



Delaware State University

University Area(s) Responsible: University Foundation

Policy Number & Name: 15-10 Foundation Confidentiality Policy

Approval Date: 02/29/2016

Next Review Date: 03/01/18

I. Purpose

In the course of raising private gifts to benefit Delaware State University (the “University”), the Delaware State University Foundation, Inc. (the “Foundation”) often acquires confidential and highly sensitive information about the nature of donor’s financial and personal affairs. As a private entity, the Foundation is not subject to state public records and public meeting laws meeting laws which apply to public/governmental entities such as the University. It is because of this anonymity that donors direct gifts to the Foundation instead of the University and often expect and request that this information be kept confidential. It is consistent with the Foundation’s mission to honor these expectations and requests because it facilitates giving.

II. Scope

This policy applies to all contributions made to the University and the DSU Foundation. As an authorized recipient of detailed donor information, Foundation staff and members of the Board of Directors are expected to comply with the Foundation’s confidentiality policy.

III. Policy

1. The Foundation may provide information to the University regarding the value and purpose of a gift, provided the information is needed for a legitimate institutional purpose.
2. All requests by the media for information about a particular donor shall be forwarded to the President of the Foundation. All requests for information in legal proceedings, such as subpoenas, shall be immediately forwarded to the General Counsel for handling.
3. Confidentiality may be a factor in a donor’s decision to make a gift through the Foundation. Confidentiality beyond what is practically available should never be promised and the Foundation may in certain circumstances be required by law to disclose information, even if the desire is to keep the information confidential.
4. The Foundation may accept anonymous gifts provided acceptance of such gift is otherwise consistent with the Foundation’s Gift Acceptance Policy. The Foundation should explore with such donors the extent to which they wish to avoid publicity, and what, if any, disclosure of information would be acceptable to the donor.
5. Any information provided to the University may be subject to disclosure by the University in accordance state/federal law. Any Foundation employee or representative providing information

to the University should be mindful of the effect on Foundation donors should this information be disclosed to the public.

6. Sensitive information such as a donor's will, trust instrument, or financial statement should not be copied or provided to University personnel unless authorized by the donor. To the extent possible, such information should be maintained only as a single copy in central at the Foundation office.
7. Because copies of gift agreements may be provided to DSU for processing purposes, when assisting in the completion of an agreement to be signed by a donor, personnel should be mindful of the nature of the information contained in a gift agreement and the possibility of its disclosure to the public. All personnel should be careful not to provide any tax, legal or accounting advice to donors with respect to preparation of gift agreements, and clearly disclose to donors that they are not qualified to give tax, legal or accounting advice.