



THE CIRI FOUNDATION

Education Project Grant *2020 Guidelines & Application*

The CIRI Foundation

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THE CIRI FOUNDATION

The CIRI Foundation was established in 1982 by Cook Inlet Region, Inc. (CIRI). The mission of The CIRI Foundation is to promote individual self-development and economic self-sufficiency through education and to maintain pride in culture and heritage among Alaska Natives who re original enrollees of Cook Inlet Region, Inc., and their lineal descendants.

EDUCATION PROJECT GRANT PROGRAM GOALS

In 1989 and again in 2001, The CIRI Foundation Board of Directors broadened its scope of interest in education beyond the promotion of post-secondary education and career development to include concerns for education from the early years through adult learning. The Board established The Foundation's Education Project Grant Program with the following goals:

- Promote quality of learning and educational experiences for Alaska Natives from the early learning years through adulthood, recognizing the importance of lifelong learning;
- Examine educational issues and opportunities and to identify possible solutions to eliminate those factors that hinder successful achievement by Alaska Natives in their educational pursuits;
- Foster educational enrichment programs that improve the quality of life for Alaska Natives.



Education Project Grant Program Guidelines 2020

Eligibility

Education Project Grant applications may be submitted to The Ciri Foundation by:

1. non-profit organizations (including but not limited to schools, colleges, cultural centers and museums);
2. tribal organizations, with preference given to organizations located within the Cook Inlet region;
3. individuals who are original enrollees to Cook Inlet Region, Inc. and/or their lineal descendants and are sponsored by a non-profit or tribal organization.

Guidelines:

All applications must comply with the following guidelines:

1. The Education Project Grant shall further The Foundation's Education Goals.
2. A sponsoring organization must have an Internal Revenue Service tax exempt or equivalent status. An applicant who is an individual must be sponsored by a non-profit organization willing to take financial responsibility for the individual applicant's project.
3. Grantee programs must directly impact or involve Cook Inlet Region, Inc. original enrollees and/or their lineal descendants.
4. Priority will be given to grant applications submitted by organizations located within the geographic boundaries of the Cook Inlet region of Alaska or those submitted by Cook Inlet Region, Inc. original enrollees and/or their lineal descendants.
5. The Grantee Organization sponsoring a specific project or an individual must assume proper fiscal responsibility for The Foundation-approved grant.
6. The Grantee must report on the project's programmatic progress and financial expenditures of the grant as specified in the project Grant Expenditure Responsibility Agreement.
7. The Grantee Organization must place on all publications/materials "This project is funded in part by The Ciri Foundation" in an appropriately sized, no smaller than 12-point font, along with placement of The Ciri Foundation logo. Please download a copy of the logo from TCF's website at <https://thecirifoundation.org/project-grants/grantee-resources>.
8. Preference will be given to Education Project Grant proposals that demonstrate the ability to obtain at least a one-to-one funding match.
9. The Foundation usually considers grant amounts up to \$6,000, but the award amount may be more if funding is available.
10. The Ciri Foundation may consider a project more than once if there is a significantly different component described in repeat applications.
11. Any unexpended balance of grant funds that is not used for the specific purpose set forth in the grant application is to be returned by the Grantee to The Foundation upon project completion.

Application Deadlines

Applications must be *received* by The Ciri Foundation by the stated deadlines to receive consideration. Late applications will not be considered for the deadline. Applicants are encouraged to submit their application early and call The Ciri Foundation to discuss project ideas prior to submission.

- **March 1**
- **June 1**
- **September 1**
- **November 1**

Complete Education Project Grant Proposals will be submitted to The Ciri Foundation Board of Directors at the next scheduled board meeting after the application deadline. The Ciri Foundation Board of Directors usually meets three times a year.



Proposal Submission Process

1. Upon receipt of a proposal, The Foundation will send the applicant an acknowledgment letter via email/mail with questions, if any. Please provide a written response to each question or a copy of the document as noted.
2. The Foundation Board of Directors will *usually* make decisions on proposals within 30-60 days following each project Grant application deadline.
3. Notification letters will be sent to the applicant within 5-10 business days of Board action.
4. If awarded, an Expenditure Responsibility Agreement must be signed by both The Ciri Foundation and Grantee prior to release of award funds.

