

# DONOR-ADVISED FUND AGREEMENT

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Thank you for setting up a donor-advised fund. Your fund will be administered by GiveSendGo Charities, a 501(c)(3) public charity.

Please complete the following form and return to [info@GivSendGo.org](mailto:info@GivSendGo.org)



GiveSendGo Charities  
[www.GiveSendGo.org](http://www.GiveSendGo.org)

## GIVESENDGO CHARITIES

### DONOR-ADVISED FUND AGREEMENT

This Agreement is made on \_\_\_\_\_, by and between \_\_\_\_\_ ("Donor"), and GIVESENDGO CHARITIES, a registered public 501c3 charity. The Donor agrees to create a Donor Advised Fund ("the Fund") with the Charity under the following terms and conditions:

1. **Name your Fund:** *The Fund's given name shall be identified as such by the Charity and its Board of Directors in the course of administration and distribution thereof. You can include your name or remain anonymous. Examples: James Family Charity, Pay It Forward Fund*

The Fund shall be known as:

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(Congratulations on naming your fund!)

2. **Fund Advisor(s):** *An Advisor is a person currently authorized to recommend grants from the above-established Fund. If more than one Advisor is named, grant recommendations will be coordinated through the Lead Advisor and then submitted to the Charity. Any Advisor may recommend to the Lead Advisor distributions from the Fund.*

Donor or Initial Lead Advisor:

|                                                           |                        |           |          |
|-----------------------------------------------------------|------------------------|-----------|----------|
| _____                                                     | _____                  | _____     | _____    |
| First Name                                                | Middle Name or Initial | Last Name | Suffix   |
| _____                                                     | _____                  | _____     | _____    |
| Preferred Name or Nickname (if different than first name) | Date of Birth          | City      |          |
| _____                                                     | _____                  | _____     | _____    |
| Address Home Work                                         | City                   | State     | Zip Code |
| _____                                                     | _____                  | _____     | _____    |
| Phone Home Work Cell                                      | Email Address          |           |          |

Additional Advisors:

|                                                           |                        |                    |                |
|-----------------------------------------------------------|------------------------|--------------------|----------------|
| First Name                                                | Middle Name or Initial | Last Name          | Suffix         |
| Preferred Name or Nickname (if different than first name) |                        | Date of Birth City |                |
| Address Home Work                                         |                        | City               | State Zip Code |
| Phone Home Work Cell                                      |                        | Email Address      |                |

|                                                           |                        |                    |                |
|-----------------------------------------------------------|------------------------|--------------------|----------------|
| First Name                                                | Middle Name or Initial | Last Name          | Suffix         |
| Preferred Name or Nickname (if different than first name) |                        | Date of Birth City |                |
| Address Home Work                                         |                        | City               | State Zip Code |
| Phone Home Work Cell                                      |                        | Email Address      |                |

|                                                           |                        |                    |                |
|-----------------------------------------------------------|------------------------|--------------------|----------------|
| First Name                                                | Middle Name or Initial | Last Name          | Suffix         |
| Preferred Name or Nickname (if different than first name) |                        | Date of Birth City |                |
| Address Home Work                                         |                        | City               | State Zip Code |
| Phone Home Work Cell                                      |                        | Email Address      |                |

3. **Successor Advisor(s):** *The Donor may name one or more Successor Advisors to the Fund to act upon the death, resignation, refusal, removal, or inability to act of the last named Advisor(s). At any time that the **Fund** has multiple Advisors, the **Fund** Advisors shall select a Lead Advisor who will transmit grant recommendations to the Charity. It is understood that in the event that no Advisor is able and willing to act, the Charity's Board of Directors shall make decisions without an Advisor in accordance with its "Inactive Fund Policy".*

Check here if you do not want to name a Successor Advisor. We will contact you regarding your charitable intent for the Fund.

