

OREGON JEWISH COMMUNITY FOUNDATION PROCEDURES FOR ESTABLISHMENT & OPERATION OF FUNDS

(As approved by the Board of Trustees December 8, 2010)

Article 1. ESTABLISHMENT AND PURPOSE

1.1 Authorization: The Oregon Jewish Community Foundation (hereafter "Foundation"), through its Board of Trustees, has previously authorized the establishment of Funds as component funds of the Foundation and has the authority to provide all needed rules, procedures, and policies for the establishment and administration of such Funds. The Board of Trustees accordingly prescribes these procedures for the guidance of the Foundation staff and for the information of current and potential donors as well as other interested members of the public.

1.2 Establishment of Funds: A donor may establish with the Foundation one or more of three types of component funds. Each type may be named as the donor wishes:

1.2.1. Unrestricted Funds, which the Foundation may use for any charitable purposes;

1.2.2. Donor-Restricted Funds, which either (i) restrict the fund's charitable purpose but not the grant recipient, or (ii) are created exclusively for one or more specific charitable organizations; and

1.2.3. Donor-Advised Philanthropic Funds, whereby the donor and others may recommend possible grant recipients to the Foundation.

1.3 Donor-Restricted Funds: Establishment & Purposes: Depending upon the desired objective, the instrument of transfer which establishes the fund may restrict payments from a Donor-Restricted Fund to a specific charitable purpose, "a field of interest fund", such as for education, care for the poor, disabled care, health, etc. Or it may restrict payments to "a designated agency"- one or more public charities as described in Internal Revenue Code Sections 509(a)(3) i.e., for example, to a school, hospital, or a social service agency.

1.3.1. Donor-Restricted Funds Advisory Committee: A donor creating a Restricted Fund shall have the privilege or recommending candidates to occupy a minority of the positions on an Advisory Committee, which shall review applications for grants consistent with the charitable purpose of the Fund. The President of the foundation shall be authorized to appoint Committee members and has the discretion to accept or reject the recommendations of the donor concerning the appointment of individuals to serve



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on the Advisory Committee. When appropriate, the Advisory Committee will coordinate its efforts with the other committees of the Foundation. At no time shall the number of minority members of the Advisory Committee exceed twenty-five percent (25%) of the total number of members of the Advisory Committee. And no such minority member shall be counted for purposes of determining whether a quorum of members exists at any meeting of the Advisory Committee.

1.3.2. Monitoring Function: The Foundation shall periodically evaluate all Donor-Restricted Funds to ensure that grants are being used appropriately.

1.3.3. Distributions: The instrument of transfer, which establishes the Donor-Restricted Fund, should identify the distribution payout percentage for that fund. However, any Donor-Restricted Fund created with no predetermined distribution payout percentage would use the following payout percentage policy as established by the Board of Trustees:

After a 1 year waiting period, the first allocation will be 4.5% of the fair market value of the fund. The second allocation will be based on 4.5% of the average market value covering the prior seven quarters. Finally, the third allocation will be based on 4.5% of the average of the prior 11 quarters. Thereafter, 4.5% of the market value of the average of the prior 13 quarters will be used as the allocation payout percentage.

1.3.4. Power to Vary: If a designated beneficiary is no longer in existence, or has ceased to function in a manner consistent with the Foundation's charitable needs, then the Board of Trustees may, in its discretion (after review of the Foundation's "Statement of Principles and the donor's original charitable intent), direct the affected Donor-Restricted Fund to the next best use. Similarly, if the field of interest has become unnecessary, obsolete, incapable of fulfillment or impractical, then the Board of Trustees may, in its discretion (after review of the Foundations' "Statement of Principles" and the donor's original charitable intent), direct the affected Donor-Restricted Fund to the next best use. If no such alternative is feasible, the Board of Trustees may convert the Fund to the General Unrestricted Fund of the Foundation.

1.3.5. Funding Requirements: A Donor-Restricted Fund may be created by a contribution of at least \$10,000 of cash or other property acceptable to the Board of Trustees valued at not less than \$10,000. If a Donor-Restricted Fund balance falls in value below \$1,000, the Board of Trustees may deposit the assets into the Foundation's general Unrestricted Fund.

