



# Capital District Kiwanis Foundation

## **POLICY STATEMENTS and PROCEDURES**

Updated by the Capital District Kiwanis Foundation Board

August 23, 2024

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**CAPITAL DISTRICT KIWANIS FOUNDATION**  
**POLICY STATEMENTS**

Updated by the Capital District Kiwanis Foundation Board on August 23, 2024

The Capital District Kiwanis Foundation Policy Statements implement the provisions of the Capital District Kiwanis Foundation Bylaws. They define how the day-to-day business of the District is to be carried out. These statements are arranged to provide easy access to information on particular subjects. Sections 1 through 12 contain information related to the corresponding article in the Bylaws. The remaining sections contain information on topics that are not directly related to the Bylaws.

The policy statements are effective immediately for planning purposes. On August 23, 2024 these statements will supersede all previous policy statements and Board of Directors actions concerning District Foundation policies and procedures.

**Section 1 – Name and Purpose**

There are no policy statements relating to Article 1 of the bylaws.

**Section 2 – Compliance with Kiwanis International**

There are no policy statements relating to Article 2 of the bylaws.

**Section 3 – Members**

There are no policy statements relating to Article 3 of the bylaws.

**Section 4 – Operations**

There are no policy statements relating to Article 4 of the bylaws.

**Section 5 – Officers, Regional Directors, and Coordinators**

There are no policy statements relating to Article 5 of the bylaws.

**Section 6 – Nominations, Elections, and Vacancies**

There are no policy statements relating to Article 6 of the bylaws.

**Section 7 – Board of Directors**

A. Meeting Attendance by Any Means of Communication

1. For meetings when board members may attend other than in person, all members shall be able to hear each other.
2. A board member participating in a meeting by this means is deemed to be present in person at the meeting.
3. Other normal meeting rules apply.

4. Should any vote taken orally be unclear, there shall be a roll call.

## **Section 8 – Conflict of Interest Policy**

### **A. General**

1. In order to protect its interests as a tax-exempt organization, the Capital District Kiwanis Foundation, when contemplating a transaction or arrangement that might benefit the private financial interest of an interested person, shall exercise due diligence to assure no conflict of interest exists and/or it shall take appropriate disciplinary and corrective action if, upon investigation, a conflict of interest is determined to exist.

### **B. Definition of ‘interested person’**

1. Any District Foundation officer or member of a committee with powers delegated to it by the foundation board who has a direct or indirect financial interest.

### **C. Definition of ‘financial interest’**

1. Any of the following circumstances, directly or indirectly, through business, investment, or family:
  - a. An ownership or investment interest in any entity with which the District Foundation has a transaction or arrangement;
  - b. A compensation arrangement with the District Foundation or with any entity or individual with which the District Foundation has a transaction or arrangement; or
  - c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the District Foundation is negotiating a transaction or arrangement.
  - d. Compensation includes direct and indirect remuneration, as well as gifts or favors that are not insubstantial.
  - e. A financial interest is not necessarily a conflict of interest, unless determined to be so by the District Foundation Board.

### **D. Duty to Disclose**

1. An interested person must disclose the existence of any actual or possible conflict of interest and be given the opportunity to disclose all material facts to the District Foundation Board. If the Foundation Board has reasonable cause to believe an interested person has failed to disclose an actual or possible conflict of interest, it shall inform the person and give him/her the opportunity to explain. If failure is determined, the Foundation Board shall take appropriate disciplinary and corrective action.

### **E. Determination:**

1. An interested person may make a presentation to the District Foundation Board about a possible conflict of interest. The Foundation Board may appoint an

investigation committee composed of one or more disinterested persons to investigate the matter and report its findings and recommendation to the Foundation Board. The Foundation Board shall then decide, by majority vote of the disinterested persons, whether a conflict of interest exists, and, if so, whether to continue the arrangement or practice or to offer alternatives that would prevent the conflict. If a more advantageous transaction or arrangement is not reasonably possible under circumstances not producing a conflict of interest, the District Foundation Board shall determine whether the transaction or arrangement is in the District Foundation's best interest, whether it is fair and reasonable, and whether to enter into the transaction or arrangement.

F. Compensation Matters:

A voting member of the District Foundation Board or any committee with power delegated by the Foundation Board who receives compensation, directly or indirectly, from the District Foundation for services is precluded from voting on matters pertaining to that member's compensation.

**Section 9 – Indemnification**

There are no policy statements relating to Article 9 of the bylaws.

**Section 10 – Funds and Accounting**

1. Investment Guidelines:

- a. CDKF expects the mix of investments to be 60% in equities and 40% in fixed income as a general rule. The variance of more than 10% during a quarter from this target is acceptable but must be noted to the Finance Committee. The expectation is the portfolio will be returned to the 60/40 mix during the next quarter.
- b. The investment manager will select all investments and rebalance as needed.
- c. CDKF prefers domestic equities to make up the bulk of this segment with a cap of 15% on foreign and emerging market equities. No single security can be more than 5% of the total portfolio.
- d. Fixed income should be in BBB rated bonds or better but the committee will make allowance for some drift if High Yield bonds are used. All fixed income should yield more than inflation as determined by the Consumer Price Index.
- e. The investment manager is restricted from purchasing highly leveraged holdings, investments with hidden fees or back end commissions. Non-publicly traded Business Development funds or real estate investment trusts will not be considered due to liquidity concerns.
- f. The Committee will accept exchange traded funds, unit investment trusts, or exchange-traded notes.

