



## **FLORIDA NATIVE PLANT SOCIETY**

### **POLICY REGARDING DONATIONS, BEQUESTS, GRANTS, SPONSORSHIPS, AND FUND-RAISING**

APPROVED BY BOARD OF DIRECTORS: AUGUST 13, 2016

## **Mission**

The mission of the Florida Native Plant Society (“FNPS” or the “Society”), a not-for-profit 501(C)(3) organization incorporated under the laws of the State of Florida, is to promote the preservation, conservation and restoration of the native plants and native plant communities of Florida.

## **Purpose**

FNPS encourages the solicitation and acceptance of donations, bequests, grants, sponsorships, and fundraising partnerships. Such activities should be done, however, in a manner consistent with the mission of FNPS, and with persons and entities that do not demonstrate any conflict of interest with FNPS. For that reason, FNPS hereby creates the policies set forth below for the purpose of outlining the requirements for engaging in these kinds of financial opportunities.

## **Creation of Standard**

FNPS desires to assure that donors, sponsors, fundraising partners, and others who seek to financially benefit FNPS adhere to certain standards (any of which is referred to as a “supporter”). The following list (collectively, the “FNPS Standards”) demonstrates those criteria for supporters that are most important to FNPS:

- (a) The supporter helps to promote the mission of FNPS;
- (b) The supporter and its activities do not have any conflict of interest with FNPS or its mission; and
- (c) Affiliation with the supporter would not be inconsistent with the mission of FNPS.

Whether a supporter meets the FNPS standards is a decision for the board of directors of FNPS (the “Board”). The Board, in its sole discretion, may decline to accept donations, grants, bequests, sponsorships, or fundraising partnerships from such supporters that do not meet the FNPS Standards.

## **Donations and Bequests**

FNPS may solicit monetary donations from its members, and members of the general public, businesses, partnerships, corporations, quasi-public corporations, government, and other organizations. Donations may take the form of gifts of money, or real or personal property, without receiving any consideration in exchange.

FNPS will accept donations only from donors who satisfy the FNPS standards. A donor can choose to make a bequest unrestricted or designate a particular FNPS program or endowment to receive the donation.

In addition, FNPS shall accept donations and sponsorships only that are believed by FNPS to be consistent with the public laws and regulations of the United States of America, the State of Florida, and any relevant local government. FNPS shall closely observe the rules and guidance set forth by the Florida Uniform Prudent Management of Institutional Funds Act (FUPMIFA, 617.2104 Florida Statutes). All donations must be made in accordance with state and federal law which may require completion of forms, identification of the donor, a qualified appraisal, and potentially, proof of ownership and/or donor financial information.

FNPS encourages the use of estate planning as a way to make donations. Bequests can be made to FNPS under a will or trust. Donations to FNPS through an estate plan may be tax deductible for federal estate tax purposes. A donor also may create a charitable trust to benefit the Society. FNPS may accept donations of life insurance policies if FNPS is named as the beneficiary.

Donations are subject to approval as provided in this paragraph:

- A donation with a value that is less than \$1,000 does not require approval and will be accepted.
- A donation with a value between \$1,000 and \$4,999 is subject to approval by the FNPS Executive Committee.
- A donation with a value of \$5,000 or more is subject to approval by the Board. The Board may decline the donation for any reason, including the failure of the donor to satisfy the FNPS Standards.

## **Grants**

FNPS may apply for grants and may accept unsolicited grants, subject to the following conditions. If the grant is worth less than \$1,000, the application or acceptance may be made with the approval of the FNPS Executive Committee. If the grant is worth \$1,000 or more, the application or acceptance may be made with the Board's approval. The Board will consider the following minimum factors: (i) whether the donor that is funding the grant meets the FNPS Standards; (ii) whether the purpose of the grant is consistent with the mission of FNPS; (iii) the adequacy of the grant to fund its intended purpose; (iv) the risk that FNPS may incur costs not covered by the grant; and (v) the ability of FNPS to administer the grant and comply with any restrictions imposed by the donor funding the grant.

