



Fresh Youth Initiatives, Inc.
DONOR CONFIDENTIALITY POLICY
Revised May 2016

I. Purpose

Fresh Youth Initiatives, Inc. (“FYI”) is a New York not-for-profit corporation that is exempt from federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986, as amended. FYI is committed to the maintenance of the trust and confidence of its donors and the general public. Our reputation in the community and our obligation to comply with federal and state laws therefore necessitates strict compliance by FYI’s Board Members, officers, management, staff and volunteers (hereinafter collectively referred to as “Representatives” and individually as a “Representative”) with the prohibitions against disclosing confidential information as contained in this policy.

II. Certain Definitions

“Confidential Information” means information that is not generally known to the public about FYI, its donors or other parties with whom FYI has a relationship and that have an expectation of confidentiality. Specifically, FYI regularly receives information in confidence from its donors, from prospective donors and other sources. FYI is fully committed, and expects all Representatives to be fully committed to respect and protect the collective confidences of which we are in possession.

Confidential Information includes all non-public information pertaining to any donor or prospective donor and, specifically, includes a broad range of information which is not otherwise generally known or available to others, such as, without limitation:

- A. Information, whether oral or written, transmitted to FYI and/or any Representative of FYI by any donor or prospective donor;
- B. Information about donors and prospective donors that is collected by FYI or which is internally available to Representatives of FYI;
- C. Compilations and analysis of information by FYI about our donors and prospective donors;
- D. Information about FYI’s dealings with donors and prospective donors;
- E. Donor and prospective donor lists and information about FYI’s business and financial arrangements with any donor and prospective donor;

Confidential Information is physically contained in many materials including, without limitation, our reports, letters, e-mails, documents, call notes, review documents, memoranda, software and databases, budgets, financial information, and strategic plans.

Some of our information will be expressly stamped or marked “confidential”, “secret” or “proprietary”. However, Representatives need to be aware that there may be information that is

confidential or which FYI has a serious responsibility to protect on behalf of donors and prospective donors even if it does not bear our express legends or warnings to that effect.

III. Policy Goals

FYI's principal goals for protecting our Confidential Information are as follows:

A. To protect FYI and its Representatives from the adverse consequences that would result to FYI as a result of misuse or misappropriation of Confidential Information; and

B. To fulfill our legal and moral obligations of confidentiality to our donors and prospective donors.

IV. Policy Implementation

To achieve our policy goals, FYI has designed, and will continue to design and improve, procedures to protect our Confidential Information. If you have any questions about this policy FYI urges you to raise such questions with the Executive Director, Eileen Lyons. FYI expects that all Representatives will diligently comply with and implement the confidentiality procedures from time to time established by FYI, including the following:

A. We will not sell, share or trade our donors' names or personal information with any other entity, nor send mailings to our donors on behalf of other organizations.

B. This policy applies to all information received by FYI, both online and offline, on any Platform ("platform" includes the FYI website and social media applications), as well as any electronic, written, or oral communications.

C. To the extent any donations are processed through a third-party service provider, our donors' information will only be used for purposes necessary to process the donation.

D. We will use your information to comply with the law or in the good faith belief that such action is necessary to conform to the requirements of law or comply with legal process served on us, protect and defend our rights or act in urgent circumstances to protect the personal safety of others.

E. FYI representatives may use FYI's Confidential Information only in furtherance of FYI's operations. Representatives may not use FYI's Confidential Information for their own benefit or for the benefit of any third parties.

F. FYI representatives may disclose FYI's Confidential Information only to authorized persons on an authorized/official need-to-know basis and only in furtherance of FYI's operations. Representatives should always ask themselves whether the party with whom they are speaking (in the office, on the phone, or in meetings) has an official and authorized need to know the information. All reports, memoranda and other written material prepared by Representatives that includes any confidential or proprietary information should be marked "Confidential and Proprietary" and Representatives should not furnish copies of any such report other than to authorized persons on an authorized/official need-to-know basis.

G. Representatives should not leave notes, documents or any other materials that contain Confidential Information open and unattended on their desks, in conference rooms or in public work areas.

H. Representatives must not download, electronically transmit or electronically copy any of FYI's Confidential Information except to the extent necessary for use with FYI's transactions, or other FYI matters as expressly authorized by FYI. Representatives must also not enter into or review any computer files or drives which such Representatives are not authorized to have access to and must promptly report any such unauthorized review which they may become aware of to their immediate supervisor.

I. Representatives in possession of confidential passwords providing access to FYI's Confidential Information must not disclose the passwords to any unauthorized persons. Also, Representatives must protect against inadvertent disclosure, including making sure to log-off their computer when they are out of their offices.

J. Representatives must not use any computers, computer storage devices or other hardware or software in a manner which would violate the terms of this Policy.

K. Representatives must not make any unauthorized photocopies or printer copies of materials containing Confidential Information. After making authorized copies, Representatives should make sure that no additional copies have been left by the photocopier or in any other place where they are not under the direct control of such Representative.

L. Any unauthorized use or disclosure of our Confidential Information that a Representative either knows about or suspects must be immediately reported to the Representative's supervisor or to the Executive Director Eileen Lyons.

V. Consequences of Failing to Comply with the Policy

Compliance by all Representatives with this Policy is essential for the protection of FYI and to ensure that FYI complies with its confidentiality obligations to its donors and prospective donors. Consequently, FYI will consider breaches of this Policy grounds for immediate termination. Moreover, if FYI considers the breach (or the damage arising out of the breach) serious enough, FYI may pursue all legal remedies available to it.

VI. Obligation to Return Firm Property

Your obligation to protect FYI's Confidential Information continues even after you are no longer associated with FYI, and you must return all such information in your possession upon your departure. Thus, should a Representative's affiliation with FYI be terminated, regardless of the reason for termination, he or she must immediately turn over to FYI all documents, computer downloads, floppy discs or software and other material or media in his or her possession (or in the possession of any person or entity under his or her control) that belongs or relates to FYI or any of FYI's donors or prospective donors, without making or retaining any copies.

VII. Annual Statements

Each Representative shall annually sign a statement, a copy of which is annexed hereto as Exhibit A, which states that such person:

1. has received a copy of the Policy on Donor Confidentiality,
2. has read and understands the policy, and
3. has agreed to comply with the policy.

Policy on Donor Confidentiality

Annual Statement

TO: _____

This annual statement is made pursuant to the Policy on Donor Confidentiality of Fresh Youth Initiatives, Inc. (“FYI”), a New York not-for-profit Organization.

The undersigned is a _____ of FYI and the undersigned advises that he/she:

- has received a copy of the Policy on Donor Confidentiality,
- has read and understands the policy, and
- has agreed to comply with the policy.

Dated: _____

Signed: _____