- g. CDKF will pay to the investment manager a negotiated flat fee of a percentage of assets under management. There will be no other fees or charges.
2. At the Annual meeting the Treasurer shall present to the Capital District Kiwanis Foundation Board of Directors a proposed budget of the incoming President for the Administration year beginning October 1st. The budget shall be provided to all Board of Directors two (2) weeks before the Annual Organizational Meeting. That budget should include the funding amounts for the eleven (11) Pediatric Trauma Center Hospitals.
  3. Pediatric Trauma Center Hospital Funding Procedures
    - a. The President shall appoint a Director (or Directors) who will be responsible for facilitating the presentation of the checks to each respective Hospital. This shall include photo opportunities press release, SLP involvement, and any other normal duties that would be reasonable expected. Each Director responsible for a Hospital shall submit a written statement including their mailing address, Federal Tax Identification number and any other information that the President or Treasurer may request.

b. Pediatric Trauma Center Hospitals & Residential Facility:

<b>Hospital</b>	<b>Location</b>
Children’s National Medical Center	Washington, DC
Johns Hopkins Children’s Center	Johns Hopkins University, Baltimore, MD
University of Virginia Health Center	University of Virginia, Charlottesville, VA
Children’s Hospital of the Kings Daughters	Norfolk, VA
Children’s Medical Center	Virginia Commonwealth Univ., Richmond, VA
Carilion Clinic Children’s Hospital	Roanoke, VA
Nemours Children’s Health System	Wilmington, DE
Bristol Regional Medical Center	Bristol, TN
Children’s Inn at the NIH	Bethesda, MD
WVU Medicine Children’s Hospital	Morgantown, WV
Hoops Family Children’s Hospital	Huntington, WV

- c. The Treasurer shall prepare the eleven (11) checks by September 30th of the Administration Year. The amount going to each of the eleven (11) Pediatric Hospital should be the amount raised by the Caring Corner, the Ducky Derby and ½ of the \$3.00 member Annual Club Gifts divided by eleven (11). The Foundation will donate \$3,000.00 to each Pediatric Hospital annually . However, the amount could be increased or decreased by the Board.
- d. The Regional Director (or Division Coordinators) shall report by no later than the November Meeting of the respective Administration year on their presentation of the checks to the respective hospitals.

- e. The Regional Director (or Division Coordinators) is (are) responsible for maintaining a file of their presentation(s) and the procedures used so their successor will understand the arrangements for future funding.

#### 4. Annual Reporting

- a. The Treasurer will initiate preparation of the Foundation's annual IRS Form 990 and financial audit after the fiscal year is closed out, but no later than November 1 for the preceding fiscal year to the accountant/auditor.
  - 1. Audit. The Treasurer will forward to the Executive Secretary for dissemination the results of the CPA review or audit to the CDKF Board upon receipt of the report not later than December 31. The decision regarding a CPA review and audit shall be based on KI policy. The Board will review and provide electronic approval by the first Friday in January or corrections/ updating as needed/approval not later than January 15 to the Executive Secretary. Upon acceptance, the Executive Secretary will submit a copy to the Capital District Kiwanis District Board for review/forwarding to Kiwanis International.
  - 2. IRS Form 990. The Treasurer will forward to the Executive Secretary for dissemination the final draft 990 to the CDKF Board upon receipt of the final draft not later than December 31. The Board will review and provide electronic approval by the first Friday in January or corrections/ updating as needed/approval not later than January 15 to the Executive Secretary. Upon acceptance, the Executive Secretary will notify the Accountant who will submit it to the IRS. The Executive Secretary will retain a copy with a copy sent to the Capital District Kiwanis Secretary-Treasurer."

#### B. Foundation Gift Acceptance Policy

##### 1. General

- a. The Capital District Kiwanis Foundation (CDKF) solicits and accepts gifts that are consistent with the Objects of Kiwanis International, its mission to serve children and communities in need, the purposes of the CDKF, and Section 501(c)(3) of the Internal Revenue Code.
- b. The CDKF will generally accept gifts, typically of cash and its equivalents, from individuals, partnerships, corporations, foundations, government agencies, or other entities, without limitations.
- c. Gifts of other than nonrestricted cash and its equivalents, such as property, stocks, and bonds, or that come with restrictions, will be accepted on a case-by-case basis.

## 2. Gift Acceptance

- a. The Fundraising Committee will review the list of all donors to confirm the acceptability of their gifts at least quarterly but always prior to the Foundation accepting gifts. Acceptable gifts include, but are not limited to, donations from Capital District Kiwanis clubs, individual Kiwanians, their families, friends, and employers, corporations, and other foundations.
- b. If a gift is considered questionable, this committee will review the donor and the gift for consistency with the Objects of Kiwanis International and its mission and make a recommendation to the Board of Directors regarding acceptance of the gift. Questionable gifts include, but are not limited to, donations from individuals and organizations with racist, socially irresponsible, and non-inclusive political, economic, or social views.
- c. If a gift is other than nonrestricted cash and its equivalents, this committee will make a recommendation to the Board of Directors regarding acceptance of the gift.
- d. If a gift comes with a restriction on its use, this committee will make a recommendation to the Board of Directors regarding acceptance of the gift. Where the restriction would place an overly burdensome onus on the Foundation, the President shall coordinate with the donor with the goal of reducing the burden to acceptable levels. The final decision rests with the Board of Directors.
- e. When a gift would put the Foundation in a bad light, this committee will recommend to the Board of Directors that the donation be returned. The Executive Secretary will return the gift and include a letter explaining the Foundation's decision.
- f. If the Foundation accepts a gift, the Executive Secretary will prepare a gift acceptance letter for gifts that, individually or cumulatively during the calendar year, are equal to or greater than \$250.
- g. At no time will the Foundation accept gifts that would strain the Foundation's resources in future years for any purpose inconsistent with the Objects of Kiwanis International and its mission.