An Agency-Restricted Fund (established by an OJCF member agency) may be created by a contribution of at least \$10,000 of cash or other property acceptable to the Board of Trustees valued at not less than \$10,000. If the Agency-Restricted Fund balance falls below \$2,500, the Board of Trustees may elect to close the fund and to disburse the remaining amount in a single grant directly to the supported Agency or to the Agency sponsoring the supported field of interest program.



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1.4 Establishment of Donor-Advised Philanthropic Funds: The purpose of Donor-Advised Philanthropic Funds is to develop and encourage support of the Foundation's philanthropic activities by living donors, as distinguished from bequests or legacies. The establishment of Donor-Advised Philanthropic funds is designed as a means of broadening the base of endowment support, encouraging meaningful interchange of ideas by Donors in the Foundation's philanthropic interest and to provide funds to supplement and extend the programs and interests of the Foundation in serving its charitable, educational, and religious purposes (which are hereinafter referred to as "charitable" and shall encompass only charitable purposes as defined in Section 170(c) (1) or (2) (B) of the Internal Revenue Code).

1.4.1. Funding Requirement and Minimum Balance: A Donor-Advised Fund may be created by a contribution of at least \$1,800 of cash or other property acceptable to the Board of Trustees valued at no less than \$1,800. The Donor must maintain a minimum balance of \$1,800. The minimum grant recommendation amount from a Donor Advised Fund is currently \$180. At no time may the fund fall below the \$1,800 minimum. Persons under 18 years of age may open a donor advised fund provided there is also an adult donor advisor associated with the fund. See Article 4 for more information on granting policies and guidelines.

1.4.2. Nature and Terms of Donor-Advised Funds: Each Fund shall be a component fund of this Foundation and its property held in its normal corporate capacity; it shall not be deemed a trust fund held by it in a fiduciary capacity. The Foundation in its normal corporate capacity shall have the ultimate authority and control of all property in each Fund, and the income derived therefrom, for the charitable purposes of the Foundation. Each Fund shall be recorded on the books and records of the Foundation as an identifiable or separate fund and may be given a name or other designation as requested by the Donor.

1.4.3. Effect on Existing Funds: With respect to Donor Advised Funds created prior to the date of approval of these procedures, those individuals designated in the instrument OJCF Procedures for Establishment & Operation of Funds establishing or advising a Fund (or appropriate supplemental instrument) shall be offered the option of abiding by the new policies and procedures set forth in this document, or be grandfathered under the edition of this document in effect when the Fund was created.

Article 2. ACCEPTANCE OF FUNDS

2.1 Authorization: The Executive Director and/or Secretary of the Foundation (or such additional officers or employees of the Foundation as the Board of Trustees may from time to time authorize) shall have the same authority and responsibility to accept, on behalf of the Foundation, contributions of cash or other property acceptable to the Board of Trustees to establish or add to a Donor-Advised Philanthropic Fund, as in the case of other gifts to the Foundation.

Acceptance of property other than cash and marketable securities regularly traded over an exchange shall be made upon approval by a majority of the Board of Trustees, after conferring with the Gift Acceptance Committee. A Donor may not impose any material restriction or condition that prevents the Foundation from freely and effectively employing the contributed assets or the income derived therefrom, in furtherance of the charitable purposes of the Foundation.

2.2 Value: The minimum amount established as a prerequisite for creation of a Donor-Advised Philanthropic Fund is \$1,800. The Donor shall determine the value, for tax purposes, of any property contributed to the Foundation, and the Foundation will have no responsibility to certify to a Donor the accuracy of such value.

Article 3. INVESTMENT OF FUND ASSETS

3.1 Responsibility: The Foundation has the responsibility and authority for the investment of the assets of each Fund. The assets of any Fund may be commingled with those of other component fund of the Foundation or may be invested in units of a common investment fund, which may be established or utilized by the Foundation. However, the Foundation shall have no obligation to commingle the assets for investment purposes and may, in its discretion, retain any assets received or hold the assets of a Fund as a separate unit for investment purposes. Any investment or reinvestment of assets shall be made only in such investments as are appropriate for a prudent fiduciary and specifically approved by the Foundation's Investment Committee.

3.2 Administration: Decisions with respect to the retention, investment, or reinvestment of assets shall be made by appropriate authorization from the Board of Trustees of the Foundation or by the Foundation's Investment Committee as authorized by the Board of Trustees.