Review Criteria

Grant applications are reviewed based upon the following criteria:

1. Appropriateness of the Project Grant proposal to The Foundation's Education Goals and Project Grant Guidelines.
2. Communicated need for the project in the field of education.
3. Involvement and direct impact upon original enrollees and/or lineal descendants of Cook Inlet Region, Inc.
4. The extent to which the project impacts the targeted audience.
5. The extent to which the project impacts the general public.
6. Clarity of purpose.
7. Realistically defined tasks to achieve the project's goals and objectives.
8. Appropriate and clearly stated project evaluation plan that shows impacts and success toward reaching education goal(s).
9. Demonstration of available funds that at least match the amount of funds requested from The Ciri Foundation. The Ciri Foundation generally prefers not to be the "first dollars" in to a project.
10. Feasibility of project budget and timeline.
11. Innovation of project plan.

Project Completion Requirements

Upon completion of the approved Project Grant, the following information must be submitted to The Foundation by the Grantee *no later than thirty (30) days after the end of the grant period*:

1. A **signed** copy of the Education Project Grant Program Evaluation Report Form.
2. A copy of the complete financials for the project showing all TCF expenditures.
3. A copy of the materials or news releases that tell about the project or results from the project.
4. Any unexpended balance of grant funds from The Foundation is to be returned to The Foundation, no exceptions.
5. Any further items requested within the award letter received from The Foundation indicating Board requirements.
6. See Section "E" in the Project Grant Program Evaluation Report Form.
7. In addition to submitting the information listed above to The Ciri Foundation at the completion of the grant project, all grantees must submit a brief story about their projects with appropriate photo(s) on The Ciri Foundation's website via the "Share Your Story" link: <http://thecirifoundation.org/share-your-story/>.

Note: The Ciri Foundation requires the Project Grant Evaluation Report Form within 30 days after the Project completion (end) date stated on the original proposal, or requires an official written request for an extension. If the Project Grant Evaluation Report Form is not completed and submitted, further Project Grant proposals may not be considered.



Other Important Information

1. The final decision for grant application approval is made by The Foundation's Board of Directors.
2. Failure to comply with grant criteria of The Ciri Foundation may be grounds for ineligibility for future grants from The Foundation until the matter has been remedied.
3. The Foundation reserves the right to withhold ten (10) percent of the award funds until the Grantee has submitted the required "Project Completion Materials," as stated in the Project Grant Evaluation Report, to The Foundation within the stated time period at the conclusion of the project period.
4. Grant awards are effective for the approved project period.
5. **Requests for changes to the Project timeline, budget, or scope must be submitted in writing to The Ciri Foundation for consideration. If the requested change is approved, The Ciri Foundation will send a written response making note of this change within thirty days of receipt of the request.**

The Ciri Foundation Does Not Fund the Following:

- The Foundation does not provide grants for endowments, buildings, or equipment, nor does it give loans.
- Funding shall not be considered for projects that have been completed prior to action on the proposal by The Foundation Board of Directors.
- Foundation grants are not to be treated as conduits for re-granting of funds (example: travel or scholarships).
- Grants cannot be made to other private foundations.
- Funds may not be used for lobbying or propaganda efforts to influence legislation of any type.

If you have any questions about filling out the application form or submitting a project grant proposal for consideration, please contact TCF anytime.

Phone: (907) 793-3575 | Toll-Free: (800) 764-3382 | Email: tcf@thecirifoundation.org



INFORMATION TO BE SUBMITTED- EDUCATION PROJECT GRANT PROPOSAL

To apply for an Education Project Grant from The Ciri Foundation, the following information and materials must be submitted for full consideration.