### C. Donor's Interest

The interest of the donor shall have priority over the interest of the foundation. No program, trust agreement, or contractor commitment will be urged upon any donor or prospective donor which shall benefit the foundation to the detriment of the donor's interest. The foundation will seek to exercise extreme caution against the use of any high-pressure techniques when working with prospective donors. Any employees charged with administering or promoting deferred gifts shall be paid a salary or retained on a per-diem basis or an annual basis and shall not receive any commission that might give them an undesirable personal interest in any agreement.



#### D. Donor's Rights

1. All foundation donors have the following rights:
2. To be informed of the foundation's mission, of the way it intends to use donated resources, and of its capacity to use donations effectively for their intended purposes.
3. To know the identity of those serving on the foundation board, and to expect the board to exercise prudent judgment in its stewardship responsibilities.
4. To have access to the foundation's most recent financial statements.
5. To be assured their gifts will be used for the purposes for which they were given.
6. To receive appropriate acknowledgement and recognition.
7. To be assured that information about their donation is handled with respect and with confidentiality to the extent provided by law.
8. To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature.
9. To know whether those seeking donations are volunteers, employees of the foundation, or hired solicitors.
10. To be assured that the foundation does not share their donor communications list with any other organization and as defined under Section E, Donor Privacy.
11. To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers."

#### E. Donor Privacy

To help protect donors' online privacy, the foundation will keep email addresses, telephone numbers, mailing addresses and other information secure by using password-protected areas and restricted access. Donor information is strictly confidential and is not shared outside the foundation under any circumstances. Donor information will never be sold to another organization or vendor. Donors may contact the foundation to review the personal information the foundation has collected or to request corrections.

#### F. Request to Examine Records

Upon written request, a donor shall have the right to examine in person or by agent, at any reasonable time for any proper purpose, the foundation's books, papers, records of account, minutes, and records of donations, and shall have the right to make copies at the donor's expense.

#### G. Restricted and Designated Funds

The purpose of this policy is to set forth the procedure for defining, allocating, and managing restricted and designated funds.

## 1. Definitions

- a. A **restricted fund** is a reserve of money that can only be used for specific purposes. Restricted funds provide reassurance to donors that their contributions are used in a manner they have chosen. If a donor designates their donation to a restricted fund, the foundation is required by law to assign the donation to that fund and to disperse the money within it according to the limitations or conditions set forth by the particular restricted fund.
- b. **Unrestricted funds** include all funds received in which a donor or other external agency has not specified the purpose(s) for which the funds should be expended. These include individual and corporate donations, sponsorships, contributions, and general operating grants.
- c. **Designated Funds** are unrestricted funds which the Board of Directors has designated for a special purpose. Designated Funds may be reallocated at any time by direction and approval of the Board of Directors.

## 2. Principles and Procedures

- a. All individual and corporate donations, sponsorships, and contributions will be considered unrestricted unless specifically directed to an existing restricted or designated fund.
- b. Restricted Funds may not be established without prior approval by the Board of Directors. For example, a donor may not require that their donation be spent by the foundation for a specific purpose for which there is no existing Restricted Fund.
- c. As a rule, the foundation will limit the establishment of Restricted Funds. Unrestricted funds allow flexibility in managing the budget of the foundation as a whole and will maximize the foundation's ability to accomplish its mission.
- d. Individuals wishing to establish a Restricted Fund will work with the Board of Directors or with the Finance and Investment Committee to determine the feasibility of creating a Restricted Fund.
- e. The Board of Directors will determine whether the purpose and intent of the proposed Restricted Fund is consistent with the mission and vision of the foundation.
- f. Approval for the disbursement of monies from a Restricted Fund will be determined by the Board of Directors.
- g. Disbursement of funds may not exceed the total amount within a restricted or designated fund.

- h. Restricted funds are not required to be placed into a segregated bank account but must be accounted for separately in foundation financial statements.
- i. Information about Restricted Funds, including their purpose, terms, balance, and activity will be made available in foundation financial statements.
- j. Restricted and designated funds shall be used towards a related activity before using any unrestricted funds. As a rule, the receipt of restricted funds for an activity does not result in an increase to the budget for that activity.

### 3. Identification and Use of Designated Funds

- a. Pediatric Hospital Support: This fund was established from money donated by the Kiwanis Club of Wilmington. The money in this fund shall be used to make the Pediatric Trauma Center donation to Nemours Children’s Health System in Wilmington, DE at a rate of \$3,000 per year until the funds are exhausted.
- b. Youth Services: The money in this fund shall be used to support the Capital District Key Leader program or other youth services activities.
- c. West Virginia Key Club: The money in this fund shall be used to support the activities of Capital District Key Clubs located in West Virginia, including funding to attend District and International Key Club conferences and events, and for scholarships.
- d. Youth Outreach – Circle K: The money in this fund shall be distributed on an annual basis to support Capital District Circle K.
- e. Disaster Assistance – General: The money in this fund shall be distributed to Capital District Kiwanis Clubs located in an area designated as a disaster area pursuant to the Disaster Assistance Program.
- f. Ellis Stroup Scholarship: The money in this fund shall be used to fund a scholarship in the amount of \$2,000 each academic year until the funds are exhausted and then the scholarship will cease and the fund closed.
- g. Youth Outreach – Key Club: The money in this fund shall be distributed on an annual basis to support Capital District Key clubs.

