

Master Class: Anatomy of a Grant Agreement

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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
 - 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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