- Complete Application Form (page 7 in this packet)**
- Proof of Eligibility**, a copy of your organization's IRS determination letter.
- Proposal Narrative**, including:
 1. Statement of need (why this project should be done).
 2. Statement of project goal (purpose).
 3. Project objectives (the measurable outcomes that are expected to be accomplished within the scope of the project).
 4. Activities (tasks) to be performed to achieve the project objectives.
 5. Description of the anticipated end result(s) of the project.
 6. Summary of the education topics to be used in the project and how these will be communicated to participants.
 7. Identification of the intended audience (i.e., children, young adults or all ages; Alaska Natives or the general public, etc.) and the number of people expected to participate in the project.
 8. Description of how the project will impact and involve original enrollees and/or lineal descendants of Cook Inlet Region, Inc. in the project (1) during project development and (2) upon outcome. Please estimate a percentage of the audience that is enrolled in Ciri and/or descendants of Ciri. List individual names if known and provide statistics or demographics as appropriate.
 9. Explanation of how this project will make a difference in the field of education for Alaska Native peoples.
 10. Description of how the project's outcomes will be shared with the community.
 11. Specific project timeline.
 12. Evaluation plan (to measure the extent of the project's successful outcome and impact for participants in regard to educational attainment, enrichment, or identification of possible solutions to educational issues). Please include samples of any/all questionnaires to be used.
- Complete Budget Form (page 8) and Budget Narrative (page 11)**, including:
 1. An itemized listing and explanation of how Foundation funds would be used.
 2. A detailed listing of all funders to the specific project or program must also be included. The detailed fund list must indicate if the proposals to the other listed funders have been approved, are pending response, or have been denied.
 3. Please explain how the project will be impacted if less funding from The Ciri Foundation were to be received.
- Additional Required Documents**, including:
 1. At least three letters of support for Project - **local Alaska Native community support highly recommended. Letters of reference should include referee's signature and contact information.**
 2. A copy of the organization's most recent audited financial statement (if not applicable, contact The Foundation).
 3. A current list of proposing organization's board of directors.



Education Project Grant 2020 Application Form

PROJECT PROPOSAL INFORMATION

Project Name:

Project Dates (MM/DD/YYYY): Project Begins: / / Project Ends: / /

APPLICANT IDENTIFICATION

Organization/Individual Name:

Mailing Address:

City: State: Zip:

Chief Administrative Person:

Title:

Phone: () -

Fax: () -

Email:

Active Project Contact Person:

Title:

Phone: () -

Fax: () -

Email:

Website:

Non Profit Status: IRS 501(c)(3): Other (specify):

Organization Federal Employer I.D. Number:

PROJECT BUDGET SUMMARY

Cash Provided by Applicant	\$
In-Kind Provided by Applicant and Other Sources	\$
Cash Committed by Other Sources	\$
Cash Requested from The Ciri Foundation	\$
<u>Cash Amount Yet-to-be-Identified</u>	<u>\$</u>
TOTAL Project Budget (Cash only)	\$

CERTIFICATION

I certify that all information contained in this application, including all attachments and supporting materials, is true and correct.

Signature: _____ Date: _____

Authorized Officer's Name: _____ Title: _____



Project Grant Program Budget

Organization:

Project Name:

SOURCES OF FUNDS

Please note if funds are Pending (P), Confirmed (C), or Denied (D).

	Cash	In-Kind	Total
Amount provided by Grant Applicant	\$	\$	\$
Corporate Support	\$	\$	\$
Other Foundation Support	\$	\$	\$
Other Private Support	\$	\$	\$
Government Support	\$	\$	\$
Other Revenues	\$	\$	\$
Amount requested from The Ciri Foundation	\$	\$	\$
TOTAL	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>

EXPENSES

*Please attach itemized calculations and explanations for each line item on separate paper. Please clarify how these line items fit into overall budget if this is a subset of a larger budget. This information will be compared to budget explanation. **Requests for changes to the Project timeline, budget, or scope must be submitted in writing to TCF for consideration.***

	Cash	In-Kind	Total
Personnel/Administration/Indirect*	\$	\$	\$
Professional Contract Services	\$	\$	\$
Travel (TCF does not fund)	\$	\$	\$
Per Diem	\$	\$	\$
Space Rental	\$	\$	\$
Equipment Rental	\$	\$	\$
Marketing	\$	\$	\$
Permission and other fees	\$	\$	\$
Printing	\$	\$	\$
Supplies	\$	\$	\$
Insurance	\$	\$	\$
Phone/Postage	\$	\$	\$
Shipping	\$	\$	\$
Other (specify):	\$	\$	\$
Other (specify):	\$	\$	\$
TOTAL	\$ <u> </u>	\$ <u> </u>	\$ <u> </u>

***Contact TCF to discuss reasonable indirect expenses, if needed**



Education Project Grant Program Expenditure Responsibility Agreement

The Tax Reform Act of 1969 imposed a series of restrictions upon the activities and grants of private foundations. These restrictions are enforced by stringent penalties. One provision of the legislation requires grants like the present one to be made subject to a written agreement between the Grantor and Grantee establishing certain limitations on the use of the grant funds. To comply with the statutory standards, the Grantee must agree with the following terms and conditions with respect to the grant covered by this Award described in the notification letter.