Article 4. DISTRIBUTION FROM THE FUNDS

4.1 In General: Other than the Funds of Members, the Board of Trustees has the right to direct all distributions from each Fund in accordance with the terms of such Fund. The Donor Advisor or Designated Advisor of a Fund may from time to time make recommendations to the Foundation as to the making of distributions from any Philanthropic Fund administered by the Foundation. The Foundation shall consider and evaluate all such recommendations, but such recommendations will be solely advisory and Foundation is not bound by such recommendations.

4.2 Donor's Privilege of Appointing Family & Others of Right to Make Recommendations: A Donor may, at any time, inform members of his or her family of the opportunity to make recommendations to the Foundation with respect to distributions from a Donor-Advised Philanthropic Fund contributed by such Donor or

members of his or her family. Donors must notify OJCF in writing should they designate another to make recommendations from the fund.

4.3 Limitations: The following limitations apply to all distributions from all three types of Philanthropic Funds:

(a) The minimum recommendation amount for distribution from Donor Advised Funds is currently \$180.

(b) Each fund participating in OJCF's standard pooled fund program bears a reasonable proportionate share of the administrative expenses of the Foundation. Administrative fees are charged in accordance with the policy of the Oregon Jewish Community Foundation as determined by the Board of Trustees from time to time. A current fee schedule is furnished to the donor(s) upon the establishment of any new fund, and donors will be advised of any subsequent changes to the fee schedule.

Funds participating in an OJCF's non-standard investment pooled fund program shall bear a reasonable proportionate share of the administrative expenses of the Foundation, which will be established prior to the Fund's participation in the pooled fund program.

(a) The Foundation, as a public charity, will not make any distribution from a Donor-Advised or Donor-Restricted Fund except as a distribution from the Foundation for its charitable purposes. And no such distribution may be used to discharge or satisfy a legally enforceable obligation of any person, including the Donor advisor of a Donor-Advised Philanthropic Fund.

(b) Although the Board of Trustees will consider recommendations as to distributions out of the corpus of a Donor-Advised or Donor-Restricted Philanthropic Fund, it is anticipated that at least a part of each fund will remain as a permanent endowment to support the purposes of the Foundation.

4.4 Guidelines: Donors shall be given a copy of the Foundation's "*Guidelines and List of Charitable Needs*" as approved by the Foundation Board of Trustees. The Foundation shall also institute educational programs or other means of publicizing to Donors and other interested persons the charitable purposes and specific charitable needs of the Foundation as outlined in such Guidelines. All recommendations for distributions from any Fund shall be made consistent with the Guidelines then in effect. And any recommendations made which are deemed inconsistent with such Guidelines shall not be considered.

4.5 Procedure

4.5.1 Recommendations: A Donor or other person making a recommendation with respect to distributions from a Donor-Advised Philanthropic Fund should do so in

writing, via fax, mail, in the form of an email, or through Donor Central to the Foundation.

4.5.2 Staff Investigation: With respect to each recommendation made, the Staff of the Foundation will prepare a report of its determination whether the recommendation is consistent with the Guidelines of the Foundation; and whether any other information upon which a decision should be made whether or not to follow a recommendation in whole or in part. The degree of formality employed by the Staff in making an evaluation and obtaining the necessary information will depend upon the nature of the grantee organization and the information already available to the Staff with respect to the grantee and purposes of the grant. Where necessary for its evaluation, the Staff may request an organization to submit appropriate information.

4.5.3 Recommendations Not Consistent with Guidelines: If the Staff of the Foundation determines that a recommendation is not consistent with the Guidelines of the Foundation, the person making the recommendation will be advised of this fact. If the person making the recommendation believes that the Staff's investigation is in error or, by reason of unusual circumstances, the recommendation otherwise has merit, so that it should be acted upon favorably by the Foundation, then the person making the recommendation may request that the recommendation be referred to the Distribution Committee for further review.

4.5.4 Recommendation Consistent with Guidelines: If the Staff of the Foundation determines that a recommendation is consistent with the Guidelines of the Foundation, the Staff's report shall be delivered to the Board of Trustees for further action.

4.5.5 The OJCF Community Endowment Fund: The Donor Advisors of a Donor Advised Philanthropic Fund are strongly encouraged, although not required, to make an annual gift, as they see fit, from their Donor Advised Fund to the OJCF Community Endowment Fund.

