum of 1/3 of the scholarship committee.

### Disclosure Forms and Committee Appointments

In accordance with the PPA, ACF’s Board of Directors must officially appoint scholarship committees on an annual basis. ACF is required to keep signed disclosure forms (“Scholarship Committee Disclosure Form”) for each committee member. These are IRS requirements, not ACF formalities.

Would you like to recommend individuals to participate on the scholarship committee? Check the appropriate answer.  
Yes \_\_\_ No \_\_\_

If “Yes,” attach the following:

- A signed “Scholarship Committee Disclosure Form” for each recommended committee member.

## 3. Award Recommendation Process – check boxes as appropriate

### Meeting Minutes

The IRS requires that the scholarship award process be properly documented. To satisfy this, ACF needs a record of committee meeting minutes. This information is audited annually for all ACF scholarships and awards cannot be processed without proper minutes. Minutes should include the following:

- the time, date, and location of meeting;
  - a list of committee members present and absent;
  - a summary of all award/denial recommendation discussions and decisions;
  - an outline of other discussion topics, particularly those involving committee motions.
- I understand awards cannot be processed without minutes. My committee will provide minutes from our meeting.



## Copies of Applications

ACF is in the process of moving all of its scholarship applications online. This simplifies the application and evaluation processes, while satisfying the IRS requirement that ALL scholarship applications (denied AND approved) are kept in ACFs records. If the application process for this scholarship has not yet been moved online, you must submit copies of ALL scholarship applications to ACF. Please contact your program officer if you would like to discuss moving your application process online.

- I understand that ACF must retain copies of all scholarship applications. I understand awards cannot be processed if ALL applications have not been submitted to ACF.

## Award Announcements

For scholarship awards to be processed the committee will submit all the following (check to show acknowledgement):

- Scholarship Recommendation Forms for all recommended awardees
- Copies of all paper applications (not necessary for online applications)
- Committee meeting minutes
- Scholarship Committee Disclosure Form for each committee member participating in the review process

ACF will provide confirmation that your recommendations have been received and approved.

ACF will announce scholarship awards, send out award and denial letters, and welcomes committees to do so as well in coordination with ACF. When announcing the awards, the scholarship program should be referred to as the \_\_\_\_\_ scholarship, a fund of The Alaska Community Foundation.

- I understand that awards may not be publicly announced until ACF confirms approval of the scholarship award recommendations. The committee chair will be notified when the awards are ready for announcement.
- I understand the scholarship fund will be referred to as the \_\_\_\_\_ scholarship fund, a fund of the Alaska Community Foundation in all communications about the awards.
- I understand ACF will send award and denial letters to scholarship applicants.

SCHOLARSHIP REPRESENTATIVE SIGNATURE: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_ DATE: \_\_\_\_\_

*All committee members should read the attached FAQ about Scholarship Funds for information regarding scholarship processes.*



## Scholarship Committee Disclosure Form

*This form must be completed by all Scholarship Committee nominees. Completed forms may be emailed, faxed or returned to ACF by regular mail.*

Committee member name: \_\_\_\_\_

Committee member employer: \_\_\_\_\_

Other business, charitable or civic involvement: \_\_\_\_\_

In my role as as a member of the scholarship selection committee for the \_\_\_\_\_ Scholarship Fund, I confirm that (please initial each statement):

\_\_\_ I affirm that this selection committee is not directly or indirectly controlled by:

- The scholarship fund founders (individuals OR organizations).
- Substantial contributors (total gifts of \$5,000 or more – individuals OR organizations).
- The family members, employees, or associates of any of the above

\_\_\_ The selection committee's scholarship award recommendations will be based on objective criteria reasonably related to the purposes of the Scholarship Fund. The applications will be distributed to a broad class of eligible individuals and no individual is earmarked to receive a scholarship award.

\_\_\_ I affirm that I will not recommend any scholarship be awarded to a student who is my relative or employee.

\_\_\_ I understand and agree that all material provided to me about a scholarship applicant as part of the review process, and all discussion that takes place as part of the scholarship review process, whether an individual conversation with one of the program officers or the discussion at the selection committee meetings, is confidential.

\_\_\_ I affirm I have read the attached ACF Confidentiality and Conflict of Interest Policy.

Please review and answer the following questions. "Yes" answers do not disqualify you from serving on the Scholarship Committee, but you are required to disclose potential conflicts of interest.

### Yes/No

\_\_\_ Are you, or your family members, donors to the fund?

\_\_\_ For any scholarship established by corporation or other business, are you an officer or employee of that corporation or business?

\_\_\_ For any scholarship established by alumni group, a professional group, or an association are you a member or officer of the group or association?

\_\_\_ Is the fund founder or a substantial contributor to the fund in a position of influence over you (example: your employer)?

