

**United Way Worldwide**  
United Ways of Tennessee



**2019 Membership Certification**

- Both the Board Chair and Chief Executive Officer must sign and submit this form. If your United Way does not have a CEO, a second officer must also sign.
- Answer all questions and provide an explanation for any “no” answers.
- Responses will be kept confidential and will only be shared with essential volunteers and staff of United Way Worldwide.
- Guidance on completion of this certification is available on United Way Online.

As stated in United Way Worldwide’s bylaws, United Ways will refrain from taking any actions or conducting activities likely to damage the welfare, interests, or reputations of the United Way system. United Ways will also meet the following requirements.

Does your United Way have paid employees? Yes

*Note: Some questions in this certification apply only to United Ways with paid employees. Your response helps identify applicable questions.*

**Requirement A: Tax-Exempt Status and Completion of the IRS Form 990**

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| <b>Is your United Way recognized as exempt from taxation under Section 501(c)(3) of the Internal Revenue Code as well as from corresponding provisions of other applicable state, local and foreign laws or regulations?</b>  | Yes  |
| 1. Did your United Way file the IRS Form 990, or 990-EZ or 990-N, in a timely manner (within ten and a half months of last fiscal year end)?  | Yes  |
| 2. Date the <b>LAST</b> IRS Form 990 submitted to IRS:  | July 25, 2018                                      |
| 3. What version of the IRS Form 990 was most recently filed?  | 990  |
| 4. Have you followed the <i>UWW Implementation Standards for Membership Requirement A</i> in completing the IRS Form 990?   | Yes  |
| 5. Was a copy of the IRS Form 990 provided to the organization’s governing body before it was filed?  | Yes  |
| 6. Is your United Way properly classified as a public charity as evidenced by checking box 7 on Part 1 of Schedule A of the IRS Form 990?   | Yes  |
| 7. For the prior fiscal year, did the organization become aware of a material diversion of the organization’s assets? <i>Please provide an explanation for a “YES” response to this question. Per the IRS, a material diversion (e.g., unauthorized use of organizational assets) is more than 5% of gross annual receipts or more than \$250,000, whichever is less.</i> | No<br>No explanation needed for your “No” response |
| 8. Is the compensation for the top management official (e.g., CEO, executive director) and top financial official (e.g., chief financial officer) reported as required on the IRS Form 990?   | Yes  |
| 9. Does your United Way make the IRS Form 990 (990 E-Z or 990-N) available to the public?   | Yes  |

**Requirement B: Legal Requirements**

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| <b>Does your United Way comply with all applicable legal, local, state, and federal operating and reporting requirements (e.g., nondiscrimination)?</b>   | Yes  |
| 1. In the last 12 months, have there been any government agency led investigations of your United Way for violations of local, state, or federal laws? <i>Please provide an explanation for a “Yes” response to this question.</i>  | No<br>No explanation needed for your “No” response |
| 2. Since January 1, 2018, has your organization amended its articles of incorporation and filed them with the Secretary of State’s office in your state? <i>Please provide an explanation for a “Yes” response to this question.</i>  | No<br>No explanation needed for your “No” response |
| 3. Does your United Way conduct anti-terrorism compliance measures?   | Yes  |
| 4. Does your United Way comply with provisions of Sarbanes-Oxley applicable to nonprofit corporations (whistleblower protection and implementation of document retention and destruction policies)?   | Yes  |
| 5. Does your organization promote itself as an equal opportunity employer?  | Yes  |
| 6. Is your United Way currently registered to conduct charitable solicitations at the state and local level? A response is not required if not applicable to your United Way.   | Yes  |
| 7. Is your United Way compliant with all provisions of the Fair Labor Standards Act?  | Yes  |
| 8. Has your United Way adopted a policy that confirms the organization’s commitment to providing an environment free from sexual harassment, including a commitment to investigate credible allegations? <i>Note: This policy must apply to United Way board members, volunteers and employees (if any).</i>                        | Yes  |
| <i>All organizations, including nonprofits, must maintain data using secure systems, policies and procedures. The following optional questions reflect Federal laws as well as practices to safeguard sensitive information. Please consult the United Way Guide to Data Security found on United Way Online for more guidance.</i> |  |