## **Sponsorships**

FNPS may solicit sponsorships to support certain FNPS events and programs. For purposes of this Policy, the term "Sponsor" means one who provides financial support for a FNPS event, program, award or other FNPS branded project, often in return for some recognition (either in a brochure, posted sign, etc.). Each sponsorship that is worth less than \$1,000, including any agreement formalizing a sponsorship, is subject to approval by the FNPS Executive Committee. Each sponsorship that is worth \$1,000 or more, including any

agreement formalizing a sponsorship, is subject to approval by the Board. Among other considerations, the Board will consider whether the sponsor satisfies the FNPS Standards.

FNPS will retain control over the program with which a sponsorship is associated. Unless specifically approved by the Board, a sponsorship does not transfer real or presumed right to influence a program's focus or a program's content to the Sponsor.

Accepting a sponsorship is in no way an endorsement of the sponsor by FNPS. Allowing an advertisement in certain printed or electronic materials provided at a program, on the FNPS website, in social media, or on a sign at the event will not imply endorsement of the sponsor or recommendations of its products and/or services.

Unless specified in a mutual agreement between FNPS and the sponsor that is approved by the Board, a sponsor may not limit the Society's ability to enter into agreements with other sponsorships for an event or program.

## **Fund-Raising Partnerships**

FNPS may participate in fundraising partnerships with a fundraising partner. An example of such a fundraising partnership is a trip or event arranged by the fundraising partner that FNPS advertises to its members. In such a scenario, the fundraising partner would receive payment for the event, and FNPS would receive an agreed-upon donation from the fundraising partner out of the proceeds. Such an arrangement would be governed by a written agreement between FNPS and the fundraising partner, which also would set forth certain terms and conditions, including without limitation, the responsibility of the fundraising partner to appropriately organize and manage the event, any guarantees of the partner, and limitations on liability.

Fundraising partnerships and agreements formalizing the Society's relationship with such fundraising partner may be made only with prior approval by the Board. In addition, any advertising supplied by the fundraising partner may be done only with the Board's approval. FNPS will deliver the advertising to its members by the method of its choice. The Board, in considering whether to give its approval, will consider whether the fundraising partner satisfies the FNPS Standards.

Accepting a fundraising partnership is in no way an endorsement of the fundraising partner by FNPS. Allowing an advertisement in certain printed or electronic materials provided at an event, on the FNPS website, in social media, or on a sign at the event will not imply endorsement of the fundraising partner or recommendations of its products and/or services.

Allowing an advertisement in certain printed or electronic materials provided at a program, on the FNPS website, in social media, or on a sign at the event will not imply endorsement of the Sponsor or recommendations of its products and/or services.

## **Restrictions on the Use of Intellectual Property of FNPS**

FNPS will not permit any donor, grantor, sponsor or fundraising partner to use the Society's name, patents, copyrights, computer software, artistic works, inventions, licenses, contract, and trade secrets, or other intellectual property for commercial purposes or in connection with the promotion of any product. Acceptance of a donation, grant, sponsorship or fundraising partnership does not imply permission for the donor, grantor, sponsor or fundraising partner to use the FNPS name or logo for any form of advertising, and does not imply the Society's endorsement of the donor, grantor, sponsor or fundraising partner or any of the services, products, or practices of the donor, grantor, sponsor or fundraising partner. Upon request, the Board may grant permission to use the FNPS name or logo to a donor, grantor, sponsor, or fundraising partner.

## **Donor Confidentiality and Recognition**

FNPS respects the privacy of donors. The types of donor information that the Society collects and maintains are as follows:

- Contact information: name, address, telephone number and e-mail address
- Information about the gift(s) received by FNPS
- Information regarding the following data about the donor: (i) FNPS events attended; (ii) FNPS publications received; (iii) special requests by donor for certain FNPS program information; and (iv) other information such as statements of interest, comments and suggestions of the donor regarding FNPS and its events, publications and programs.

FNPS uses donors' information to understand donors' interests in its mission and to provide to donors updates on the organization's plans and activities. All information concerning donors or prospective donors, including without limitation, their names, addresses and telephone numbers, the names of their beneficiaries, the amount of their gift, shall be kept strictly confidential by FNPS, the Board, Executive Committee, staff, contractors, and volunteers, unless permission is obtained from donors to release such information or as may be required by law.

Donors may choose to be recognized by FNPS in its reports as "anonymous" or by their level of giving, their name, or by a corporation or organization name. A donor's name will be used only when written permission by the donor is given prior to publication.