

Individual Donor Policy

November 2007

Virginia Museum of Contemporary

Individual Donor and Business Support Policy

Statement of Purpose

This policy governs the Virginia Museum of Contemporary (MOCA) practices in soliciting contributions from individuals, businesses and corporations, in support of its mission to present "the significant art of our time." MOCA adheres to the highest ethical standards as public trust in our performance is the bedrock of our legitimacy. Donors and volunteers support MOCA because they trust us to carry out our missions, to be good stewards of their resources, and to uphold rigorous standards of conduct.

MOCA earns this trust every day through its Board, executive leaders, staff and volunteer's ongoing commitment to integrity, honesty, and responsibility. MOCA is truthful in its solicitation materials. MOCA respects the privacy concerns of individual donors and expends funds consistent with donor intent. MOCA discloses important and relevant information to potential donors.

This Policy applies to all fundraising for MOCA regardless of types of donor or amounts involved, unless otherwise stated in this document. It is to be applied to all new funding from existing donors and to all new donors in the future.

Individual and Business Contributions

In raising funds from the public, MOCA respects the rights of donors, as follows:

- To be informed of the mission of MOCA, the way the resources will be used and their capacity to use donations effectively for their intended purposes;
- To be informed of the identity of those serving on MOCA's governing Board and to expect the Board to exercise prudent judgment in its stewardship responsibilities;
- To have access to MOCA's most recent financial reports;
- To be assured their gifts will be used for the purposes for which they were given;
- To receive appropriate acknowledgement and recognition;
- To be assured that information about their donations is handled with respect and with confidentiality to the extent provided by the law;
- To expect that all relationships with individuals representing organizations of interest to the donor will be professional in nature;
- To be informed whether those seeking donations are volunteers, employees of the organizations or hired solicitors;
- To have the opportunity for their names to be deleted from mailing lists that MOCA may intend to share; and,
- To feel free to ask questions when making a donation and to receive prompt, truthful and forthright answers.

Gifts, donations and bequests may be given directly to MOCA, or the principal of a gift, donation or bequest may be given to some other person, corporation or trustee with instructions that the principal or income there from shall either be paid to MOCA or disbursed in accordance with the instructions of the board of directors of MOCA; provided, however, that the uses and purposes of all such gifts, donations and bequests either of income or principal, shall be in accord with the purposes of MOCA. All restricted gifts, donations and bequests shall be subject to acceptance by the board of directors of the MOCA.

Unless gifts, donations or bequests are given subject to a stated special purpose, they shall be unrestricted funds of the MOCA. All membership contributions shall be unrestricted funds of MOCA. At the discretion of the Board of Trustees, unrestricted funds may be used for any purposes or expenses of the MOCA.

Sponsorship

Sponsorship of MOCA events, meetings, or workshops by commercial or philanthropic entities must be assessed with careful attention being given to the nature, reputation, and purpose of the proposed Sponsor. MOCA may receive financial or in-kind support for events, meetings, or workshops provided that assistance does not jeopardize the legal or ethical integrity of MOCA.

Organizations sponsoring MOCA for events, meetings, or workshops can be acknowledged by including a statement in a program and by including a company or organization logo, provided the MOCA logo is not in a position of secondary importance to that of the sponsoring organization. Additional methods of acknowledgement are outlined in sponsorship packets and contracts signed for each exhibition or special event.

- MOCA shall not relinquish content control of any events, meetings, or workshops to the Sponsor.
- Sponsors shall not use MOCA affiliation, MOCA resources, or the influence of MOCA ways that promote commercial or self-serving concerns or interests for ideological, financial, or political purposes.
- MOCA shall have the sole and exclusive right to use and to allow or refuse to others, the use of the words "Virginia Museum of Contemporary Art", "MOCA," or the MOCA logo.
- Sponsors cannot use the words "Virginia Museum of Contemporary Art", "MOCA," or the MOCA logo in conjunction with any product or service unless approved in writing by the Executive Director.
- Sponsors cannot use the words "Virginia Museum of Contemporary Art", "MOCA," or the MOCA logo in conjunction with any activity or program, or as a part of a composite name, to identify related programs. For example, the words or logo may not appear on stationery, bulletins, press releases produced by the Sponsor.
- Sponsors cannot use the words "Virginia Museum of Contemporary Art", "MOCA," or the MOCA logo separately or in conjunction with the name of any other program, person, or activity for the purpose of soliciting funds for any activity other than those authorized by MOCA.