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| 9. Has your United Way established a donor privacy policy? These policies typically include what information is collected and for what purposes, how the information protected, how and/or when it is disclosed to third party, how changes to the privacy policy will be communicated.  | No |
| 10. Has your United Way established a data security risk assessment program? These programs evaluate reasonable foreseeable threats that could result in unauthorized disclosure, misuse, alteration or destruction of donor information; the likelihood and potential damage of threats; and the sufficiency of policies, procedures, customer information systems, and other controls. | No |

**Requirement C: Governance**

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| <b>Does your United Way have an active, responsible, and voluntary governing body which ensures effective governance over the policies and financial resources of the organization?</b>   | Yes |
| 1. Does the board approve the annual budget?  | Yes |
| 2. Does the board include at least two members with financial experience?   | Yes |
| 3. Does the board, or board-delegated committee, review financial statements on at least a quarterly basis?   | Yes |
| 4. Does your United Way regularly provide training (e.g., onboarding, access to conferences, webinars, outside speakers) to governing board members?  | Yes |
| 5. Does your United Way produce an annual report?   | Yes |
| 6. Does your United Way's governing board review its bylaws and other governance documents at least once every three years?   | Yes |
| 7. Are meeting minutes maintained for all governing board meetings?   | Yes |
| 8. Does your United Way have a board-approved business expense reimbursement policy?  | Yes |
| 9. Does your board meet at least quarterly?   | Yes |
| 10. Is the external auditor engaged by and working for the board or board-appointed committee?  | Yes |
| 11. Does your board review the external annual audit (or financial review if annual revenue is less than \$500,000), and is the audit (or review) presented to the board by the auditor or audit committee chair?   | Yes |
| 12. Did the board approve the process for determining the CEO's compensation (e.g., type of comparability data, independent members of the board reviewing and approving CEO compensation)?   | Yes |
| 13. Did the board specifically set and approve the CEO's compensation?  | Yes |
| 14. Does your board establish performance expectations for the CEO annually and have a written performance review process in place to guide and assess the performance?   | Yes |
| 15. Does the board proactively support, engage and drive fundraising efforts year-round to ensure adequate resources for your United Way?   | Yes |
| 16. Does the board regularly (at minimum once every three years) self-assess to ensure the organization, CEO (if any), and the board are working on the most relevant, mission-critical issues?   | Yes |
| 17. Does your board have a process to identify and recruit well-qualified board members to ensure inclusive and sustainable United Way leadership?  | Yes |
| 18. Does your organization have a written board member agreement that outlines expectations of service? <i>These agreements include sections on board member duties (duty of care, duty of loyalty, duty of obedience), the organization's values, expectations for fundraising and personal giving, participation on committees, meeting attendance, and confidentiality requirements. Consider including a commitment to support a trusting environment free of harassment, intimidation, and unlawful discrimination. Best practice includes confirmation of what the organization provides to the board (protection from liability through D&amp;O insurance coverage, accurate and timely reports and meeting materials, recognition for service).</i> | Yes |

**Requirement D: Diversity & Inclusion**

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| <b>Does your United Way adhere to a locally developed and adopted statement to ensure volunteers and staff broadly reflect the diversity of the community it serves?</b> | Yes |
| 1. Does your board review the organization's diversity statement at least once every two years?  | Yes |
| 2. Does your board review, at least once every two years, a report of the board, volunteers and staff composition to ensure diversity is achieved?                       | Yes |

*Diversity and inclusion are at the heart of what it means to LIVE UNITED. To effectively and authentically address our communities' most pressing needs requires an outward and intentional commitment to inclusion across all dimensions (race, age, gender, sexual orientation, gender identity, national origin, religion, physical or mental ability, etc.). The following two questions, while not required, highlight best practices and are opportunities to consider the value of adopting new practices or policies.*

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| 3. Is your United Way's commitment to diversity and inclusion displayed prominently on your website (either on the home page or on a link directly from the home page)? | Yes |
| 4. Has your board and senior management created and executed a strategic plan that reflects a commitment to diversity and inclusion?                                    | Yes |

