

INSIGHT

SUMMER 2017



Cybersecurity
CYBERCRIME IS A SERIOUS THREAT

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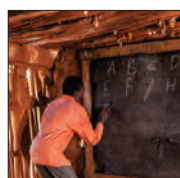
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CEO: Simeon May, CAE, CCA, CPA
Deputy CEO and Editor: Phill Martin, ACC, CAE, CCA
Associate Editor: Ernestine Haas, MAT
Design: Pat Hardesty

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100 North Central Expy. • Suite 706
Richardson, Texas 75080-5324
(800) 898-8085 • (972) 699-7555
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FROM THE EDITOR



Are you living in an **ON culture** or a **NO culture**?



Last week I decided to add a couple more timers to our new house. I needed lamps set that would be on in the morning for a few hours and then come back on in the evening. This would ensure light in the house if we came in after dark but not require them to burn all day. I was off to the big box store discovering much smaller and more affordable timers than I had purchased in the past. I was pleased with the options. After getting home and bending down to plug the timer in, I discovered the downside, the print too small to read from a distance. I knew I would never remember which way the switch should be set to turn the light on versus activating the timer. So there is an easy solution, get out my handy Brothers Label maker and increase the print. Therefore, I set to make one label reading **TIMER** and another reading **ON**.

After printing the **ON** label, I pulled the cutting lever and the label fell on the

counter. It read **NO**. My gut reaction. Oh no, I misspelled it. **NO WAIT**, it says **ON**, I just have it upside down. Flip it over and we're good to go. That got me to thinking. Is **NO** upside down thinking?

The stories have varying nuances but all express the same frustration. I feel like I am (or they call me) the minister of "no." Or, they don't want me to be in the strategic conversation because I'm always telling why we don't have the money, the time, the people, the resources to go after that vision. I just do not understand why **THEY** cannot get that we cannot afford to do that. Our policy clearly states that...

Seems in many congregations these scenarios create a real division of them and us, or you against – you pick the person or project. For many, it defines those who want to move forward and innovate and those who want to hold the status or limit the vision. Perhaps it time to think of **NO**

as upside down thinking. Now do not get me wrong, I have been in that chair when vision dreaming is bouncing off the wall and all you can think of is "How in the world do they think that is possible?" It is not an easy chair.

Recently I heard a pastor talking to a group of administrative leaders about what he needs from their role. One phrase stuck with me. He said, "I do not need you to tell me why we cannot do it... I need you to tell me what it would take to do it." Now that is turning **NO** upside down.

Fresh vision defining clear ministry direction must be the engine of congregations. Vision must drive resources and policy. New vision requires thinking outside current boundaries. Administrative leaders who lead from an upside down understanding of **NO** will always yield to vision. Before giving a **NO** answer, perhaps we could ask what would it take to... We could then change our language to something like, "We can do that if we..." That takes it back to the vision group to ask the hard question. What is our true priority? Once the vision is clear and resources aligned with vision it is not a question that deserves a **NO**. The answer is what does our vision say... great let's do it.

So, the question to you. Is your thinking upside down? Or are you a vision leader... how and when you ask the question may be a clue.





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Don't Become a Cybercrime Victim

by Nick B. Nicholaou

THE MOST CURRENT STATS PUBLISHED BY THE FBI (2015 VIA IC3.GOV) SHOW THEY RECEIVED NEARLY 290,000 CYBERCRIME COMPLAINTS THAT YEAR, WITH AN ASSOCIATED LOSS OF \$1.1 BILLION! AT THE TIME OF THIS WRITING A NEW RANSOMWARE CALLED WANNACRY (AKA WANNACRYPT) IS INFECTING COMPUTERS WORLDWIDE. ARE YOU AND YOUR DATA SAFE? WHAT DO YOU NEED TO DO – AND NOT DO – TO BE SAFE?

AGE GROUPS AFFECTED

The two age groups most impacted by cybercrime are ages 20-39, and ages 40-59,

and both of those groups are about evenly split. Together they account for 80% of cybercrime victims in the U.S. That makes sense when you figure that those under 20 (4% of victims) don't have much to spend online, and of those over 60 (16% of victims), only a portion of those are heavy computer users. So, what the stats seem to say is that if you use a computer, you are equally at risk no matter what your age is.

HOW DO CYBERCRIME INFECTIONS HAPPEN?

Most cybercrime happens one of two ways:

1. **Via Email.** An email appears in your inbox that has a link, graphics, or a form to complete, or may appear to be from someone you know (known as spear phishing).
2. **Via Infected Websites.** Websites, even those that are legitimate, can be infected with malware easily if their hosts are not keeping up with security patches and strategies. Criminals can buy inexpensive "crimekits" that look for and infect vulnerable websites. We have even seen that happen to church and ministry websites!

HOW TO PROTECT YOURSELF AND YOUR DATA

Let us address this in the two categories of email and websites.

1. **Via Email.** There are a number of things you can do and are best not to do to help in this area:

- Make certain your email is scanned by a capable SPAM filter to help minimize the number of dangerous emails that get to your inbox. I say minimize because some will still get through even the best SPAM filter; those are often referred to as zero hour emails. Zero hour emails are newly introduced methods and strategies that have not yet been identified as a pattern of dangerous email.