### 4. Identification and Use of Restricted Funds

- a. Founders Society: Money donated to the Founder’s Society shall be designated as part of the Foundation endowment. Interest earned from the money in this fund shall be transferred to unrestricted funds on an annual basis.
- b. Life Memberships: Money donated to Life Memberships shall be designated as part of the Foundation endowment. Interest earned from

the money in this fund shall be transferred to unrestricted funds on an annual basis.

- c. Memorials: Money donated for Memorials shall be designated as part of the Foundation endowment. Interest earned from the money in this fund shall be transferred to unrestricted funds on an annual basis.
- d. Tablet of Honor: Money donated for the Tablet of Honor shall be designated as part of the Foundation endowment. Interest earned from the money in this fund shall be transferred to unrestricted funds on an annual basis.
- e. James Moler Fund: Money donated for the James Moler recognition fund shall be designated as part of the Foundation endowment. Interest earned from the money in this fund shall be transferred to unrestricted funds on an annual basis.

#### H. Fundraising

- 1. Ducky Derby and Caring Corner: Money donated for the Ducky Derby and the Caring Corner raffle shall be used to support Pediatric Trauma centers.
- 2. Annual Club Gifts – Money donated for Annual Club Gifts shall be designated as unrestricted funds.

### **Section 11 – Authorities**

The meetings of the Capital District Foundation Board of Directors and the Committees shall be conducted in accordance with Roberts Rules of Order, using the most recent amended/changed or corrected editions.

### **Section 12 – Bylaws and Policies**

The Capital District Kiwanis Foundation Policy Statements may be amended by a majority vote of the Board of Directors then holding office at any regular or special meetings of the Board, if at least fourteen (14) days written notice is given of the proposed amendment. An amendment to the Policy Statements is effective immediately upon an affirmative to vote for the amendment.

### **Section 13 – Records Management Policy**

- A. Purpose: This policy is meant to ensure that the Capital District Kiwanis Foundation (CDKF) manages data in an efficient and effective manner, maintains historical records related to its financial and administrative operations, and purges documents according to a specific timeline as part of its normal management process. If anyone associated with the CDKF becomes aware of any investigation, the CDKF shall be notified immediately so that document purging will cease and all relevant documents will be appropriately identified and protected.

B. Definitions:

1. "Document" refers to any item listed in the table below, in either hard copy or electronic form. Electronic files also include those in audio/visual or emailed forms.
2. "Administrative" refers to documents pertinent to the day-to-day operations of the Institute.
3. "Historic" refers to documents that are valuable for maintaining knowledge of the history of the CDKF and its work.
4. "Legal" refers to any document that is a contract or agreement between parties, that contain financial information relevant to IRS filings, or that must be maintained to comply with laws and regulations.
5. "Recycle/scrap paper" includes disposal by normal recycling methods or reuse as scrap paper for internal printing or note taking.
6. "Shred" means using a shredder machine to properly shred and dispose of documents.
7. "Delete" means to delete an electronic file.

C. Labeling and Storage: All files, both hard copy and electronic, shall be labeled by topic and year (if applicable). Electronic copies shall be saved in appropriate folders on a network drive. Hard copies shall be stored by the Executive Secretary. Archived hard copy files shall be stored in fire, water, and animal proof containers, clearly labeled with "CDKF," topic, and year. If documents of similar type and with the same retention and destruction requirements are stored together, they shall also be labeled with a "destroy after" date so that they do not have to be reviewed additional times.

D. Review and Purging: Review and purging of files may take place in an ongoing manner but must occur at least every two years in even numbered years and must follow the minimum retention requirements stated below. Such review and purging must also occur prior to archival storage of any files.

E. Document Drafts: Once the final copy of a document has been completed, the drafts may be recycled or deleted, unless they are documents of legal value. For documents determined to be of legal value, drafts containing comments shall be saved for a minimum of two years, and drafts without comment may be destroyed once the final version is complete.

<b>Document Type</b>	<b>Value</b>	<b>Minimum Retention Requirement</b>	<b>Destruction Method</b>
<b>Organizational Founding Documents</b>	Legal, historic		

<b>Document Type</b>	<b>Value</b>	<b>Minimum Retention Requirement</b>	<b>Destruction Method</b>
Articles of Incorporation		Permanently	N/A
By Laws & Policies		Permanently	N/A
IRS Letter of Determination		Permanently	N/A
IRS Agent's Reports		Permanently	N/A
<b>Formal Meeting Notes</b>	Administrative, historic		
Board Minutes		Permanently	N/A
Informal (handwritten) meeting notes including committee meetings		2 years or longer if topics remain relevant	Shred
<b>Financial Records</b>	Administrative, historic, legal		
Audit Reports		Permanently	N/A
Year-end Financial Statements		Permanently	N/A
A/P, A/P Ledgers & Schedules		6 years	Shred, delete electronic version
Bank statements, cancelled checks		3 years	Shred, delete electronic version
Tax Returns (IRS Form 990)		Permanently	N/A
Financial Investment Statements		3 years	Shred, delete electronic version
Financial Investment Trade Confirmations		3 years	Shred, delete electronic version

