



Master Class: Dissecting the Grant Agreement

January 24, 2020

Norah L. Jones, Quarles & Brady LLP, Chicago, IL

Kristy Bernard Tsadick, The Hewlett Foundation,
Menlo Park, CA



Grant Agreement Types

- Public charity
 - Public charity equivalent with an equivalency determination
 - Fiscal sponsors
 - Most supporting organizations
 - Some government agencies/instrumentalities



Grant Agreement Types

- Expenditure responsibility
 - Private foundations
 - Non-profits (including 501(c)(4), (c)(5), and (c)(6) organizations)
 - Foreign NGOs
- Individuals

Public Charity Grant Agreement

- Written grant agreement not required by law, but
strongly recommended

Public Charity Grant Agreement

- “Good to have” provisions
 - Tax status
 - Use of funds/prohibited use of funds
 - Payment (schedule and contingencies)
 - Reporting
 - Lobbying Activity permitted/prohibited
 - Intellectual property

Public Charity Grant Agreement

- “Good to have” provisions
 - Anti-terrorism/sanctions
 - Confirmation of discretion and control
 - No earmarking
 - Special language for fiscal sponsors
 - Public recognition/promotion
 - Compliance with all laws/clawback
 - Notification
 - Venue, governing law

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: Mater Class: Dissecting the Grant Agreement

Also available as part of the eCourse

[2020 Nonprofit Organizations eConference](#)

First appeared as part of the conference materials for the
37th Annual Nonprofit Organizations Institute session
"Dissecting the Grant Agreement"