Our firm prefers Barracuda SPAM filters. We even tested Microsoft's O365 SPAM filtering solution, and found that it let many more unwanted emails through than the Barracuda – especially – from other O365 email accounts.

The FBI warns as follows:

- Do not click links in emails. I modify their warning, that you can click only if you first hover your mouse over the link, which will show you where it wants to take you. If you are not certain the destination is safe; do not click the link.
- Never reply to senders you do not know. This gets tricky, though, because the sender can be spoofed, as in spear phishing. If you want to reply to someone – even someone you know, look at the email address in the 'To' field when you are composing your response to be certain that address is what you expected to see there before clicking "Send."
- Do not fill out forms in emails.
- Do not open attachments in unsolicited email.

- Be skeptical of those representing themselves as surviving victims or friends in need.
- I add one more item to the FBI's list. Immediately delete SPAM emails, and empty your deleted items daily.

2. **Via Infected Websites.** I recommend two methods of protection in this area:

- Use a good firewall to protect your entire system from dangerous content transmitted from websites. The better firewalls let you filter content, but for this discussion, the focus is on protecting your systems from malware. Typically there is a subscription from the firewall provider that must be kept current to protect you from newer methods and strategies.

The firewalls my firm recommends are SonicWALL firewalls running their Total Secure subscription package. We find those to be the sweet spot of features, protection, and cost for churches and ministries.

If you are a consumer vs an organization, check with your Internet Service Provider (ISP) and confirm with them that they have all of the protections turned on in the modem or router they provided.

- Use a capable anti-malware solution on your computers – whether Windows or Mac (yes, Macs get infected too, regardless of what many say). The solution my firm likes most is Thirtyseven4.com; it is capable and reasonably priced.

Finally, keep a history of total data backups to help you recover from an infection that somehow slips through. There are no total guarantees of protection, and having a history of backups available (we prefer a full month of daily backups to cover an infection that has an incubation period and does not "go live" and get noticed for

awhile), you should be able to recover from any infection that happens.

WHAT ABOUT WANNACRY RANSOMWARE?

WannaCry takes advantage of a Windows vulnerability that Microsoft patched months before the outbreak occurred for all their supported operating and network operating systems. That said, it is important to keep your systems and apps up to date regarding patches; many of the updates are security-related.

It appears WannaCry is gaining access to files from people responding to a spear phishing attack. Be cautious with the emails in your inbox!

If you are running an unsupported Microsoft operating system, like XP, Windows 8.x, or Server 2003, Microsoft recently released a patch you can manually download and apply to shore up the vulnerability WannaCry exploits. Here's a link directly to Microsoft for help:

<https://blogs.technet.microsoft.com/msrc/2017/05/12/customer-guidance-for-wannacrypt-attacks/>.

Do not become a victim of cybercrime! These are easy-to-implement strategies and disciplines that you, your staff, and your family can adopt. And there will likely come a time when you will be glad you did.



Author

Nick Nicholaou is president of MBS, an IT consulting firm specializing in church and ministry computer networks. He can be reached at nickn@mbsinc.com.





Cybersecurity: Best Practices for Churches

by Lisa Traina

A CHURCH IN IOWA LOST MORE THAN \$680,000 RAISED TO HELP HOMELESS AND ABUSED WOMEN AFTER A PHISHING EMAIL ALLOWED HACKERS TO GAIN ACCESS TO THE CHURCH'S ONLINE BANK ACCOUNT.

Another church in Iowa had seven years' worth of files encrypted in a ransomware attack after an employee clicked on an email titled "job application – please see attached CV." Churches in Bristol, England, were victims of a similar attack.

And earlier this year, two arrests were made in a widespread cyber attack that compromised communications of

prominent Italian individuals and institutions, including the Vatican.

Cybersecurity is no longer an "IT issue." It's a critical operational issue. Church leaders need to understand the risk and ensure they are devoting the proper resources to addressing it.

The following best practices will help you tighten up your church's cybersecurity defenses:

ACCEPT THAT YOUR CHURCH IS AT RISK.

Many churches believe that they are too small to be at risk of a cyber attack, or that they do not have data a hacker would

want. As the examples above illustrate, however, all churches are at risk.

Many cyber attacks are random, meaning that churches of all sizes are equally vulnerable. Other cyber attacks are targeted, with criminals often focusing on small and medium-sized organizations because they assume these organizations lack the resources to maintain strong information security controls.

Additional factors that make churches vulnerable to a cyber attack include

- Highly desirable data, including user names, passwords, and personally

identifiable information such as names, addresses, dates and places of birth, and Social Security numbers

- A diverse group of network users – staff, volunteers, members, and visitors with their own devices
- Online bank accounts
- Electronic connections to vendors and other organizations
- The growing threat of hacktivism – a form of hacking that occurs for socially or politically motivated purposes

Depending on the type of cyber attack, your church could lose data, be locked out of your network, or have personal information about employees and members compromised. This can result in significant financial and reputational damage.