1. The grant is to be used exclusively for the purposes specified in this letter. Any part of the grant funds not used must be returned promptly to The Ciri Foundation.
2. No part of the grant may be used to attempt to influence legislation (within the meaning of Section 4945[d][1] of the Internal Revenue Code).
3. No part of the grant may be used to attempt to influence the outcome of any specific public election, or to carry on, directly or indirectly, any voter registration drive (within the meaning of Section 4945 [d][2] of the Internal Revenue Code).
4. No part of the grant may be used for the making of a grant to an individual for travel, study, or similar purposes unless the requirements of Section 4945(g) of the Internal Revenue Code are met. The payment of compensation to the Grantee's employees does not constitute a "grant," for these purposes, and is not subject to these restrictions.
5. No part of this grant may be used for a grant to another organization unless the provisions of Section 4945(h) of the Internal Revenue Code (dealing with expenditure responsibility) are complied with if they are applicable.
6. No part of this grant may be used for purposes other than religious, charitable, scientific, literary, or educational purposes or the prevention of cruelty to children or animals.
7. Within thirty (30) days after the close of the Project Grant ending date, the Grantee will make a final report to the Grantor detailing all expenditures made from the Grant funds, including salaries, travel, and supplies and indicating the progress made toward the goals of the Grant.
8. The Grantee will indicate the Project Grant separately on its books of account, charge expenditures made in furtherance of the Project Grant purposes against the Grant, and keep records adequate to enable the use of the Grant funds to be checked readily.
9. The Grantee will keep all records pertaining to this Project Grant along with copies of the reports submitted to the Grantor, for at least four (4) years and make the records available to the Grantor at reasonable times.
10. No part of this grant may be used by a disqualified person(s) as defined by Section 4946 of the Internal Revenue Code.
11. Any publications/materials must state "Funded in part by The Ciri Foundation" (no smaller than size 12pt font) and include the TCF logo.
12. Requests for changes to the Project timeline, budget, or scope must be submitted in writing to The Ciri Foundation for consideration. If the requested change is approved, The Ciri Foundation will send a written response making note of this change within thirty days of the request.

The Grantor is available to discuss any questions the Grantee may have about the effect of these terms and conditions or concerns about the requirements as outlined above. If during the course of the Project Grant period more information is needed regarding an application of one or more of the terms and conditions to a particular problem or situation, the Grantor is pleased to consult with the Grantee.

Grantee acceptance of these terms and conditions must be indicated below by the signature of the officer or officers who are, under your by-laws and the laws governing the Grantee organization, authorized to execute contracts on behalf of your organization. Please make a copy for your organization and return the executed original Agreement to the Grantor.

The above statement is hereby accepted by:

GRANTOR:

The Ciri Foundation

3201 C Street, Suite 506, Anchorage, AK 99503

Authorized Signer: _____

Printed Name: Susan A. Anderson, M.Ed.

Title: President/CEO

Date:

GRANTEE:

Organization Name:

Address:

Authorized Signer: _____

Printed Name:

Title:

Date:



Education Project Grant 2020 PROPOSAL NARRATIVE TEMPLATE

- 1. Statement of need (why this project should be done).**
- 2. Statement of project goal (purpose).**
- 3. Project objectives (the measurable outcomes that are expected to be accomplished within the scope of the project).**
- 4. Activities (tasks) to be performed to achieve the project objectives.**
- 5. Description of the anticipated end result(s) of the project.**
- 6. Summary of the education topics and types of communication to be used in the project and how these will be communicated to participants.**
- 7. Identification of the intended audience (i.e., children, young adults or all ages; Alaska Natives or the general public, etc.) and the number of people expected to participate in the project.**
- 8. Description of how the project will impact and involve original enrollees and/or lineal descendants of Cook Inlet Region, Inc. in the project (1) during project development and (2) upon outcome.**
- 9. Explanation of how this project will make a difference in the field of education for Alaska Native peoples.**
- 10. Communication plan – Describe how the project’s opportunities will be shared with the intended audience and how outcomes will be shared with the community.**
- 11. Specific project timeline**
- 12. Evaluation plan** Please include samples of any/all questionnaires to be used and if participants are minors please do not use name.