All business support activities and agreements shall be documented in the form of a contract between the Virginia Museum of Contemporary Art and the supporter.

Conflicts of Interest

Employees, officers and trustees should avoid any situation which involves or may involve a conflict between their personal interests and the interests of the MOCA. As in all other facets of their duties, employees dealing with customers, suppliers, contractors, competitors or any person doing or seeking to do business with MOCA are to act in the best interests of MOCA to the exclusion of considerations of personal preference or advantage. Each employee, officer or trustee shall make prompt and full disclosure in writing to MOCA management of a prospective situation which may involve a conflict of interest. This includes:

- a. Ownership by an employee to their knowledge, by a member of the employee's family of a significant financial interest in any outside enterprise which does or seeks to do business with the MOCA;
- b. Serving as a director, officer, consultant of, or in a managerial position with, or employment in a technical capacity by, an outside enterprise, which does or is seeking to do business with MOCA;
- c. Acting as a broker, finder, go-between or otherwise for the benefit of a third party in transactions involving or potentially involving the MOCA or its interests; and
- d. Any other arrangement or circumstance, including family or other personal relationships, which might dissuade the employee from acting in the best interest of the MOCA.

All information disclosed to management as required by this policy shall be treated confidentially, except to the extent necessary to protect the MOCA's interests. When, as required by the policy, an employee discloses prospective situations, which may involve a conflict of interest, management shall review the potential conflict. In some circumstances, it may be appropriate for management to review the matter in conjunction with Legal and Internal Auditing.

Approval or disapproval of the situation under review should be documented in writing. The situation should be considered when assigning the employee new duties. Each actual or potential conflict of interest must be reported promptly, i.e., as soon as the conflict arises, and must be reported by the employee so long as the conflict or potential conflict of interest continues.

If a conflict of interest is considered to be unacceptable, management will promptly resolve the matter. If the situation is deemed not to be a present or potential conflict of interest, management should notify the employee of the decision in writing. The employee need not report the situation on future annual surveys of outside interests and conflicts of interest as long as there is no change in the circumstances involved. In questions of conflict of interest, the term "family" should be interpreted broadly. Any current or potential relationship between MOCA and its vendors is not contingent upon a contribution from the vendor.

MOCA will not enter into any sponsor/donor relationship that diminishes or demeans the professional and ethical values advocated by the organization and its members, nor will MOCA

knowingly participate in sponsorship/donor activities that directly or indirectly disregard, misrepresent, or debase the cultural or natural heritage of any people.

Additional information regarding conflicts of interest can be found in MOCA's Ethics Policy.

Application of Policy

The MOCA has a wide range of policies which may apply to different categories of people.

- An employee is any person under a current contract of employment with MOCA, including temporary and fixed term contracts.
- A Temporary Contract Employee is any person supplied to work with MOCA through an employment agency.
- A volunteer is any unpaid person working with MOCA.
- A partnership worker is any person working with MOCA on the basis of a formal partnership agreement between the MOCA and another organization.

This "Individual Donor and Business Support Policy" applies to all the categories given above and to Board Members. Except where the context otherwise requires, references in this policy to an employee should be read as referring also to the other categories to whom the policy applies.

Public Accountability

MOCA will respond to all public and media inquiries about its support from business, including allegations of unethical behavior, with a prompt, full, and frank discussion of the issue, the institution's actions, and the rationale for such actions.