

2017 Memorandum of Agreement

Between: **United Way of Central Kentucky** and **The Elizabethtown Board of Education**

United Way of Central Kentucky (UWCK) is committed to supporting a comprehensive network of health and human care services in the community that is responsive to identified needs. United Way of Central Kentucky pledges responsible stewardship of all donated funds and strives to ensure that the highest standards of accountability are maintained.

Agencies must provide programs that are accountable, responsive to identified needs, and able to demonstrate outcomes. With few restrictions, agencies are free to seek additional program and administrative support from other sources. Agencies are expected to be financially stable and plan for future financial obligations.

This agreement clarifies the relationship between United Way of Central Kentucky and funded agencies and establishes the conditions under which an agency receives UWCK support. This agreement is written with the goal of assuring that critical human needs are addressed effectively and efficiently and in the best interests of the community, the Agency and the United Way of Central Kentucky.

Grievance Policy: Agencies have a right to file a written inquiry with United Way of Central Kentucky, Executive Board with the understanding that current year funding decisions are final and will not be changed. Inquiries must be submitted in written form by the Board Chair of the agency. United Way agrees to respond within thirty days to any inquiries. Written inquiries should be submitted to:

Scott Conway
Board Chair, United Way of Central Kentucky
604 North Main Street
Elizabethtown, KY 42701

SECTION I.

Allocations:

The United Way of Central Kentucky Board of Directors will approve allocations for the period of June 1, 2017-May 31, 2018.

Should funding be awarded, a letter with the award amount will be mailed to the agency for approval by the Board Chair/CEO. A signed copy of this letter must be returned to UWCK before payments on the award amount will be released.

SECTION II.

Both Parties Agree:

- A. To keep channels of communication open for discussion of matters of common concern.
- B. Timely, written communication to each other in regards to significant changes throughout the year. These may include, but are not limited to, changes in United Way policies and procedures, changes in Agency leadership, organizational status or financial status, program changes etc.

- C. Recognize the need for full accountability to the donors contributing to United Way of Central Kentucky.
- D. To participate in a collaborative effort to promote the United Way system.
- E. To promote effective service and efficient administration.
- F. Operate without discrimination on the basis of race, religion, sex, ethnic origin, age, or disability.

SECTION III.

United Way agrees:

- A. To recognize and respect the autonomy of the Agency, through its governing board, to determine its own policies and to manage its own programs.
- B. To conduct a community-wide campaign to secure funds annually to support local health and human services.
- C. To maintain responsible stewardship on behalf of United Way donors and member agencies.
- D. To deploy United Way financial support to maximize the resources available for programs aimed at current needs of the community, including programs not now receiving United Way funding.
- E. To provide a citizen-directed system of reviewing agencies, their programs and funding requests on a regular basis.
- F. To respect the confidential nature of information provided by the Agency. Contents of an Agency's proposal and financial information will be used for purposes consistent with this agreement.
- G. To distribute allocation payments to the Agency on the 15th of each month, unless notified otherwise.
- H. To distribute donor designated dollars to the Agency (if designations exceed the annual allocation, payments will be made on a quarterly basis beginning in June of each year).
- I. To annually implement a community-wide marketing and communications program that promotes United Way agencies and their programs.

SECTION IV.

The Agency agrees:

- A. To operate programs and deliver services as set forth during the funding review process.
- B. To secure and maintain in good standing all licenses and certifications required to operate the program in compliance with all federal, state, and local regulations.
- C. To immediately notify United Way regarding any legal, financial or organizational matters or program changes which may impact the agency's ability to operate and/or deliver the services.
- D. To engage all levels of the organization (staff, leadership, program staff and board of directors) in measuring program outcomes and to use the results as the foundation for program planning.
- E. To ensure the agency performs an annual audit OR has the necessary controls in place to ensure funds are properly accounted for and can provide accurate, timely financial information if requested. Agencies that receive a UWCK grant of \$100,000 or more and/or have agency revenue of \$250,000 or more as defined by their IRS Form 990 (Part VIII, Line 12, Column A) will be required to conduct an audit by the end of their grant year, if they do not already have one at the time of application. Agencies meeting these thresholds and that have not yet conducted an audit will be required to do so and

submit a copy to UWCK by the end of the 2017-2018 grant cycle should funding be awarded.