4.5.6 Distribution Committee: A Distribution Committee, as appointed by the Board of Trustees, shall review all reports delivered to it by the Staff of the Foundation. And they shall review all requests (pursuant to Section 4.5.3) to further consider a determination by the Staff that a recommendation is not consistent with the Guidelines of the Foundation. In reviewing such reports or requests, the Distribution Committee shall review all relevant information provided to it and shall consider the extent of support, if any, to be provided for the recommended purpose. If the Distribution Committee desires further information, it may request such information from the Staff or the person making the recommendation. The Distribution Committee shall act on all recommendations presented to it in accordance with established procedures for distributions from the Foundation.

4.6 Closure of Fund: The Agency or Donor Advisor must confirm in writing with OJCF by 20th of the month to close a fund and indicate the month for closing the fund.



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Upon receipt of the notice of closure, the balance of the fund shall be determined as of the immediately preceding month. A check for 80% of that balance shall be issued to the agency or the organization(s) to which the Donor Advisor recommendation was made and mailed at the end of the month in which the notice was received prior to the 20th of the month.

As OJCF uses an average daily balance system of Fund accounting, the remaining 20% shall be held at OJCF for the next month so that earnings, losses and fees may be calculated. Upon determination and application of such earnings, losses and fees, a final check for the remaining amount shall be issued during the next regular monthly check run.

Any request for a closing fund distribution outside these parameters (in case of emergency) will be reviewed by the Executive Committee on a case by case basis. Executive Committee may evaluate funds, market conditions and other factors deemed relevant in their evaluation.

4.7 Notification to Grantee as to Source of Distribution: Any distribution from a Donor-Advised or Donor-Restricted Philanthropic Fund, unless otherwise requested by the Donor of the Fund, shall identify to the grantee organization the name of the Fund from which the distribution is made.

Article 5. REPORTS AND EDUCATIONAL PROGRAMS

5.1 Annual Report: Donors shall at least annually receive a report of all distributions made from the Donor-Advised or Donor-Restricted Philanthropic Fund, which they established or was established by a member of the family of a Donor who contributes to such fund. In addition, each such Donor shall have the right to designate one other person to whom such Annual Report will be delivered. Furthermore, each such Donor shall have the right to designate the person to whom Annual Reports will be delivered following the death of the Donor. Such designated person shall thereafter have all of the rights given to a Donor under this Section 5.1 including the right to designate the person to receive the Annual Report at such person's death. The designation of any person other than the original Donor, to whom an annual report is to be delivered to, shall be given to the Foundation by a written notice (pursuant to the provisions of this Section 5.1, which may be revoked or amended at any time prior to the Donor's death).

5.2 Educational Programs: The Foundation shall conduct educational programs publicizing to Donors and other interested persons in the community these policies and procedures. Such educational programs may be part of the total

Article 6. CONTINUITY OF FUNDS



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6.1 Conversion of Funds: With respect to each Donor-Advised Philanthropic Fund, after the death of the Donor and/or the Donor's spouse (if any) for whom the Fund is named, and the last living Designated Successor Advisor of such Donor (referred to as the "Conversion Date"), the Board of Trustees shall have the power at any time to convert the Fund to a named Unrestricted Fund or a named Field of Interest Fund of the Foundation. Such converted Fund shall be identified as a Memorial Fund named for the same persons for whom the Donor-Advised Philanthropic Fund had been named, or for such other person or designation as the Donor (or the other person designated to receive the Annual Report for such Fund) may have designated in writing prior to the Conversion Date. In distributing amounts from the converted Fund, the Foundation shall consider the original Donor's charitable interests, as may be reflected in prior recommendations made by such Donor or his or her family. The Foundation's interpretation of such Donor's intent, and its decision as to distribution of the converted Fund, shall be final and conclusive.

6.2 Additions to General Fund: Notwithstanding the provisions of Section 6.1, if, upon the Conversion Date for any Fund (described in Section 6.1), the value of the Fund at that time is less than \$50,000, the balance of the Fund shall be contributed to the general Community Endowment Fund of the Foundation and not continued as a named memorial fund.

Article 7. AMENDMENTS

7.1 By Board of Trustees: These procedures may be amended by a majority vote of the Board of Trustees at any regular or special meeting.

Article 8. EFFECTIVE DATE

8.1 Effective Immediately: These procedures will be effective immediately after approval by the Board of Trustees.

8.2 Effect on Existing Funds: With respect to those Funds created prior to the date of approval of these procedures, those individuals designated in the instrument establishing a Fund (or appropriate supplemental instrument) to have the privilege of making recommendations now or at any future date, shall be deemed to be the persons to whom Annual Reports will be sent pursuant to Section 5.1.