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|                                                           |                        |                    |                |
|-----------------------------------------------------------|------------------------|--------------------|----------------|
| First Name                                                | Middle Name or Initial | Last Name          | Suffix         |
| Preferred Name or Nickname (if different than first name) |                        | Date of Birth City |                |
| Address Home Work                                         |                        | City               | State Zip Code |
| Phone Home Work Cell                                      |                        | Email Address      |                |
| Relationship to Fund Advisor(s)                           |                        |                    |                |

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|                                                           |                        |                    |                |
|-----------------------------------------------------------|------------------------|--------------------|----------------|
| First Name                                                | Middle Name or Initial | Last Name          | Suffix         |
| Preferred Name or Nickname (if different than first name) |                        | Date of Birth City |                |
| Address Home Work                                         |                        | City               | State Zip Code |
| Phone Home Work Cell                                      |                        | Email Address      |                |
| Relationship to Fund Advisor(s)                           |                        |                    |                |



7. Additional Information Please include any additional information you would like us to know.

8. Terms & Required Signature(s)

The Founder(s) establish this Fund with GiveSendGo Charities

The current Fund Advisor(s) may make recommendations for grants (from any potential income and principal) and other administrative matters unless otherwise noted herein. If two or more are named, any may act alone. Upon the death, resignation or incapacity to serve of the Fund Advisor (or the surviving Fund Advisor if two or more individuals have been named), the Successor Advisor(s) will then advise the Fund. If two or more persons are eligible to be successors, then a recommendation by a majority of such persons shall constitute an effective recommendation for consideration by the Charity unless otherwise noted herein.

If the persons named in this document or after the date of this document are not available to advise and consult with the Charity due to death, resignation or incapacity to serve, the Charity shall use the principal and income from the Fund for charitable, education, religious, or scientific purposes.

As required by IRS regulations, all grant recommendation is advisory only and the Charity may, at its sole and absolute discretion, follow or decline to follow the recommendation. If the grant recommendation is accepted, it will be administered in accordance with the financial policies and fiduciary standards of the Charity.

The Charity's administrative fee schedule is found in the attached policies. The fee schedule is subject to modification and may be increased or decreased at the sole discretion of the Charity.

The Donor-Advised Fund Policies are attached; signing below indicates acceptance of these policies. The Donor-Advised Fund Policies are subject to change. The Charity reserves the right to make the final decision regarding distributions from the Fund.

Terms & Required Signature(s)

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Founder Signature

Printed Name

Date

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Founder Signature

Printed Name

Date

Accepted by:

GiveSendGo Charities

Date

## Policies and Guidelines

### Administrative Fees

This administrative fee schedule applies to all Donor Advised Funds at GiveSendGo Charities.

**Administrative fees are used exclusively to support our mission-based operations. These fees are your investment in a 501(c)(3) public charity dedicated to increasing charitable giving, educating and connecting donors to community needs they care about, and leading on critical community issues.**

The administrative fee structure illustrates the annual cost for a fund. These fees are assessed to the Fund on a yearly basis. (A monthly fee equaling one-twelfth of the annual fee, based on the average fair market value of Fund assets for the month. If there are no assets in the Fund for the entire month, there is no fee.) For newly established funds, the annual fee is prorated over the remainder of the year.

| Yearly Investment    | > \$10,000 | \$10,001 - \$1,000,000 | < 1,000,000 |
|----------------------|------------|------------------------|-------------|
| Admin Fee Percentage | 3%         | 2%                     | 1%          |
| Minimum Fee          | \$250      | \$500                  | \$10,500    |
| Outgoing Grant Fee   | 2%         | 1%                     | 0.25%       |

| EXAMPLE           | DAF #1  | DAF #2   | DAF #3      |
|-------------------|---------|----------|-------------|
| Yearly Investment | \$4,000 | 60,000   | 1,250,000   |
| Admin Fee Cost    | \$120   | \$1,200  | \$12,500    |
| Fee Charge        | \$250   | \$1,200  | \$12,500    |
| Funds to Account  | \$3,750 | \$58,800 | \$1,237,500 |

For funds receiving a bequest that will be fully disbursed to one or more charities upon receipt, the Charity will assess a one-time 3% fee on such bequest.

### Contributions to Donor-Advised Funds

Contributions to donor-advised funds at the Charity are gifts to a public charity and eligible for the maximum tax deduction allowed by law. The Charity only accepts gifts with direct monetary value. Contributions are subject to the review and approval by the Charity prior to acceptance and are

irrevocable once accepted. The Charity does not provide legal, tax or financial advice, so the Charity encourages donors to consult with their own professional advisors prior to making a contribution.

### **Investment of the Fund**

At this time, GiveSendGo Charities only utilizes banking with high interest rates to minimally grow each fund. GiveSendGo Charities has full discretion and control over the internal placement and holding of Funds. Individual Funds may be pooled with other DAFs to utilize a greater return from interest. Fund activity will be tracked separately, regardless of how the assets are held.