- F. To support the United Way effort and collaborate throughout the year, including but not limited to the following. All Agencies will:
- Conduct an effective internal United Way campaign annually, including solicitation of agency's Board of Directors. Note that the campaign will run from August 1, 2017 to February 28, 2018. Agencies with no paid staff are still expected to run a campaign with the Board of Directors and/or key volunteers.
 - Share information about the funded program's outcomes at UWCK workplace campaign meetings as needed. Program representatives speaking on behalf of United Way must complete speaker's bureau training provided by UWCK.
 - Represent each funded program at a speaker's bureau training provided by UWCK during the course of the funding year.
 - Provide program-related information as requested within a timely manner to facilitate marketing and communications, planning and research, and community initiatives.
 - Arrange a client (e.g., individual or family) who will be willing to share their story in UWCK marketing materials such as the annual Campaign Video. The client will be representing your agency, so please make careful consideration of a 'success story' that truly illustrates the benefits of your programs.
 - Funded programs expanding to offer services to new communities in UWCK's 5 county region will notify UWCK in advance to arrange collaborative promotional opportunities and facilitate introductions to key community leaders.
 - Submit thorough quarterly reports on time. If UWCK funding is granted, each program will provide via e-mail (to impact@unitedwayck.org) a quarterly report which tracks your progress toward the outcomes outlined in Part C of the grant application. Programs are expected to report even if services were not delivered in a particular quarter (eg. school or seasonal programs). **This report template will be provided to your agency upon receiving funding and will be due to UWCK quarterly on the following schedule:**

Months covered in report	Due Date
June, July, August	September 29, 2017
September, October, November	January 12, 2018
December, January, February	March 30, 2018
March, April, May	June 29, 2018

- The Narrative section should explain how people have been helped by the UWCK-funded program and include the activities used to serve the population in need and the benefit to those receiving services. These stories may be used in UWCK's marketing and outreach efforts to demonstrate how United Way donations are put to use in the community.
- Represent each funded program on UWCK's Agency Advisory Committee. This group will meet quarterly (dates, times, locations to be announced). The Chair of this committee will receive an Ex Officio position on UWCK's Board of Directors.
- **Anti-Terrorism Compliance Measures:** In compliance with the USA PATRIOT ACT and other counterterrorism laws, United Way of Central Kentucky requires that each agency certify all United Way funds and donations will be used in compliance with all

- applicable anti-terrorist financing and asset control laws, statutes and executive orders. Signing this MOA constitutes certification of the agency's compliance.
- Promote the partnership through co-branding standards outlined below:
Co-Branding Requirement: Agencies will promote the partnership with United Way of Central Kentucky through these methods:
 - Following United Way Brand Guidelines available at http://unitedwayck.org/Branding_Guidelines.php
 - Including the United Way of Central Kentucky logo on written correspondence, communication, publications, and signage, including but not limited to webpages, annual reports, newsletters, press releases, mass emails, letterheads, and brochures.
 - Display United Way partner logo at any facility impacted by UWCK funding.
 - Following United Way Brand Standards provided by UWCK when displaying or using the UWCK logo (see unitedwayck.org for details and digital co-branding toolkit).
 - Displaying the United Way logo at community functions/fundraisers.
 - Recognizing United Way partnership in public statements (eg. Interviews with media, PSAs, community presentations, speaking engagements, etc.).
 - Notifying United Way in advance of special events so UWCK has the opportunity help publicize (through social media, website, etc.).
 - Completing speaker's bureau training provided by UWCK to effectively promote partnership.
 - For programs funded through specific Corporate Investments, follow additional naming/co-branding guidelines as provided by UWCK.
 (For Early Childhood Education Programs in Meade or Breckinridge Counties in 2017-2018 provided through dedicated funding earmarked for priority outcomes, include branding of corporate sponsor(s) tied to these initiatives. This includes use of additional branding and logos as outlined above. All materials will be provided by UWCK upon notification of funding.)
- G. At all times during the term of this Agreement, to protect, defend, indemnify and hold harmless United Way and its agents, officers and employees from all claims and suits including court costs, attorney fees and other expenses, caused by any act or omission of the Agency and/or its subcontractors, agents and employees.
- H. All agencies will abide by the Supplemental Fundraising Policy as detailed below:

SUPPLEMENTAL FUND RAISING POLICY

The mission of United Way of Central Kentucky (UWCK) is to "Connect Our Community for the Common Good" and to increase the organized capacity of people to meet the human service needs of one another by uniting the community's resources. To achieve this mission, it is UWCK's policy to permit the greatest amount of flexibility to funded partners in conducting their own fundraising and, at the same time, to ensure the best possible results for the UWCK Campaign.

Accordingly, we believe funded partners are responsible for obtaining and utilizing as high a portion of their operating expenses as possible through normal program activities such as grants, program fees, contributions, interest on investment income and cash reserves. We also realize and encourage agency fundraising within certain guidelines and rules. These rules are not meant to be punitive to agencies but are in fact helpful to all of us in presenting a united front to raise the revenue necessary to improve the Education, Financial Stability, Health, and Basic Needs of our community and region.

Funded partners are encouraged to seek funding from other sources in order to adequately serve the community. The choice of sources and the methods used to approach them should at all times be in keeping with the principles of UWCK. Our commitment to our donors, particularly in the corporate community, is for a one-time annual appeal. Funded partners should be conscious of the need to maintain good relations with the public if pursuing funds not available through UWCK. Appeals for funds which are not made in accordance with UWCK policy would be detrimental to the success of its campaign.

This policy is subject to review and revision by UWCK as necessary.

1. SCHEDULING OF SUPPLEMENTAL FUND RAISING ACTIVITIES

No solicitations or appeals for funds may be conducted between September 1 and October 30 hereafter known as the “black-out” period. The following items will be permitted sources of supplemental revenue during this black-out period:

- a. Special events (please see the MOA, Section IV Part E for co-branding requirement)
- b. Investment income
- c. Product sales
- d. Fee for service or use of facilities
- e. Foundation not affiliated with local corporations
- f. Admission to non-fund raising events (workshops, classes, etc.)
- g. Government grants, contracts and fees
- h. Unsolicited gifts, bequests, endowments and memorials
- i. Seasonal food items.
- j. UWCK partner agencies will notify UW of all fundraising activities at least 30 days in advance, including capital campaigns, special event, and/or endowment campaigns.

2. ACTIVITIES BY UNASSOCIATED GROUP(S)

Fund raising by an unassociated group or company, which proposes to raise funds in the name of the funded partners, is subject to all of UWCK’s restrictions on fund raising and is considered to be fund raising by the agency itself for the purpose of applying all such restrictions. The UWCK funded partners are responsible for assuring that all such fund raising follows UWCK policies and protects the mutual interest of UWCK and the funded partner.

3. SOLICITATION OF CORPORATIONS

Funded partners may solicit businesses for contributions outside the previously stated “black-out” period if the business has not requested exemption from solicitation.

4. MEMBERSHIP CAMPAIGNS & DIRECT MAIL SOLICITATIONS

Sustaining and patron membership programs may be offered for individuals who wish to affiliate with a particular agency. When developing prospects from such memberships, an agency should cultivate a strong natural constituency of individuals who logically have a formal interest in the agency and its programs. New members may be accepted but not solicited during the UWCK “black-out” period. (This does not apply to membership fees in exchange for use of facilities). **Direct mail solicitation within UWCK’s five county service area is not permitted during the “Black Out Period.”**

