

GRANTS, LOANS, OR OTHER DISTRIBUTIONS
TO
FOREIGN ORGANIZATION(S)

1. Grants, Loans, or Other Distributions to Foreign Organization(s)

- a. IIT Roorkee Foundation, Inc. shall not provide loans to any foreign organization, an individual, or a group of individuals.
- b. IIT Roorkee Foundation, Inc. will make charitable grants/gifts or other distributions to foreign organizations, such as Indian Institute of Technology Roorkee, Roorkee, Uttarakhand, India, or other educational institutions and research and development establishments, for the tax-exempt purposes delineated in Articles of Incorporation and Bylaws.

2. Relationship with Foreign Organization(s)

- a. The Indian Institute of Technology (IIT) Roorkee, Roorkee, Uttarakhand, India, is identified as a foreign recipient organization.
- b. The IIT Roorkee Foundation, Inc. does not have "relationship" with Indian Institute of Technology Roorkee, which includes any of the following situations:
 - i. Neither does IIT Roorkee Foundation, Inc. control any recipient organization, including Indian Institute of Technology Roorkee, Roorkee, Uttarakhand, India, nor does the Indian Institute of Technology Roorkee control IIT Roorkee Foundation, Inc. through common officers, directors, or trustees, or through authority to approve budgets or expenditures.
 - ii. Neither IIT Roorkee Foundation, Inc. nor the Indian Institute of Technology Roorkee were created at approximately the same time and by the same persons. The Indian Institute of Technology Roorkee was

created in 1847, while IIT Roorkee Foundation, Inc. is incorporated in March 2019.

- iii. IIT Roorkee Foundation, Inc. and the Indian Institute of Technology Roorkee do not operate in a coordinated manner with respect to facilities, programs, employees, or other activities. Neither do we share rental expenses for office space and employees.
- iv. There is no person who exercises substantial influence over IIT Roorkee Foundation, Inc. and the Indian Institute of Technology Roorkee or on any recipient organization. IIT Roorkee Foundation, Inc. does not conduct activities in common or have a financial relationship with the Indian Institute of Technology Roorkee or any other recipient organization.
- v. IIT Roorkee Foundation, Inc. does not have a voting member/director in the governing board of directors who is also a voting member/director of the governing body of Indian Institute of Technology Roorkee.
- vi. IIT Roorkee Foundation, Inc. shall not give a loan to a voting member/director of Indian Institute of Technology Roorkee or accept a loan from a voting member/director of its governing body.

3. Ultimate Authority to Use Contributions

- a. The ultimate authority to use contributions made to IIT Roorkee Foundation, Inc. resides with the governing Board of Directors. All donations, including restricted contributions for specific project or purpose, are subjected to the final approval of the Board of Directors, Executive Committee, or a committee with governing board delegated powers. This shall be conveyed to the contributors through website and written communications. The agreement reached and signed between the donor and the IIT Roorkee Foundation, Inc. shall also include a clause to relay this to the contributor(s) to accept and abide.

- b. IIT Roorkee Foundation, Inc. has the ultimate discretion and responsibility for how the donations will be used. The approved and signed proposal can be included as an attachment or addendum to the MOU or be included in the text of the MOU. This will be made clear to donors in the MOU and in solicitation requests.
- c. The IIT Roorkee Foundation, Inc. requires proposal(s) and memorandum of understanding (MOU) to be developed, signed, and approved by the donor/contributor and IIT Roorkee Foundation, Inc., and by the recipient organization and IIT Roorkee Foundation, Inc. For examples, refer to Attachment 12.
- d. The proposal(s) and/or the MOU shall spell out the tax-exempt purpose for which the /donation shall be used.
- e. Details about making contributions shall be posted on the website; distributed with emails, letters, and handed out to individuals.
- f. Prior to considering, approving, and making distribution of funds to any recipient organization, IIT Roorkee Foundation, Inc. will make pre-grant inquiries about the recipient organization. These inquiries will include, as a minimum, the following to determine:
 - i. Financial status
 - ii. Tax exempt status under the Internal Revenue Code
 - iii. The ability to accomplish the purpose for which the resources are provided, and
 - iv. Other relevant information about the activities of the recipient organization.

Commented [NP1]: Be sure the agreements with the donors at Attachment 11 make it clear that the Foundation has the ultimate discretion of how the donations will be used.

4. Procedures to Ensure Grants or Other Distributions to Foreign Organization(s) Further IIT Roorkee Foundation, Inc.'s Tax-Exempt Purposes

- a. IIT Roorkee Foundation, Inc. shall distribute assets to recipient organizations in accordance with the schedule outlined in the approved proposal and/or a

memorandum of understanding (MOU) signed by the recipient organization and the IIT Roorkee Foundation, Inc.

- b. The Board of Directors, Executive Committee, or a committee with governing board delegated powers shall consider, approve and permit grants or other distributions only for the specified tax-exempt purposes only.
- c. The proposals and the MOUs signed by or between IIT Roorkee Foundation, Inc., and the recipient organizations shall not permit use of grants or other distributions for the purposes other than the tax-exempt purposes.
- d. The recipient organization shall be required to furnish periodic or annual reports and associated supportive documentation to substantiate compliance to the specified tax-exempt purpose.
- e. Refer to Attachment 12 for examples of documents/agreements to be signed by IIT Roorkee Foundation, Inc., Indian Institute of Technology, Roorkee or another recipient organization, and by IIT Roorkee Foundation, Inc. and the donor.
- f. Further, a director or an impartial third-party individual, as needed, will verify compliance by a foreign organization to utilize funds for the specified tax-exempt purpose, by reviewing the relevant evidentiary documentation and/or by being present when actual activities for compliance are conducted. The visiting individual will submit a written report to the Board of Directors.