

# Master Class: Anatomy of a Grant Agreement

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## 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
  - Reporting
  - Intellectual property

# Public Charity Grant Agreement

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

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