<b>Document Type</b>	<b>Value</b>	<b>Minimum Retention Requirement</b>	<b>Destruction Method</b>
Insurance – Policies		3 years following expiration	Shred, delete electronic version
Insurance – Claims		Permanently	N/A
Travel Expense Reports		7 years after end of membership	Shred, delete electronic version
Budgets		7 years	Shred, delete electronic version
Vouchers for payment to vendors, employees, etc		6 years	Shred, delete electronic version
<b>Various documents</b>			
Life Membership Application		2 years	Shred, delete electronic version
Tablet of Honor Application		2 years	Shred, delete electronic version
Founders Society Application		2 years	Shred, delete electronic version
Individual Donation		2 years	Shred, delete electronic version
Secretary & Treasurer Evaluations		7 years while serving, 2 years after end of service	Shred, delete electronic version
Grant Proposals – reports & correspondence		7 years after closure	Shred, delete electronic version
Topical information – including photographs, marketing & publicity materials	Administrative	2 years or as long as still relevant	Shred, delete electronic version

Document Type	Value	Minimum Retention Requirement	Destruction Method
<b>Correspondence</b>	Administrative, historic		
General		1-2 years or as long as still relevant	Delete electronic version
Reports		3 years	Delete electronic version
Presentations		2 years – single use/7years – reusable	Delete electronic version

**Section 14– Whistleblower Policy**

- A. The objectives of the CDKF Whistleblower Policy are to establish policies and procedures for:
  - 1. The submission of concerns regarding questionable legal, accounting, or auditing matters by employees, directors, officers, and other stakeholders of the organization, on a confidential and anonymous basis.
  - 2. The receipt, retention, and treatment of complaints received by the organization regarding accounting, internal controls, or auditing matters.
  - 3. The protection of directors, volunteers and stakeholders reporting concerns from retaliatory actions.
- B. Reporting Responsibility
  - 1. Each director of the CDKF has an obligation to report in accordance with this Whistleblower Policy (a) questionable or improper legal, accounting, or auditing matters, and (b) violations and suspected violations of the CDKF’s Code (hereinafter collectively referred to as Concerns).
- C. Authority of Executive Secretary
  - 1. All reported Concerns will be forwarded to the Executive Secretary in accordance with the procedures set forth herein. The Executive Secretary shall be responsible for investigating, and making appropriate recommendations to the Board of Directors, with respect to all reported Concerns.



#### D. No Retaliation

1. This Whistleblower Policy is intended to encourage and enable directors, volunteers, and stakeholders to raise Concerns within the CDKF for investigation and appropriate action. With this goal in mind, no director, volunteer, or stakeholder who, in good faith, reports a Concern shall be subject to retaliation. Moreover, a director or officer who retaliates against someone who has reported a Concern in good faith is subject to discipline up to and including dismissal from the volunteer position or termination of membership on the board.

#### E. Reporting Concerns

1. Directors, division coordinators, volunteers and stakeholders should first discuss their Concern with the President. If, after speaking with him or her, the individual continues to have reasonable grounds to believe the Concern is valid, the individual should report it to the Executive Secretary. In addition, if the individual is uncomfortable speaking with the President, or the President is a subject of the Concern, the individual should report his or her Concern directly to the Executive Secretary.
2. If the Concern was reported verbally to the Executive Secretary, the reporting individual, with assistance from the Executive Secretary, shall reduce the Concern to writing. The Executive Secretary is required to promptly investigate all Concerns. If the Executive Secretary, for any reason, does not promptly forward the Concern to the President, the reporting individual should directly report the Concern to the President. Contact information for the President and Executive Secretary may be obtained through any Director. Concerns may be also be submitted anonymously. Such anonymous Concerns should be in writing and sent directly to the Executive Secretary.

#### F. Handling of Reported Violations

1. The Executive Secretary shall address all reported Concerns. The Executive Secretary shall immediately notify the President who will immediately notify the other officers of any such report. The Executive Secretary will notify the sender and acknowledge receipt of the Concern within five business days, if possible. It will not be possible to acknowledge receipt of anonymously submitted Concerns.
2. All reports will be promptly investigated by the Executive Secretary with help from other officers as deemed appropriate, and appropriate corrective action will be recommended to the Board of Directors, if warranted by the investigation. In addition, action taken must include a conclusion and/or follow-up with the complainant for complete closure of the Concern.
3. The Executive Secretary has the authority, in coordination with the President, to retain outside legal counsel, accountants, private investigators, or any other resource deemed necessary to conduct a full and complete investigation of the allegations.

#### G. Acting in Good Faith

1. Anyone reporting a Concern must act in good faith and have reasonable grounds for believing the information disclosed indicates an improper legal, accounting, or auditing practice, or a violation of the Codes. The act of making allegations that prove to be unsubstantiated, and that prove to have been made maliciously, recklessly, or with the foreknowledge that the allegations are false, will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination from the Board. Such conduct may also give rise to other actions, including civil lawsuits.

#### H. Confidentiality

1. Reports of Concerns, and investigations pertaining thereto, shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

Disclosure of reports of Concerns to individuals not involved in the investigation will be viewed as a serious disciplinary offense and may result in discipline, up to and including dismissal from the volunteer position or termination from the Board. Such conduct may also give rise to other actions, including civil lawsuit.