5. SOLICITATION OF EMPLOYEES AND EMPLOYEE GROUPS

The employee campaigns are one of the foundations of the UWCK campaign. Funded partners are restricted from seeking to run payroll deductions in workplaces located within the UWCK five county service area at any time of the year. **Solicitation of employees through group meetings for direct financial support of any funded partner is in conflict with the principles of UWCK and therefore prohibited.**

6. PENALTY FOR VIOLATION OF POLICY

Agencies raising funds by unauthorized methods are subject to any or all of the following measures:

- a. Reduced allocations
- b. Probation
- c. Termination of UWCK partnership

It is anticipated that all funded partners will comply with this policy. Failure to comply may result in a reduction of the UWCK allocation as determined by the UWCK Board of Directors or designated committee.

A failure to comply that is gross, in reckless disregard of this policy, or a part of a pattern of failure to comply with UWCK policies or with the obligations of the Statement of Agreement may be grounds for termination of the relationship agreement.

The extent and length of the penalty and nature of probation will be determined on an individual basis by the UWCK Board of Directors or designated committee. In any event, any violation of these parameters will be reported to the UWCK Community Investment Team for its consideration in determining agency allocations to be approved by the UWCK Board of Directors.

7. SPECIAL REQUESTS/APPEALS

In adopting this policy, UWCK has attempted to make the supplemental fundraising guidelines clear and specific, and to anticipate situations wherever possible. Funded partners are encouraged to adhere to the policy as written and not to rely on UWCK staff and volunteers for interpretation of the policy. If an opportunity for special fundraising which is not mentioned in the policy arises, agencies may contact UWCK for a review of the request. Requests of a routine nature are discouraged, as are requests for activities that are clearly prohibited in this policy.

Appeals of UWCK action regarding supplemental fund raising policy violations should be made in writing to the Chair of the UWCK Executive Committee. Appeals will be reviewed by the Executive Committee if it is clear that there was an error or misunderstanding in the evaluation of the fund raising request. *The fact that an agency wished to re-emphasize points already presented will not be considered a valid basis for appeal.* Each funded partner Director and its Board President will annually, at the time of application for funds, sign a document which certifies that their current fundraising program and the fundraising program for the next year are in compliance with this policy. *Amended by the UWCK Board of Directors 1/2013*

SECTION V.

Changes to compliance with and termination of this agreement:

IMPACT - Grants: Innovative • Measured • People-Centered • Accountable • Collaborative • Transparent

In addition to the required documentation from page #1, please review the attached checklist and provide copies of supporting documents. Provide a printed copy of your application's checklist along with the materials when submitting to UWCK for an initial screening.

Submission Process Acceptance and Understanding:

By participating in the UWCK funding process, the undersigned have carefully read the application, rules of submission, and reviewed the information contained in this proposal for accuracy and completeness. We further understand that an incomplete application or failure to provide the information requested, as well as late submission, will render the submission as non-qualifying and ineligible for funding or further consideration in this funding cycle. The undersigned verify that a representative from this agency attended the **Mandatory Applicant Training Session** conducted by UWCK.

The undersigned also understand that this grant submission is currently implemented as an annual meritocracy, and each year the submitting agency will have to re-apply through the grant process. Furthermore, if UWCK funding is granted, you will be asked to provide a quarterly report which tracks your progress toward the outcomes outlined in question 11. This report template will be provided to your agency upon receiving funding and will be due to UWCK quarterly by September 29th, 2017; January 12th, 2018; March 30th, 2018; and June 29th, 2018. The report should explain how people have been helped by the UWCK-funded program and include stories that may be used in marketing and outreach efforts to demonstrate how United Way donations are put to use in the community.

The undersigned also understand that if this proposal is funded, failure to meet the proposed objectives, deliver the level of services, or meet reporting deadlines may disqualify the organization from receiving the full award allocation or could disqualify the agency from participating in the following year's funding process. A Memorandum of Agreement (MOA) must be signed by authorized personnel within your agency and returned with your application for it to be passed on to the Community Investment Team for review.

Chief Volunteer/Board Chair

Date

Executive Director

Date