**Income.** All income (including gains) earned on assets held in the Fund will be allocated to the Fund.

**Administrative Fees.** GiveSendGo Charities may assess an administrative fee against the Fund.

**Other Expenses.** GiveSendGo Charities may in its sole discretion deduct from the Fund any costs, including legal fees, that GiveSendGo Charities incurs with respect to the Fund. Certain grants, intensive due diligence, or Advisor-requested research may incur extra fees.

**Reporting.** GiveSendGo Charities will provide to each Advisor on a quarterly basis a report on the status of the Fund. The report will include additional contributions by the initial donor or other donors, earnings on investments, charitable grants from the Fund, and fees deducted. GiveSendGo Charities may provide additional reports upon request.

**Fund Manager:** GiveSendGo Charities maintains all management over account activity through a selected internal Fund Manager. The Fund Manager will be selected by the governing board and will be assigned to the DAF at the onset of its creation.

### **Distributions and Grants from Donor-Advised Funds**

**Eligible Grant Purposes.** All recommended grants from the Fund must be exclusively for charitable, religious, or educational purposes, as those terms are used in Section 170(c)(2) of the Internal Revenue Code (the “Code”) and are to be review and approved by the governing board at GiveSendGo Charities. All grants must also further GiveSendGo Charities’s charitable, religious, and educational purposes, as determined by GiveSendGo Charities in its sole discretion. In addition, if the Donor Advised Fund Agreement or communications to donors to the Fund indicate a specific purpose for the Fund, then all grants from the Fund must comply with the stated purpose restriction. GiveSendGo Charities may, from time to time, notify the Advisors of suitable grant recipients.

**Eligible Grant Recipients.** GiveSendGo Charities will only make grants from the Fund to U.S. charitable organizations that are tax-exempt public charities; U.S., state, or local government organizations qualified to receive tax deductible charitable contributions, such as state colleges or universities; private operating foundations; or certain non-U.S. organizations. GiveSendGo Charities will not make grants from the Fund to individuals. All recommendations from Fund Advisors may not impose restrictions or conditions that prevent us from making distributions from the donors account that would prevent us from accomplishing our charitable purposes. Grants from the Fund may be allocated to unique funds within the Charity. Funds distributed to unique Funds with the Charity must be linked with a charitable cause that furthers the Charities charitable purposes.

**Restricted Organizations and Purposes.** GiveSendGo Charities will not approve recommendations for grants:

- to non-functionally integrated Type III supporting organizations;
- to supporting organizations that are controlled by or that provide support to organizations controlled by any Advisor, or certain family members or affiliates (as defined below) of such people;
- to private non-operating foundations;
- that are for lobbying, political campaigns or other political activities; or that are for any purpose that is not entirely charitable. You may designate grants to GiveSendGo Charities to utilize in furthering their mission.



**Yearly Distribution Requirement:**

All individual accounts must have a yearly minimum distribution of 10% from their Funds to maintain their status with us. If no recommendations are given within the fiscal year for distribution, GiveSendGo Charities will have full authority to distribute up to 20% and no less than 5% of funds across all accounts prior to the end of the fiscal year to the causes that further their charitable purposes.

**Enforceable Pledges.**

In general, no Advisor may recommend a grant that would discharge or satisfy (in whole or in part) a legally enforceable pledge or other obligation, including a pledge or other obligation of any Advisor or their family members or affiliates.

“Family members” means spouses, registered domestic partners, ancestors, children, grandchildren, great grandchildren, brothers and sisters, as well as the spouses or registered domestic partners of children, grandchildren, great grandchildren, brothers, and sisters.

An entity is an “affiliate” of a person if it is a corporation at least 35% owned (by voting stock), or a partnership at least 35% owned (by profits interest), or a trust at least 35% owned (by beneficial interest) by such person and/or such person’s family members.

**Return Benefits.**

No Advisor may recommend a grant that would cause or enable any Advisor or family members or affiliates of such people, to receive a return benefit, such as the opportunity to attend a fundraising dinner or event. Grants with prohibited return benefits include so-called “bifurcated” grants, in which attendance at an event (or the receipt of any other benefit) is paid for separately but contingent on receipt of a charitable contribution or grant.