### **Section 15 – Committees**

#### A. Grants Review Committee

1. The membership of the Grants committee shall consist of five (5) members appointed by the President (with the approval of the Board of Directors.)
2. Grants are available to Capital District Kiwanis clubs, as well as Capital District Key clubs and Circle K clubs with the endorsement of their sponsoring Kiwanis club.
3. Projects shall relate to the purpose and mission of the Capital District Kiwanis Foundation.
4. Capital District Kiwanis Clubs are required to make annual donations to the foundation to be eligible to request grants. Capital District Kiwanis Clubs less than 2 years old are exempt from this requirement.
5. Grant requests shall be received by the following dates:
  - a. Cycle 1: Must be received no later than September 15<sup>th</sup>
  - b. Cycle 2: Must be received no later than March 15<sup>th</sup>
6. Commitments are made for one (1) cycle only.
7. If you request an additional grant(s) for the same project, for no more than three (3) consecutive years, a new “Grant Application Request” must be submitted with each request. These would be considered individual grants.
8. Clubs, individually or collectively, shall not receive a grant more than once every three years. Multi-year requests for a single project are considered a single request for the purpose of calculating the three-year period.

9. Clubs submitting requests more than once in a three-year period will have those requests considered after first-time grant requests and so long as the foundation treasurer determines the increase in expenses for grants will not lead to exceeding overall foundation income for the year, excluding transfers of investments.

B. Nominating Committee

1. The membership of the Nominating committee shall consist of four (4) members appointed by the President (with the approval of the Board of Directors.)

C. Fund Raising Committee

1. The Membership of the Fund Raising Committee shall consist of five (5) members appointed by the President (with the approval of the Board of Directors.)
2. The President will appoint one committee Member to serve as Chair for one fiscal year.
3. The primary responsibility of the Fund Raising Committee will be to develop methods of increasing the income of the Capital District Kiwanis Foundation.
4. The Committee will appoint one Kiwanian to be in charge of the Capital District Foundation Fund Raisers such as Ducky Derby, Caring Corner, Raffles, etc.

D. Communications and Public Relations

1. The committee will increase Kiwanis member's understanding of the foundation, the directors/officer team, and the supported projects through the following methods:
  - a. Publishing at least one article in each bi-monthly edition of the Capital Kiwanian magazine.
    1. The Communications and Public Relations Committee will author the article and distribute to the Capital District Kiwanis Foundation President, Executive Secretary, and respective committee chairs for final approval.
  - b. Use social media (Facebook, website, etc.) to promote involvement, projects, fundraisers, deadlines, and the general thought of giving back.
    1. Actively increase the number of fans on all social media channels.
    2. Promote grant recipients and monetary totals, in coordination with the Grants Committee
      - a. The Grants Committee will provide a copy of the approved grant applications within one month of the board's decisions (June and December) to the chair of the Communications and Public Relations committee.
      - b. As grant completion reports are received, the Grants Committee chair will electronically share them with the

chair of the Communications and Public Relations committee.

3. The Communications and Public Relations Committee will bring new social media platform ideas to the Capital District Kiwanis Foundation President and Executive Secretary for approval.
  - a. If a paid subscription is required, a proposal will need to be presented to the Capital District Kiwanis Foundation Board of Directors for feedback and approval.
  - c. A video will be produced and posted on the Foundation website, as well as the Facebook page, to inform the general public of the foundation's purpose.
  - d. Work with the Webmaster to edit and update the foundation's website on a continuous basis (at least one time per month).
    1. All website changes and updates will be approved by the Capital District Kiwanis Foundation Executive Secretary before being made.
    2. The Executive Secretary will provide monthly update reports to the Webmaster for Founder's Society, Tablet of Honor, Life Memberships, and club gifts.
2. The committee will develop an interest in members and citizens in donating to the foundation's projects and causes through the following methods:
  - a. Develop and distribute press releases to radio stations, newspapers, and television stations within the Capital District.
  - b. Actively promote fundraising opportunities outside of Kiwanis settings to reach members of the general public.
  - c. The foundation will have at least one post per week to promote involvement, projects, and the general thought of giving back.
3. The committee will communicate upcoming event dates and deadlines with Kiwanis members and clubs through the following methods:
  - a. Encourage directors to distribute monthly communication to presidents of clubs within their divisions.
  - b. Distribute an email from the Capital District Kiwanis Foundation to all members within the Capital District, one time per quarter.
  - c. Engage Lieutenant Governors and Trustees in promoting the foundation social media accounts.
4. The Capital District Kiwanis Foundation Webmaster will be an automatic member of the Communications and Public Relations committee.
  - a. The Webmaster is an appointed position.

1. All candidates will be brought to the Capital District Kiwanis Foundation Executive Committee for approval annually.
2. The Webmaster is a one-year position that can continuous be renewed upon positive work evaluations as determined by the Capital District Kiwanis Foundation Executive Committee
3. The webmaster is a non-voting, member of the Capital District Kiwanis Foundation Board of Directors.

#### E. Disaster Assistance Committee

The committee will administer the Capital District Kiwanis Foundation Disaster Assistance Program (DAP). The DAP assists Kiwanis clubs by helping in the event of a natural or man-made disaster upon an emergency declaration by the local, state or federal government, or the District Governor or Foundation President.

1. Natural disasters include events that cause great damage or loss of life, such as floods, earthquakes, and hurricanes.
2. Man-made disasters include local events owing to human intent, error, negligence, or failure of a man-made system that causes significant damage or loss of life, such as fires, shootings, and major accidents.
3. The foundation shall establish a standing Disaster Assistance Committee (DAC). Its membership shall consist of six (6) members, three (3) from the Capital District and three (3) from the Foundation. The Foundation Executive Secretary and Treasurer as ex-officio members. The Capital District Governor will select their three (3) representatives in consultation with the Foundation President. All members shall be appointed by the Foundation President, with the approval of the Board of Directors. There will be Co-Chairs, with one (1) member from the Capital District and one (1) from the Foundation, selected by the committee to serve in that capacity. The committee shall review all requests. Its decisions, based on simple majority vote, are final.
4. The committee initially will meet on the eleventh (11<sup>th</sup>) day following declaration of an emergency and subsequently within five (5) days of the foundation receiving an assistance request. The committee is authorized to make decisions on behalf of the Board of Directors regarding awarding disaster assistance funds not to exceed the money available for this purpose in the foundation treasury.
5. The Executive Secretary shall record minutes of all Disaster Assistance Committee meetings and provide the Board of Directors of Kiwanis club's project reports that are due within 30 days of project completion.