#### Requirement E: Trademark

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| <b>Does your United Way represent itself as a United Way in accordance with all United Way Worldwide trademark standards and requirements, including those contained in the licensing agreement?</b>                               | Yes |
| 1. Does your organization's name include a geographic modifier (e.g., United Way of XYZ County), and is the full corporate name included in public advertising (e.g., broadcast, print, electronic, email, social media, website)? | Yes |
| 2. Does your United Way follow United Way brand identity guidelines in all respects?   | Yes |
| 3. Does your United Way only solicit businesses located in your zip codes on file at United Way Worldwide (GiftLink)?  | N/A |
| 4. Does your United Way limit its workplace solicitations to individuals who work at facilities in your zip codes on file at UWW?  | N/A |
| 5. Does your United Way limit its non-workplace solicitations of individuals to your zip codes on file at UWW (e.g., home addresses in your United Way's territory, special events in your United Way's territory)?                | N/A |
| 6. Has your United Way's CEO (if any) and at least one board member read the 2019 United Way Trademark License Agreement?  | Yes |

#### Requirement F: Membership Investment

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| <b>Does your United Way provide financial support to United Way Worldwide in accordance with the membership investment formula?</b> | N/A |
| 1. Will 2019 membership investment be paid in quarterly installments and in full no later than December 31, 2019?                   | N/A |

#### Requirement G: Code of Ethics

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| <b>Does your United Way adhere to a locally developed and adopted code of ethics for volunteers and staff, which includes provisions for ethical management, publicity, fundraising practices, and full and fair disclosure?</b>           | Yes |
| 1. Do all staff and board members annually verify in writing they have reviewed the code of ethics?  | Yes |
| 2. Does your United Way have a written conflict of interest policy?  | Yes |
| 3. Does the code of ethics or conflict of interest policy instruct the board and staff to avoid conflicts of interest that would act against the best interest of United Way?  | Yes |
| 4. Does the code of ethics or conflict of interest policy include a process for reporting and resolving conflicts of interest should they occur?   | Yes |
| 5. Are the board members and staff required to disclose in writing, on an annual basis, any potential conflicts of interest?   | Yes |
| 6. Does your board review the code of ethics at least once every three years?  | Yes |
| <i>Part of being an employer and mission of choice includes providing employees and volunteers with safe and welcoming environments. The following optional question is intended to confirm your United Way's commitment to this goal.</i> |     |
| 7. Does your United Way have a policy to foster a trusting environment free of harassment, intimidation, and unlawful discrimination?  | Yes |

#### Requirement H: Audit

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| <b>Does your United Way have an annual audit conducted by an independent certified public accountant whose examination complies with generally accepted auditing standards and generally accepted accounting principles? Exception: organizations with annual revenue totaling less than \$500,000 may have their financial statements annually reviewed rather than audited by an independent public accountant provided they also conduct an independent internal controls assessment at least once every three years.</b> | Yes |
| <i>Note: answer "Yes" if your United Way's annual revenue was less than \$500,000 and you produced financial statements reviewed by an independent public accountant.</i>  |     |

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| Please select your United Way's annual revenue range   | More than \$4 million  |
| <i>Note: some of the questions below depend on your United Way's annual revenue and will appear as N/A if not applicable. For United Ways with annual revenue of less than \$500,000, please indicate if your financial statements were audited or reviewed.</i> | More than \$500,000 and less than \$4 million  |
|  | Less than \$500,000, and financial statements were audited                                     |
|  | <input checked="" type="checkbox"/> Less than \$500,000 and financial statements were reviewed |
| 1. Were most recent financial statements audited by an independent CPA?  | N/A  |
| 2. Was the auditor's opinion unqualified/unmodified (i.e., a "clean" audit)?   | N/A  |
| 3. Were most recent financial statements reviewed by an independent CPA (acceptable only for organizations with annual revenue of less than \$500,000)?  | Yes  |
| 4. Fiscal year of most recent audit or review:   | 2017   |
| <i>Only respond to questions 5 and 6 if your United Way's annual revenue is less than \$500,000 and the organization produced reviewed financial statements (rather than audited financial statements).</i>  |  |
| 5. Have you conducted an independent internal controls assessment within last three years?<br><small>Information on the internal controls assessment is available on United Way Online</small>   | Yes  |
| 6. Year of last independent internal controls assessment:  | 2018   |
| 7. Has your United Way followed the <i>UWW Implementation Standards for Membership Requirement H (updated in 2018 and available on United Way Online)</i> in preparing the audited financial statements?   | N/A  |
| 8. Does the board, executive committee or audit committee review the auditor's management letter and take appropriate actions to minimize any risks identified?  | N/A  |
| 9. Has the board established or considered establishing an operating reserve policy?   | Yes  |
| 10. Has the board, or board-delegated committee, approved the current provision for uncollectible pledges (estimated shrinkage)?   | N/A  |