Additional information with respect to all "yes" answers:

\_\_\_\_\_  
NOMINEE SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

EMAIL: \_\_\_\_\_ PHONE: \_\_\_\_\_



# Confidentiality and Conflict of Interest Policy

## Introduction

The intent of these guidelines is:

- To provide a clear understanding of the policies of The Alaska Community Foundation (the “Foundation”) concerning conflicts of interest and confidentiality.
- To outline the responsibilities of the members of the Board of Directors and advisory boards/committee members, as well as employees, to maintain confidentiality and to recognize and disclose potential conflicts of interest.
- To provide for appropriate action if conflicts arise.

## Applicability

These policies apply to all members of the Board of Directors, advisory boards/committee members, and paid employees of the Foundation.

## Confidentiality Policy

The Alaska Community Foundation (ACF) 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 to be shared with or developed by the Foundation staff on a confidential basis. ACF, its staff and board 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 the donors.

Additionally, care must be taken to preserve confidentiality of discussions that take place and information that is shared in the course of conducting Foundation business. The purpose of this statement is to express the position of the Foundation on confidentiality.

### Confidentiality of Records

The management staff shall be responsible for maintaining the confidentiality of donor and prospect records, as well as fund information. At the direction 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/prospect and fund records as require for the purposes for they are engaged.

All persons accessing donor/prospect or fund records in the conduct of Foundation business shall maintain confidentiality of said records. This applies to agency endowments as well as to other types of funds. Staff may share information with donors, fund beneficiaries and grantees pertaining to their own gifts, funds, grants, etc.

### 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 as expressed in the Donor Agreement. 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.

### 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 donors. Gift amounts are not to be released without the express consent of the donor.

### **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 Public if so requested by the donor. When made known to Board members they will respect the anonymity of any such gift. Under the following conditions anonymous donations would be restricted to staff and an Officer of the Board:

1. The donor specifically requests the highest level of anonymity;
2. the gift is to the unrestricted fund or a field of interest fund (there can be NO donor advice);
3. the gift is cash or cash equivalent; and
4. the “acceptance committee” (the staff member and an Officer of the Board) present a finding to the board that the donor is known to them and that the donation would otherwise meet all requirements of the gift acceptance policy.

### **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.

### **Confidentiality of Foundation Business**

Discussions that take place in the context of the Foundation’s operations require discretion, including discussions pertaining to grant making, personnel issues, development activities, operational fundraising, investment management, etc. The positions or statements of individual board members, advisors, or staff should not be discussed outside of official Foundation meetings and processes. Likewise, the content of Foundation business, including documents or Foundation analysis or documents, should not be discussed or shared outside official meetings and processes.

### **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. However, all staff, volunteers, and contractors must hold strictly confidential all information of a private nature, including but not limited to all items explicitly discussed in this policy.

## **Conflict of Interest Policy**

### **General**

It is expected that all those associated with the Foundation shall exercise strict rules of honesty and fair dealing between themselves and the Foundation. They shall not use their positions within the Foundation, or knowledge gained thereof, so that any conflict might arise between the interest of the Foundation and that of the individual.

### **Applicable Law**

Directors of a not-for-profit corporation are required by law to be loyal to the corporation. Their fiduciary relationship includes the responsibility to administer its affairs honestly and economically, and to exercise their best care, skill and judgment for the sole benefit of the corporation. In the strictest sense, the law requires only the Director to declare a conflict



of interest if one exists, and abstain from voting on issues where there is a conflict of interest. Members of committees may or may not be Directors. However, the spirit of the law covering conflict of interest should apply to everyone in a close working relationship with the Foundation. Employees of the Foundation owe a duty of loyalty, and as a policy matter, must also avoid a conflict of interest with the Foundation.

### **Disclosure**

It is the policy of the Foundation that all conflicts of interest, including potential interests, shall be disclosed. Members of the Board, as well as the advisory boards/committees of the Foundation, and employees should periodically review their vocational and a vocational activity to determine and disclose any potential conflicts of interest. When in doubt, the rule is to disclose.

Directors and advisory boards/committee members shall refrain from voting upon or participating in any Board or advisory board/committee action involving the entity with which they may have a conflict of interest. It is difficult to anticipate all circumstances where conflicts of interest may develop. By way of example, individual Board or advisory board/committee members are considered to have a conflict of interest when asked to vote on a grant to an organization with which they have a formal affiliation, when they are asked to vote on an issue in which an existing or potential financial material interest exists, or where the promise of a favor from other sources might be perceived to influence their decisions in a specific area.

### **Business Relationships**

It is the Foundation's policy to endeavor to establish business relationships consistent with the goals, objectives, and needs of the organization. This does not prohibit the Foundation from doing business with anyone, including organizations or entities associated with members of its Board, advisory boards/committees, and employees. However, no special consideration will be given to those individuals. Any contract or transaction between the Foundation and one or more of its Directors, or between the Foundation and any other corporation, firm, association, or entity in which one or more of its Directors have a substantial financial interest shall be entered into only after the material facts are fully disclosed to the Board and the transaction is approved by a majority of disinterested Directors, in accordance with non-profit law.