#### F. Finance and Investment committee

1. The Membership of the Finance and Investment committee shall consist of five (5) members appointed by the President (with the approval of the Board of Directors.)

2. The committee will work with the Treasurer to create the proposed budget for each Kiwanis year.
3. Once each quarter before the meeting of the Board of Directors, the Committee will meet to review the investment portfolio, determine recommendations to be submitted to the Board of Directors, and to prepare a report for the next meeting of the Board of Directors.
4. The Committee will develop qualifications for, interview, and recommend to the Board of Directors at every second Annual Meeting, the name of the Investment Manager to serve for two years. The first recommendation will be made at the Annual meeting and every two years thereafter. In addition, at the Annual meeting, the Committee will submit a list of duties and responsibilities of the Investment Counselor for the Board of Directors' approval.
5. The Investment Manager has the following guidelines:
  - a. The Investment Manager (IM) or any of their staff/associates cannot be a current Kiwanis member of any Kiwanis Club to prevent conflicts of interest.
  - b. It will be the responsibility of the IM to invest the funds as prescribed by the CDKF thru the Finance Committee. The IM will provide quarterly statements and make an annual presentation to the CDKF Board or as requested.
  - c. The IM and associates must be in good standing by the appropriate industry regulators; FINRA and the SEC. This is evidenced by their personal U-4 Securities filings which will be provided upon request.
  - d. The IM has Full Discretion in managing the funds within the account per the outlined expectations.
  - e. Return expectations will be set per current market conditions and major industry benchmarks, i.e. S&P 500, will be used for evaluation. The overriding concern is the preservation of capital.
6. One (1) week prior to the Quarterly meeting, the Investment Counselor Manager should submit to the Finance Committee, by email, a written report as to the status of the portfolio and suggested changes, if any, to be discussed at the Finance Committee meeting.

#### G. Bylaws and Policies Committee

1. The membership of the Bylaws and Policy committee shall consist of four (4) members appointed by the President (with the approval of the Board of Directors.)

## CAPITAL DISTRICT KIWANIS FOUNDATION

### PROCEDURES

Updated by the Capital District Kiwanis Foundation Board on August 23, 2024.

#### **Procedure 1 – Disaster Assistance Program**

- A. The President, in conjunction with the Capital District Governor, has the discretion to declare an emergency within the Capital District where not already declared by local, state or the Federal government.
- B. The President and Governor shall make every effort available to communicate a disaster declaration immediately within the affected area.
- C. Upon declaration of a qualifying disaster, the Foundation President and the District Governor shall make every effort available to communicate with the affected area, reaching out to Kiwanis clubs potentially affected, their Lieutenant Governor(s), and CDKF Directors, and issuing a joint press release informing all Kiwanians and Kiwanis clubs in the district that the foundation will accept donations for the DAF and solicit assistance requests.
- D. Applications shall be sent to the foundation Executive Secretary, preferably as an email attachment. The Executive Secretary shall check email and postal mail regularly, daily during an active disaster declaration.
- E. The Foundation Executive Secretary shall call a meeting of the DAC within 5 calendar days of the date of a request, with the first such meeting not earlier than 11 calendar days after the declaration of the emergency. The first order of business shall be to acknowledge the disaster. At this meeting the DAC shall review applications and make awards on behalf of the Board of Directors. Awards shall not to exceed the money available for this purpose in the foundation treasury.
- F. The committee shall provide the grant applications and the committee's recommendation to the Board two weeks prior to the Board Meeting.
- G. The Executive Secretary shall record minutes and immediately afterward notify requesters of the DAC's decision, and for awards the Treasurer shall issue funds within 2 calendar days from the restricted Disaster Assistance Fund only.
- H. If the DAF account is insufficient to meet all requests, the committee shall prioritize requests.
- I. If there are simultaneous disasters and/or areas of the district affected, the committee shall decide how to allocate general assistance donations. Criteria shall include, but not be limited to, returning donations to the area from whence they came. The committee co-chairs shall contact clubs seeking assistance when requests exceed available funding in order to make contributions stretch as far as possible.
- J. The Executive Secretary shall track awards and ensure Kiwanis Clubs submit their assistance and funds expenditure reports within 30 days of completion of the project.

Reports shall be shared with the DAC and, for promotional purposes, the Publicity Committee and webmaster.

- K. Any unspent DAF contributions shall remain on account to be used during subsequent disasters.
- L. The Executive Secretary shall acknowledge all donations with a letter of receipt of all donations that complies with IRS requirements.
- M. The Executive Secretary shall log donors and any restrictions donors place on contributions; the Fund-Raising Committee shall review donations and recommend to the Board those contributions inconsistent with the Foundation's gift acceptance policy. The Treasurer will return in full all donations inconsistent with the gift acceptance policy.
- N. At the end of the disaster, the Foundation President and the District Governor shall issue a joint release summarizing the district's efforts—donations received and assistance granted—and ending the disaster declaration.