**Requirement I: Self-Assessment**

A new self-assessment is in development. Look for more in 2019 and note that this requirement will resume in 2020.

**Requirement J: Database II**

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| <b>Did/will your United Way submit Database 2 to UWW by May 15, 2019, or by June 30, 2019 (if on a July-June fiscal cycle)?</b> | N/A |
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**Requirement K: Income and Expense Survey – Suspended for 2019****Requirement L: Campaign Reporting**

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| <b>Does your United Way adhere to standard reporting guidelines contained in the Database 2 Survey in reporting campaign revenue and resources generated to United Way Worldwide?</b>                      | N/A |
| 1. Are amounts reported on Database 2 provided in accordance with the NPC Total Resources Generated Policy?  | N/A |
| 2. Has your United Way talked with neighboring United Ways and United Ways with whom you share accounts to ensure that your campaign proceeds are being properly reported in accordance with NPC policies? | N/A |

**Requirement M: Cost Deduction Standards**

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| <b>Does your United Way adhere to the following cost deduction standards on designations (agency transactions): a) fees charged will be based on actual expenses; b) will not deduct fundraising or processing fees from designated gifts originating by or from another United Way organization?</b> | N/A |
| 1. Does your United Way allow donor-designated contributions? If answer is no, you may skip next three questions.   | N/A |
| 2. Have you calculated the maximum cost deduction rates according to the Cost Deduction Standards for Membership Requirement M (Part I) and are the rates charged at or below those rates?  | N/A |
| 3. Has the board, or board-delegated committee, approved the currently used cost deduction rates for fundraising and management/general expenses?   | N/A |
| 4. Does your United Way pay designated gifts quarterly that include reports required under this standard?   | N/A |

**Review by United Way Governing Board**

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| Did/will your United Way's governing board review this certification? | Yes        |
| Please provide the date of the board's review of this certification:  | 06/07/2019 |

Optional – **please provide your organization's board roster**, ideally including each board member's name, professional title, employer, and email address. United Way Worldwide may share selected communications with these board members (e.g., Board Newsletter). United Way Worldwide will not share or disclose this information to outside parties. Do you have a board roster to attach? *(Excel preferred, but any format will be accepted)* No

Please provide an explanation for any "no" responses to any questions on pages 1-5.

Please provide contact information so that United Way Worldwide may communicate directly with your United Way's leadership. United Way Worldwide will not share or disclose this information to outside parties.

**I affirm that the information provided in this certification is accurate. I acknowledge my United Way's obligation to comply with the membership eligibility criteria contained in the United Way Worldwide bylaws, and to adhere to the rules and guidelines for use of United Way Worldwide collective and service membership marks as contained in the Member Trademark License Agreement. Failure to comply with United Way Worldwide membership eligibility criteria, including payment of membership investment, or to adhere to trademark policies, may result in termination of United Way Worldwide membership status.**

First Signature

Second Signature

DocuSigned by:  
  
D3519C0CAA8C4DE...

Name

Name

Mary Graham

Date Signed

Date Signed

6/3/2019

United Way Title

United Way Title

president

Professional Title (if different from United Way Title)

Professional Title

Professional Organization (if different from United Way)

Professional Organization

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mary.graham@uwn.org

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