### **Employees**

Employees shall avoid any conflicts of interest with the Foundation. No employee shall have any interest in any entity which does business with the Foundation without the prior written approval of the President, after full disclosure. No employee shall hold any position with any not-for-profit organization that may have been or may become a grantee of the Foundation, or which may be reasonably considered to compete for funding with other nonprofits that are or may become grantees, without full disclosure and prior approval by the President.

### **Acknowledgment and Disclosure**

Each individual, whether Board member, advisory board/committee member, or employee, associated with the Foundation shall annually file a disclosure statement with the President.

The disclose shall include current positions or relationships in which they are involved or which may pose a potential conflict of interest, and shall further disclose any subsequently established relationship that may be perceived to be a potential conflict of interest. If the potential for conflict is uncertain, disclosure is required.



## FAQ about Scholarship Funds

### Do all scholarship funds need a selection committee?

Yes. To qualify as a scholarship, there must be a competitive process for choosing amongst a pool of qualified applicants. A selection committee must review all of the applications and select recipients based upon pre-determined criteria. The selection committee must have a minimum of three members. The selection criteria and selection committee members are approved by The Alaska Community Foundation Board of Directors.

### Can my organization or family make up the entire selection committee?

No. A selection committee cannot be made up entirely of donors to the fund, related parties such as family members, employees or the board members of organization supported scholarships. According to IRS regulations, donors can comprise no more than one-third of a scholarship committee. For example, if two donors wish to participate, the selection committee must have at least six persons.

### Can the donor recommend committee members?

Yes. In fact, many scholarship founders recommend certain positions to serve on the selection committee rather than naming individuals. For example, a donor wanting to set up a scholarship to benefit graduates of a particular high school may request that the selection committee be made up of the high school principal, two teachers and the track coach. Donors may also recommend that specific people or positions be included on the selection committee. These requests are honored by ACF whenever it is legal to do so.

### Can the scholarship committees set the guidelines and/or criteria for selection?

Yes. ACF staff can assist committees in developing selection criteria that are meaningful to them. Scholarships can support students from particular schools or geographic areas, students that will attend a certain university or are engaged in a specific program of study or activity. The committees may also recommend that certain criteria such as GPA, test scores, work experience, personal essay, or extra-curricular activities be given more weight than others in the selection process. The only restriction is that the selection criteria must be objective and non-discriminatory. Once established, criteria may only be changed by motions of the scholarship committee. Such recommended changes must be recorded in committee meeting minutes and submitted to ACF.





Can the scholarship fund make payments directly to the individuals?

Not usually. Scholarships are paid directly to educational institutions in support of the recipient except in the rare case of a fund established to support individuals achieving a specific objective.

Can scholarship funds be set up to make awards for non-academic purposes?

Rarely. It depends on the charitable class of recipients and the purpose of the awards.

Why are there so many restrictions?

The rules are designed to comply with restrictions placed on scholarship funds by the Pension Protection Act of 2006. In addition, these rules help to ensure the scholarship selection is competitive and non-biased, and that no donors or their families are receiving benefits.

Please contact your program officer at The Alaska Community Foundation for more information.

Revised 07/2014



Date:	
Approved By::	
FUND ID:	
Paid Date:	
Grant Number:	

## Scholarship Recommendation Form

Please submit this form following the scholarship committee meeting during which award recommendations are made. The Alaska Community Foundation will confirm receipt of your recommendations. Do not announce awards until your recommendations have been approved by ACF. Doing so is against federal regulations and can jeopardize the 501(c)3 status of the Alaska Community Foundation.

<b>Scholarship Fund Name:</b>		
<b>Amount of Award:</b> (One award per form)		
<b>Student Name:</b>		
<b>Student University ID:</b>		
<b>Name of College/University:</b>		
<b>Student email address:</b>		
<b>Student telephone number:</b>		
<b>Please note:</b> Checks will be sent directly to the school on student's behalf. If the student does not yet have access to the above information from their school, they must submit it to ACF as soon as possible in order for their checks to be processed.		
ACF will notify you as soon as the committee recommendation has been approved. <b>Scholarship awards should not be announced until ACF processes this form and approves the award.</b> Please note that the committee is welcome to send award and denial letters in addition to the ones sent by ACF.		
<input type="checkbox"/> I certify that the advisory committee understands the above award communication guidelines and will abide by them.		
<input type="checkbox"/> I certify that this was a fair and open process. No members of the selection committee or their families are receiving a benefit.		
<b>Signature of Recommendation Committee Chair:</b>		<b>Date:</b>
<b>Print Name:</b>		

The following attachments are required:

- Scholarship Committee Disclosure Forms for all members
- All applications to this scholarship cycle (outside the online system).
- Minutes from the selection process meeting.

**Thank you for all you are doing for our students!**

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