#### **Procedure 2 – Grants Review**

- A. All grants must be submitted to the Executive secretary by email only. Electronic submission by email is the applicant's acknowledgement that they agree to all terms and conditions of the grant. Grants must be submitted no later than:
  - 1. Cycle 1 – September 15<sup>th</sup>
  - 2. Cycle 2 – March 15<sup>th</sup>
- B. The Executive Secretary will send copies of all grant requests to each member of the Committee following the submission deadline, but not less than 30 days before the next scheduled meeting of the Board of Directors.
- C. The Treasurer will provide a report on each requestor's last and current years' annual giving to the foundation.
- D. The Chair will compile members' comments and submit a draft recommendation to each member. Committee members will review the grants requests and send their written comments to the Chair at least two weeks prior to the meeting. The Committee will make recommendations independent of the Finance Committee when deciding the funding level of the grant if approved.
- E. The Committee shall meet before the appropriate meeting of the Board of Directors to make a final determination as to the Committee's recommendation to the Board of Directors.
- F. The Board of Directors shall either approve, modify or deny grant requests at its meetings subsequent to the grant application deadlines.
- G. The Executive Secretary shall notify grant applicant(s) within two (2) weeks of Board action.
- H. Grant money awarded to a club must be used within 1 year and a completion report submitted online on The Foundation website. Failure to do so may result in forfeiting



the funds provided. If project is not fully completed in 1 year 90 day status reports must be submitted.

- I. Grant recipients must provide to the Executive Secretary a Project Completion Report within 45 days of the project completion date. The report will include copies of all applicable receipts, a complete beginning to end report, all publicity materials and names of all people, clubs and organizations who worked on the project. NOTICE: Failure to email the Project Completion Report to the Executive Secretary within 45 days of project completion will automatically be cause for rejection of any future grant requests.

**CAPITAL DISTRICT KIWANIS FOUNDATION**  
**INTERNAL CONTROLS**

Updated by the Capital District Kiwanis Foundation Board on August 23, 2024.

- A. Capital District Kiwanis Foundation Treasurer shall be responsible for the timely distribution of funding as directed by the Foundation Board of Directors.
- B. Treasurer shall be responsible for the setting up the official depository for the Foundation as approved by the Foundation Board of Directors.
- C. Treasurer shall disburse checks for the following after approved in the annual Foundation budget:
  - 1. Pediatric Trauma hospitals are based on a schedule set by the treasurer throughout the year. The treasurer shall notify the responsible Regional Director, Division Coordinator, Secretary and PR committee when the checks are disbursed so that appropriate follow-up with hospitals can be arranged.
  - 2. Club grants within two (2) weeks of approval by the Foundation Board. The treasurer shall notify the Board of Directors and the PR committee when the checks are disbursed so that appropriate follow up with clubs can be arranged.
  - 3. Annual matching scholarships for Key Club and CKI no later than August 1 each year to ensure checks are submitted to appropriate educational institutions on a timely basis.
  - 4. Annual Teenager of the Year recognition prior to District Convention to be available for presentation to the recipient
  - 5. Funds for annual CKI support and Key Leader shall be on a reimbursable basis only and tied to specific events or activities throughout the year.
  - 6. Funds required to pay annual expenses for audit and other administrative expenses.
- D. Treasurer can sign for any checks or make electronic payments not to exceed \$3,000 except for those that will reimburse him for Treasurer expenses or payment of the annual audit.
  - 1. Club President or Secretary shall be required to sign for reimbursement of Treasurer expenses.
  - 2. Checks exceeding \$3,000, with the exception of checks written to pediatric trauma center recipients, shall require two (2) signatures of any of the following: Treasurer Secretary or President.
  - 3. Treasurer is authorized to pay for any expenses for annual audit either by check or electronic payment and is not subject to these limits.
- E. All donations to the Foundations shall be sent to the Treasurer directly where possible. Exceptions will be for Ducky Derby and Caring Corner activity. In those cases, the chairs for these events shall be responsible for documenting all funds received prior to

submitting them to the Treasurer. Documentation shall include what form of payment received including cash, checks and electronic payments, individual who donated and their Kiwanis club if known.

- F. Treasurer shall notify Secretary of all donations to arrange appropriate recognition.
- G. Treasurer shall distribute appropriate financial status reports monthly to the Foundation Board
- H. All cash received by the Treasurer shall be recorded in the foundation financial system and documented in the same way as the receipt of checks and electronic payments. The treasurer should ensure that appropriate documentation is included with any cash received and is reconciled prior to being deposited. If cash is received without documentation, the Treasurer shall provide either a receipt or contribution form for such cash received. No funds shall be deposited without some form of documentation of their source.
- I. Bank accounts shall be reconciled with monthly statements and any unreconciled transactions shall be noted by the Treasurer in their monthly report to the Board of Directors.
- J. Monthly statements and investment reports shall be reconciled with the Foundation financial records no later than 10 days after receipt.
- K. Insurance requirements shall be reviewed annually – Directors and Officers insurance is currently provided by Kiwanis International, Inc. through the Capital District Kiwanis International, Inc.
- L. Fees for electronic payment platforms shall be recorded as an expense to the Foundation and reported.
- M. Electronic copies of bank statements and investment reports shall be provided to any member of the Board of Directors or the Finance Committee if so requested.

Adopted by the Board of Directors of the Capital District Foundation on August 23, 2024.

**CAPITAL DISTRICT KIWANIS FOUNDATION**

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*President*

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*Executive Secretary*