GUIDELINES AND LIST OF CHARITABLE NEEDS

**Charitable Needs Specified for Support from Funds of
the Oregon Jewish Community Foundation**

The following are categories of specific charitable needs that are consistent with the Statement of Principles of the Oregon Jewish Community Foundation (“Foundation”) as determined by the Board of Trustees of the Foundation. These categories reflect the broad scope of purposes of the Foundation and interests of the Jewish community, both as a religious group and as responsible element within the community, in advancing human needs through a wide range of activities.

In determining its priorities, the Foundation acknowledges the benefits derived by the Jewish people in Oregon and Southwest Washington from advancing constructive projects in social welfare, religious, medical, educational, and cultural fields, without regard to religion or geographic restrictions. This range of priorities has been the traditional concern of the Foundation and was the philanthropic basis upon which it was organized and operated.

Since unanticipated or unusual needs may arise, it may be necessary to make exceptions to or modifications of the following list of needs for emergency situations or innovated projects determined by the Foundation as most deserving of support at the time. Furthermore, in view of the necessity to meet changing conditions and to adjust to current responsibilities, the goal stated may be changed from time to time, as determined by the Board of Trustees of the Foundation. However, it shall not be necessary for all needs within a higher priority category to be fully satisfied before needs in a lower priority category can be addressed. As used in this list, the term “charitable” includes religious, educational, and other purposes encompassed within the term.

Any distribution from the Foundation Funds to other charitable organizations will be limited to organizations qualifying for tax-exempt status under Section 501 (c) (3) of the Internal Revenue Code of 1986, as amended, or individuals served by such organizations, and no distributions shall be made to a “private foundation” as defined in Section 509 of the Internal Revenue Code of 1986, as amended.

Needs by Categories of Organizations

- A. The Jewish community of Portland, Oregon and Southwest Washington and its Jewish charitable institutions.
- B. Other organizations in the United States serving Jewish charitable or religious purposes or other charitable purposes which may indirectly benefit the Jewish community of Oregon and Southwest Washington.
- C. Charitable organizations primarily serving the Oregon and Southwest Washington area in the fields of education, inter-group relations, civic activities, cultural advancement, health services and social services.
- D. Charitable organizations outside of Oregon and Southwest Washington that, in the determination of the Foundation’s Board of Trustees, provide an identifiable benefit



for the welfare of the greater Oregon and Southwest Washington community, including some educational institutions and other organizations located outside the area for which grants may be approved on an ad hoc basis as circumstances warrant.

Specific Examples of Grants

The Foundation will annually publish a list of charitable distribution grants, which were approved as appropriate during the previous year. This list will provide specific examples of the types of charitable organizations or activities that the Foundation has determined merit financial support.

Procedures

Each Fund of the Foundation shall be consistently administered in accordance with the Procedures for Establishment and Operation of Funds, as approved and amended from time to time by the Board of Trustees of the Foundation, and these Guidelines shall be an integral part of such Procedures.

STATEMENT OF PRINCIPLES

Created in 1989 and represented by 30 Partner Organizations and over 200 Fundholders, the Oregon Jewish Community Foundation has adopted the following principles to guide and govern the activities of the organization:



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1. OJCF brings together people and organizations that care deeply about their community. We do this by offering a wide variety of services for donors to participate in charitable activity regardless of their level of giving capacity.
2. OJCF promotes educational, cultural, health, religious and social needs of Jewish and secular communities by supporting a wide range of non-profit Jewish and non-Jewish organizations. We also offer scholarships for Jewish studies and college.
3. OJCF is committed to its Fundholders and its Partner Organizations, which are Jewish non-profit organizations that house their endowment funds with the foundation.
4. OJCF believes in promoting a culture of giving and generational philanthropy.
5. OJCF strives to assure that the community will continue to be served regardless of economic conditions or changing needs.
6. OJCF encourages contributions of gifts and bequests, enables donors to use available tax planning programs, and provides an everlasting memorial for the donor or a loved one.
7. OJCF does not discriminate on the basis of race, religion, sex, or national origin for any reason.
8. OJCF and its representatives, affiliations and chapters agree to abide by these principles and all rules and regulations governing non-profit organizations.