**Tax Deductible Grants**

Because contributions to donor-advised funds are eligible for a charitable tax deduction, grants subsequently made from donor-advised funds are not tax deductible.

**Fund Activity and Fund Statements**

The Charity is responsible for ensuring donor-advised funds are used for charitable grant-making and do not confer any private benefit on the donor or any other person. The Charity monitors the use of donor-advised funds to ensure their activity leads to charitable distributions. The Charity does not have a minimum amount for grants or maximum frequency of grants. Fund Advisors can suggest grants in any amount and as often as they like. The Charity periodically checks in on donor-advised funds that are not being used to ensure the Charity understands Fund Advisors’ plans for their funds. Fund statements showing gift, grant and investment activity for a donor-advised fund are available through the online donor portal.

**Termination or Inactive Fund Policy:**

Upon termination of the Fund any remaining advisory privileges will end. However, prior to termination, the primary donor may express his or her recommendation to GiveSendGo Charities at any time regarding the distribution of Fund assets upon termination of the Fund.

**No Remaining Advisors.** The Fund will terminate if at any point there is no Advisor to the Fund.

**Fund Minimum Balance.** If the Fund balance remains below \$1000 for three consecutive months, GiveSendGo Charities will attempt to notify the Advisor(s). If GiveSendGo Charities does not receive either a grant recommendation or additional funds for contribution into the Fund within 90 days of such attempted notification, GiveSendGo Charities may in its sole discretion terminate the Fund.

**Minimum Activity.** When GiveSendGo Charities has received no grant recommendations from any Advisor to a Fund for 12 consecutive months, GiveSendGo Charities will request grant recommendations in each quarterly statement thereafter. If 18 more consecutive months pass with no grant recommendations from any Advisor, GiveSendGo Charities may in its sole discretion terminate the Fund.

### **Role of Donor-Advised Fund Advisors and Successor Advisors**

At any time during a Founder's lifetime the Founder(s) may designate one or more adult individuals to be Fund Advisors, as well as Successor Advisors to serve upon the Fund Advisor's (or the surviving Fund Advisor if two or more have been named) death, resignation or incapacity. Each Fund Advisor may individually make recommendations for grants and other donor-advised fund related matters. Successor Advisors may make recommendations concerning grants for donor-advised funds and must act by majority unless otherwise noted in the fund agreement. If majority action is required and only two Successor Advisors are serving, they must act by unanimous consent. Unless the Founder(s) have specified otherwise, each Successor Advisor may recommend individuals from succeeding generations to act in their place. The Charity is happy to work with generations of Fund Advisors. If no successor is to be found, all remaining funds will be released to the General Fund of the sponsoring organization.

### **Confidentiality and Privacy Policy**

The Charity holds all information concerning our donors and their donor-advised funds in strict confidence. The Charity will only release information about a donor if the donor has given permission, or if a government agency or court has the legal authority to request the information. All personal data collected on this form is subject to the Charity's privacy policy, which can be found at <https://www.givesendgo.org/about-5>.

### **Bequests and Beneficiary Designations**

The Charity can carry out donors' charitable goals beyond their lifetimes. To name a donor-advised fund at the Charity as a beneficiary of a will, trust, life insurance policy or retirement plan account, the following language may be helpful in completing estate planning documents or beneficiary designation forms: After describing what the donor wants to leave to their fund (i.e., a percentage of the estate/trust/account or a specific dollar amount), please note that it will pass "to GiveSendGo Charities (EIN 88-3776392) for the following component fund: [name of the fund]."

### **Fundraising**

The Charity cannot sponsor or reimburse expenses for any fundraising activities or any other events intended to benefit any donor-advised fund, and will not be responsible for the collection of any amounts from any benefit, ball, banquet, athletic event or third-party online fundraising page. The Charity will only be responsible for the proper disbursement of funds actually received. Any advertising, promotional or other materials must be consistent with this policy.

### **Honoring Donor Intent/Variance Power**

The Charity carries out a donor's charitable intent through a donor-advised fund. In rare circumstances, the Charity may determine that the donor's charitable purposes may have become unnecessary, obsolete, incapable of fulfillment, impractical or inconsistent with the community's charitable needs. In that case, the Charity may need to exercise its variance power to change the charitable purpose of the fund. In doing so, the Charity will strive to make distributions that are consistent with the donor's charitable interests.