***Education Project Grant 2020
BUDGET NARRATIVE TEMPLATE***

- 1. An itemized listing and explanation of how Foundation funds would be used.**
- 2. A detailed listing of all funders to the specific project or program must also be included. The detailed fund list must indicate if the proposals to the other listed funders have been approved, are pending response, or have been denied.**
- 3. Please explain how the project will be impacted if less funding from The Ciri Foundation were to be received.**



2020 Education Project Grant Program Evaluation Report

Organizations that receive a Project Grant from The Ciri Foundation must complete and submit this Evaluation Report and related materials within **thirty (30) days** of Project completion date in order to be considered for any future Foundation Project Grant funds.

A. Applicant:

Organization Name:

Mailing Address:

Email:

City:

State:

Zip:

Contact Person:

Phone: () -

Fax: () -

B. Project Information

Name:

Start Date:

End Date:

C. Budget: Total Revenues: \$

Total Expenses: \$

Total TCF Grant: \$

Total TCF Grant Spent: \$

D. Program Report (Please respond to each question below)

Part 1. Describe how the Project was carried out. Please be concise. What was the purpose of the Project? What did you do? How did you reach your intended audience?

Part 2. What was the impact or measurable change caused by the Project? What has improved or how are participants better off because of this project? What specific skills or knowledge did participants gain as a result of their involvement?

Part 3. Were there *any* changes in your Project from what was stated in your approved application to The Foundation? If so, please explain what they were and why.

Part 4. Were you able to accomplish the Project within the stated budget? If the response is "no," please explain the circumstances.

Part 5. Were you able to accomplish the Project within the stated timeline? Were you able to complete all the stated activities? If the response is "no," please explain the circumstances.

Part 6. Were you able to achieve the Project's objectives? Please reiterate project objectives in response. If the response is "no," please explain the circumstances.

Part 7. Who were the individuals that benefited directly from your activities? Including CIRI Shareholder families, other Alaska Natives and the general public actual total audience, participants (children, youth and adults), etc.

Part 8. Describe and analyze the response of the project's audience. Were questionnaires or other means used to solicit feedback on the project, and, if so, what was learned? Are those who participated satisfied with the program? Please include samples of any questionnaires used in addition to the information gathered with them.

Part 9. If the project were conducted again, what could be done differently to strengthen it, or use resources more effectively?

E. Attachments to The CIRI Foundation Evaluation Report

Please enclose the following information and/or items with this completed TCF Evaluation Report:

- A copy of the news releases that tell about the Project.
- A copy of the Project's program/s or catalogue/s or published/produced material/s.
- A copy of the final Project accounting report.
- A check for the unexpended balance of the Project Grant funds the organization received from The Foundation, if any, that are to be returned to The Foundation.
- A photo which would be suitable for use in Foundation Newsletters or Annual Reports.
- "Share Your Story" on www.thecirifoundation.org describing the project- may be submitted by a participant. (You may also attach a project summary, highlights, or story to your Evaluation Report as a supplemental document. Please indicate any photo(s) you would like to accompany the story posted online. Responses to Part 1 and Part 2 may serve as a story if no other is provided.)

This Project Grant Evaluation Report was completed by:

Signature: _____ Date: _____

Authorized Officer's Name: _____ Title: _____

Please contact The CIRI Foundation if you have any questions about the Evaluation Report or any supplemental items.

IRS GRANT RESTRICTIONS

IRS RESTRICTIONS FOR PRIVATE FOUNDATION GRANT FUNDING. *PLEASE REVIEW CAREFULLY.*

26. U.S.C. § 4945. Taxes on taxable expenditures

Complete Code: <https://www.govinfo.gov/content/pkg/USCODE-2010-title26/html/USCODE-2010-title26-subtitleD-chap42-subchapA-sec4945.htm>

(d) Taxable expenditure. For purposes of this section, the term “taxable expenditure” means any amount paid or incurred by a private foundation

PROHIBITED ACTIVITIES:

- (1) to carry on propaganda, or otherwise to attempt, to influence legislation, within the meaning of subsection (e),
- (2) except as provided in subsection (f), to influence the outcome of any specific public election, or to carry on, directly or indirectly, any voter registration drive,
- (3) as a grant to an individual for travel, study, or other similar purposes by such individual, unless such grant satisfies the requirements of subsection (g),
- (4) as a grant to an organization unless—
 - (A) such organization—
 - (i) is described in paragraph (1) or (2) of section 509(a),
 - (ii) is an organization described in section 509(a)(3) (other than an organization described in clause (i) or (ii) of section 4942(g)(4)(A)), or
 - (iii) is an exempt operating foundation (as defined in section 4940(d)(2)), or
 - (B) the private foundation exercises expenditure responsibility with respect to such grant in accordance with subsection (h), or
- (5) for any purpose other than one specified in section 170(c)(2)(B).

(e) Activities within subsection (d)(1). For purposes of subsection (d)(1), the term “taxable expenditure” means any amount paid or incurred by a private foundation for—

- (1) any attempt to influence any legislation through an attempt to affect the opinion of the general public or any segment thereof, and
- (2) any attempt to influence legislation through communication with any member or employee of a legislative body, or with any other government official or employee who may participate in the formulation of the legislation (except technical advice or assistance provided to a governmental body or to a committee or other subdivision thereof in response to a written request by such body or subdivision, as the case may be), other than through making available the results of nonpartisan analysis, study, or research. Paragraph (2) of this subsection shall not apply to any amount paid or incurred in connection with an appearance before, or communication to, any legislative body with respect to a possible decision of such body which might affect the existence of the private foundation, its powers and duties, its tax-exempt status, or the deduction of contributions to such foundation.

(f) Nonpartisan activities carried on by certain organizations. Subsection (d)(2) shall not apply to any amount paid or incurred by any organization—

- (1) which is described in section 501(c)(3) and exempt from taxation under section 501(a),
- (2) the activities of which are nonpartisan, are not confined to one specific election period, and are carried on in 5 or more States,
- (3) substantially all of the income of which is expended directly for the active conduct of the activities constituting the purpose or function for which it is organized and operated,
- (4) substantially all of the support (other than gross investment income as defined in section 509(e)) of which is received from exempt organizations, the general public, governmental units described in section 170(c)(1), or any combination of the foregoing; not more than 25 percent of such support is received from any one exempt organization (for this purpose treating private foundations which are described in section 4946(a)(1)(H) with respect to each other as one exempt organization); and not more than half of the support of which is received from gross investment income, and
- (5) contributions to which for voter registration drives are not subject to conditions that they may be used only in specified States, possessions of the United States, or political subdivisions or other areas of any of the foregoing, or the District of Columbia, or that they may be used in only one specific election period. In determining whether the organization meets the requirements of paragraph (4) for any taxable year of such organization, there shall be taken into account the support received by such organization during such taxable year and during the immediately preceding 4 taxable years of such organization (excluding therefrom any preceding taxable year which begins before January 1, 1970). Subsection (d)(4) shall not apply to any grant to an organization which meets the requirements of this subsection.

(g) Individual grants. Subsection (d)(3) shall not apply to an individual grant awarded on an objective and nondiscriminatory basis pursuant to a procedure approved in advance by the Secretary, if it is demonstrated to the satisfaction of the Secretary that—

- (1) the grant constitutes a scholarship or fellowship grant which would be subject to the provisions of section 117(a) (as in effect on the day before the date of the enactment of the Tax Reform Act of 1986) and is to be used for study at an educational organization described in section 170(b)(1)(A)(ii),
- (2) the grant constitutes a prize or award which is subject to the provisions of section 74(b) (without regard to paragraph (3) thereof), if the recipient of such prize or award is selected from the general public, or
- (3) the purpose of the grant is to achieve a specific objective, produce a report or other similar product, or improve or enhance a literary, artistic, musical, scientific, teaching, or other similar capacity, skill, or talent of the grantee.

IRS GRANT RESTRICTIONS CONTINUED

IRS RESTRICTIONS FOR PRIVATE FOUNDATION GRANT FUNDING. PLEASE REVIEW CAREFULLY.

