



**In order to participate in Omaha Gives!, organizations must agree to the following information set forth by the Omaha Community Foundation:**

1. Participating organizations must meet and agree to the established eligibility guidelines.
  - Organization must be a 501(c)(3) public charity, recognized by the IRS as a qualified recipient of tax-deductible gifts, serving Douglas, Sarpy, and/or Pottawattamie counties.
  - Organization's primary operating address is in Douglas, Sarpy, or Pottawattamie County.
  - One organization per tax identification number is eligible to participate.
  - Community foundations are not eligible for participation.
  - The Omaha Community Foundation has final discretion in approving organizations for participation.

501(c)(3) Status:

  - An organization cannot have a profile if it has not completed the process with the IRS to receive 501(c)(3) public charity status. Upon the request of the Omaha Community Foundation, the organization must be able to provide said determination letter or other documentation from the IRS confirming its status as a recognized 501(c)(3) public charity.

Service Area:

  - If a newly registered organization's primary operating address is outside of, but primarily serves the 3-county area, this organization must provide documentation showing that at least
    - 50% of revenue comes from the 3-county area,
    - 50% of program expenses serve the 3-county area, or
    - 50% of programs serve the 3-county area.
  - If the organization had been approved to participate in the 2016 Omaha Gives Day, they will not have to provide documentation verifying that at least 50% of their revenue, program expenses, or programs are within the 3-county area.

Restricting Funds:

  - An eligible organization runs a food pantry at one location and a youth center at another, both under the same federal tax ID number. The organization is allowed one profile, and the organizational description can highlight both the pantry and the youth center, but through Omaha Gives!, donors cannot restrict their donations to one or the other. Houses of worship with affiliated schools under the same federal tax ID number may use a profile name to reflect both entities (e.g., Sacred Heart Church and School).
  - Donors cannot designate or restrict their donations. Example: A public school receives donations through a foundation. The public school's foundation may have a profile. Donors cannot designate or restrict their donations to a particular school within that system.

Fiscal Sponsorships:

  - If the organization/program is not a recognized 501(c)(3) public charity as described above, then it may still have a profile upon satisfaction of the following conditions: The fiscal sponsor/agent is a recognized 501(c)(3) public charity that has previously served as a fiscal agent/sponsor for the organization/program. This organization must choose either to have its own profile or to have its profile in the name of the other program. It cannot have two separate profiles for the same federal tax ID number.
2. The Omaha Community Foundation is assessing a small fee in addition to the third-party merchant processing fee to assist in covering the costs of offering the giving platform. Credit card transactions will be charged an additional 0.79% and electronic fund transfers will be charged an additional 0.24%.
3. The Omaha Community Foundation utilizes CiviCore as its technology partner for the Omaha Gives! program. CiviCore is a recognized technology leader for incentive-based fundraising programs. There will be a third-party merchant processing fee of no more than 3% per credit card donation. Credit card transactions are secure, backed by a PCI Level 1 secure service provider certification.
4. Omaha Gives! is an online-only fundraising program. In order for donations to be counted for the program, donations MUST be made through the omahagives.org website to the Omaha Community Foundation and designated to the applicant organization by scheduling a donation in the time allotted in advance of the event, or between the hours of 12:00am and 11:59 pm on May 24, 2017. Donations made at any other time and/or by any other method will not be eligible for the Omaha Gives! incentive prizes.
5. Participating organizations should promote the event to their donors through methods of their choosing and may take advantage of the Omaha Community Foundation's promotional and marketing materials that are made available. Any paid promotional methods utilized by the participating organization are solely at participating organization's discretion and expense.



6. The Omaha Community Foundation will promote Omaha Gives! through its media partners and various websites, and will provide social media marketing kits and training to participating organizations. Participating organizations will each get a customized organization donation page with a personalized link. The participating organization is responsible for providing organizational information, logo, and images for use on personal donation page. Applicant organization is responsible for cultivating donors through Omaha Gives!. The Omaha Community Foundation will provide training and materials, but will not recruit donors on behalf of the organization.
7. By July 15, 2017, the Omaha Community Foundation will provide participating organization payment in the amount of total donations received on behalf of participating organization net credit card transaction fees, plus any applicable prize money.
8. Each participating nonprofit organization will have access to their donor list, which includes contact and donation information for their specific donors, except for those who wish to remain anonymous. Donor information is never sold to a third party. The Omaha Community Foundation reserves the right to communicate with donors for the purposes of user surveys, newsletters, philanthropic education, and information.
9. A limited number of community businesses (Business Partners) will utilize a promo code for matching gifts or promotional purposes on OmahaGives.org. Promo Code details will be shared directly between the business and their customers or employees. Each participating Omaha Gives! Business Partner will have access to the list of donations processed using their unique Promo Code. This list includes donor name, donation amount, recipient organization, donor email, and donation timestamp. This excludes donor information on those who wish to remain anonymous. No bank or credit card information will be shared with Business Partners.
10. Organizations raising their own incentive challenge funds are responsible for reporting those funds through the appropriate processes in order to be approved and visible on omahagives.org.
11. Each gift processed through Omaha Gives! is 100% tax deductible. No goods or services may be exchanged for donations or as payment for "quid pro quo" items such as:
  - Memberships, dinners or any other activity that provides benefit to the donor
  - Tickets to events
  - Charitable auction purchases
  - Raffle tickets
  - Gift items
12. Participating organizations will not solicit donations through Omaha Gives! for such purposes as:
  - Memberships, dinners or any other activity that provides benefit to the donor
  - Legally binding pledges (The IRS takes the position that paying a legal pledge to which you personally obligate yourself privately benefits you by relieving you of your debt to charity.)
  - Support of a political campaign
13. Participating organizations certify that, to the best of their knowledge, all information entered into its Omaha Gives! profile on omahagives.org is accurate and up-to-date.
14. Participating organizations agree to notify the Omaha Community Foundation, as soon as possible, should the organization cease or substantially reduce its operations or should the Internal Revenue Service propose to revoke its Section 501(c)(3) status.
15. The Omaha Community Foundation may remove a participating organization's profile from omahagives.org in its sole discretion at any time.
16. Participating organizations are expected to take part in all applicable training sessions coordinated by the Omaha Community Foundation. Due to a large volume of requests, we ask that you review all training and support materials prior to communicating with staff at the Omaha Community Foundation.

### **Liability Disclaimer:**

As the appointed representative, I hereby release the Omaha Community Foundation, Omaha Gives!, and its affiliates, officers, board, and employees, jointly and severally, from any claims for any loss or damage sustained while participating in Omaha Gives! This disclaimer extends, applies to, and also covers and includes all unknown, unforeseen, unanticipated and unsuspected injuries, damages, losses and liability and the consequences thereof, as well as those now disclosed and known to exist. The provisions of any state, federal, local or territorial law that release such party from liability shall not extend or apply to claims, demands or damages which are unknown or unsuspected to exist at this time to the person executing such release. This authority also extends to coordination of participation efforts and use of public content from this organization's websites for marketing purposes. It is further understood and agreed that said participation in Omaha Gives! is not to be construed as an admission of any liability and/or acceptance of assumption of responsibility by the Omaha Community Foundation and its affiliates, officers, board, and employees, jointly and severally, or for any damages and



expenses for which the Omaha Community Foundation and its affiliates, officers, board, and employees become liable as a result of any alleged act of an Omaha Gives! participant.