26 U.S.C. § 4946. Definitions and special rules

Complete Code: <https://www.govinfo.gov/content/pkg/USCODE-2010-title26/html/USCODE-2010-title26-subtitleD-chap42-subchapA-sec4946.htm>

(a) Disqualified person

(1) In general. For purposes of this subchapter, the term “disqualified person” means, with respect to a private foundation, a person who is—

- (A) a substantial contributor to the foundation,
- (B) a foundation manager (within the meaning of subsection (b)(1)),
- (C) an owner of more than 20 percent of—
 - (i) the total combined voting power of a corporation,
 - (ii) the profits interest of a partnership, or
 - (iii) the beneficial interest of a trust or unincorporated enterprise, which is a substantial contributor to the foundation,
- (D) a member of the family (as defined in subsection (d)) of any individual described in subparagraph (A), (B), or (C),
- (E) a corporation of which persons described in subparagraph (A), (B), (C), or (D) own more than 35 percent of the total combined voting power,
- (F) a partnership in which persons described in subparagraph (A), (B), (C), or (D) own more than 35 percent of the profits interest,
- (G) a trust or estate in which persons described in subparagraph (A), (B), (C), or (D) hold more than 35 percent of the beneficial interest,
- (H) only for purposes of section 4943, a private foundation—
 - (i) which is effectively controlled (directly or indirectly) by the same person or persons who control the private foundation in question, or
 - (ii) substantially all of the contributions to which were made (directly or indirectly) by the same person or persons described in subparagraph (A), (B), or (C), or members of their families (within the meaning of subsection (d)), who made (directly or indirectly) substantially all of the contributions to the private foundation in question, and
- (I) only for purposes of section 4941, a government official (as defined in subsection (c)).

(2) Substantial contributors. For purposes of paragraph (1), the term “substantial contributor” means a person who is described in section 507(d)(2).

(3) Stockholdings. For purposes of paragraphs (1)(C)(i) and (1)(E), there shall be taken into account indirect stockholdings which would be taken into account under section 267(c), except that, for purposes of this paragraph, section 267(c)(4) shall be treated as providing that the members of the family of an individual are the members within the meaning of subsection (d).

(4) Partnerships; trusts. For purposes of paragraphs (1)(C)(ii) and (iii), (1)(F), and (1)(G), the ownership of profits or beneficial interests shall be determined in accordance with the rules for constructive ownership of stock provided in section 267(c) (other than paragraph (3) thereof), except that section 267(c)(4) shall be treated as providing that the members of the family of an individual are the members within the meaning of subsection (d).

(b) Foundation manager. For purposes of this subchapter, the term “foundation manager” means, with respect to any private foundation—

- (1) an officer, director, or trustee of a foundation (or an individual having powers or responsibilities similar to those of officers, directors, or trustees of the foundation), and
- (2) with respect to any act (or failure to act), the employees of the foundation having authority or responsibility with respect to such act (or failure to act).

(c) Government official. For purposes of subsection (a)(1)(I) and section 4941, the term “government official” means, with respect to an act of self-dealing described in section 4941, an individual who, at the time of such act, holds any of the following offices or positions (other than as a “special Government employee”, as defined in section 202(a) of title 18, United States Code):

- (1) an elective public office in the executive or legislative branch of the Government of the United States,
- (2) an office in the executive or judicial branch of the Government of the United States, appointment to which was made by the President,
- (3) a position in the executive, legislative, or judicial branch of the Government of the United States—
 - (A) which is listed in schedule C of rule VI of the Civil Service Rules, or
 - (B) the compensation for which is equal to or greater than the lowest rate of basic pay for the Senior Executive Service under section 5382 of title 5, United States Code,
- (4) a position under the House of Representatives or the Senate of the United States held by an individual receiving gross compensation at an annual rate of \$15,000 or more,
- (5) an elective or appointive public office in the executive, legislative, or judicial branch of the government of a State, possession of the United States, or political subdivision or other area of any of the foregoing, or of the District of Columbia, held by an individual receiving gross compensation at an annual rate of \$20,000 or more,
- (6) a position as personal or executive assistant or secretary to any of the foregoing, or
- (7) a member of the Internal Revenue Service Oversight Board.

(d) Members of family. For purposes of subsection (a)(1), the family of any individual shall include only his spouse, ancestors, children, grandchildren, great grandchildren, and the spouses of children, grandchildren, and great grandchildren.