UNDERSTAND THE THREAT.

Cybercriminals typically target common technical weaknesses. Three of the most prevalent threats are malware, phishing, and technical vulnerabilities.

Malware is malicious software installed without a user's knowledge, typically when a user clicks on a link in a phishing email or visits an infected website. This includes ransomware, which cybercriminals use to encrypt data and demand money to unlock it, or threaten to leak data unless a ransom is paid.

Malware can be dormant for quite some time before the hacker uses it to exploit a vulnerability or system weakness. All systems are vulnerable to malware, so it is crucial to have appropriate controls in place to protect all your systems. This includes servers, desktops, laptops, networking equipment, networked

printers, and mobile devices. It also includes the increasing number of "smart" devices such as alarms and thermostats that can connect to the Internet and operate like mini computers.

Phishing emails are fraudulent emails designed to entice the recipient to click on a link or attachment that opens the door for hackers to infect systems with malware or steal data. These emails can take many forms, from typo-ridden messages that are fairly easy to spot, to package shipments or credit card fraud alerts from what look like legitimate sources. Although your church may use filtering to stop many of these emails, some slip through in even the best systems.

Spear phishing emails look like they are from a person or business you know. These often include personal details that can be gleaned online, such as through social networking sites.

Vulnerabilities are holes in software code that can allow cybercriminals to gain unauthorized access to a system. These can exist in all software, including operating systems and applications (e.g., Java and Adobe Flash). While the holes can be closed by applying patches or updates, many times a patch or update is not available at the time a vulnerability is discovered. These are known as zero-day vulnerabilities.

APPOINT A CYBERSECURITY CHAMPION.

Whatever title you give them, it is vital to have an individual who is responsible and accountable for ensuring the security of the church's systems and data.

This will likely be someone outside your IT department who has the authority to ensure the appropriate resources are devoted to information systems security.

IMPLEMENT – AND MAINTAIN – NETWORK AND WORK STATION CONTROLS.

You cannot manage what you cannot measure, so start by creating a complete inventory of all your systems. This should include servers, computers (desktop and laptop), mobile devices, switches, routers, firewalls, and peripherals.

Then, use an IT specialist to help your church:

- Ensure you have a properly configured firewall to monitor incoming and outgoing network traffic
- Block spam to reduce phishing emails reaching end users
- Keep anti-virus and anti-malware software running around the clock on every system
- Continually patch and update all systems

While it can be time-consuming to update your systems, it is a critical step. It is also important to review periodically who has access to data and systems, and limit it to those individuals who need access to carry out their responsibilities.

USE STRONG PASSWORDS.

One employee with a weak password can put your whole network at risk. Require complex passwords with a combination of letters and numbers, which are more difficult to hack, and set them to expire periodically.

Cybersecurity is no longer an "IT issue." It's a **critical operational issue.** Church leaders need to understand the risk and ensure they are devoting the proper resources to addressing it.

CREATE A CULTURE OF SECURITY THAT INCLUDES ONGOING TRAINING.

It is vital for all employees and volunteers with access to your network to understand the importance of cybersecurity. You may be surprised how many people do not understand that clicking on just one fraudulent email can result in a major cyber breach.

This culture of security should include frequent training and communication on

- The latest cybersecurity threats
- The importance of using, and regularly changing, complex passwords
- Why you should not use the same password for multiple sites
- How to detect phishing emails
- The dangers of visiting unsafe websites
- The risks of using public WiFi networks

Present this information in a simple, direct way that is easy for those with a range of technical knowledge to understand.

TEST TO IDENTIFY ONGOING RISKS.

While the steps above can help your church minimize risks and vulnerabilities, it is also important to identify any existing issues through periodic independent testing.

This should involve:

- Information security controls testing, which helps determine whether the appropriate information security controls are in place and functioning as designed. This testing should be performed annually.
- Vulnerability scanning, which uses specialized software to scan your internal network and external Internet-facing systems to identify any potential weaknesses. This should be done regularly, such as quarterly.

Because this is such a key issue, it is important for someone outside the IT department to follow up and ensure that all identified issues are addressed.

REMEMBER THAT CYBERSECURITY IS AN EVOLVING PROCESS.

Cyber threats change constantly, and an astounding number of new vulnerabilities are discovered every day. After you have the appropriate controls and processes in place, it is crucial to ensure they are maintained consistently, and that new risks are being identified and addressed.

Cybersecurity is like cake – the more layers, the better. The best practices above will help you implement multiple controls in a layered fashion so that if one control fails, others exist to protect your church.



Author

Lisa Traina is a partner with Traina & Associates, a CapinCrouse Company. She can be reached at ltraina@capincrouse.com.



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Through the Lord's blessing, our church has experienced tremendous growth; so much so, that we found our business operations now to be inefficient. The Bible tells us to study to show ourselves approved, so I turned to The Church Network—the Certified Church Administrator (CCA) program has provided insight into a wide array of topics that will greatly enhance our service for His kingdom.

For learn more, go to www.thechurchnetwork.com/certify.



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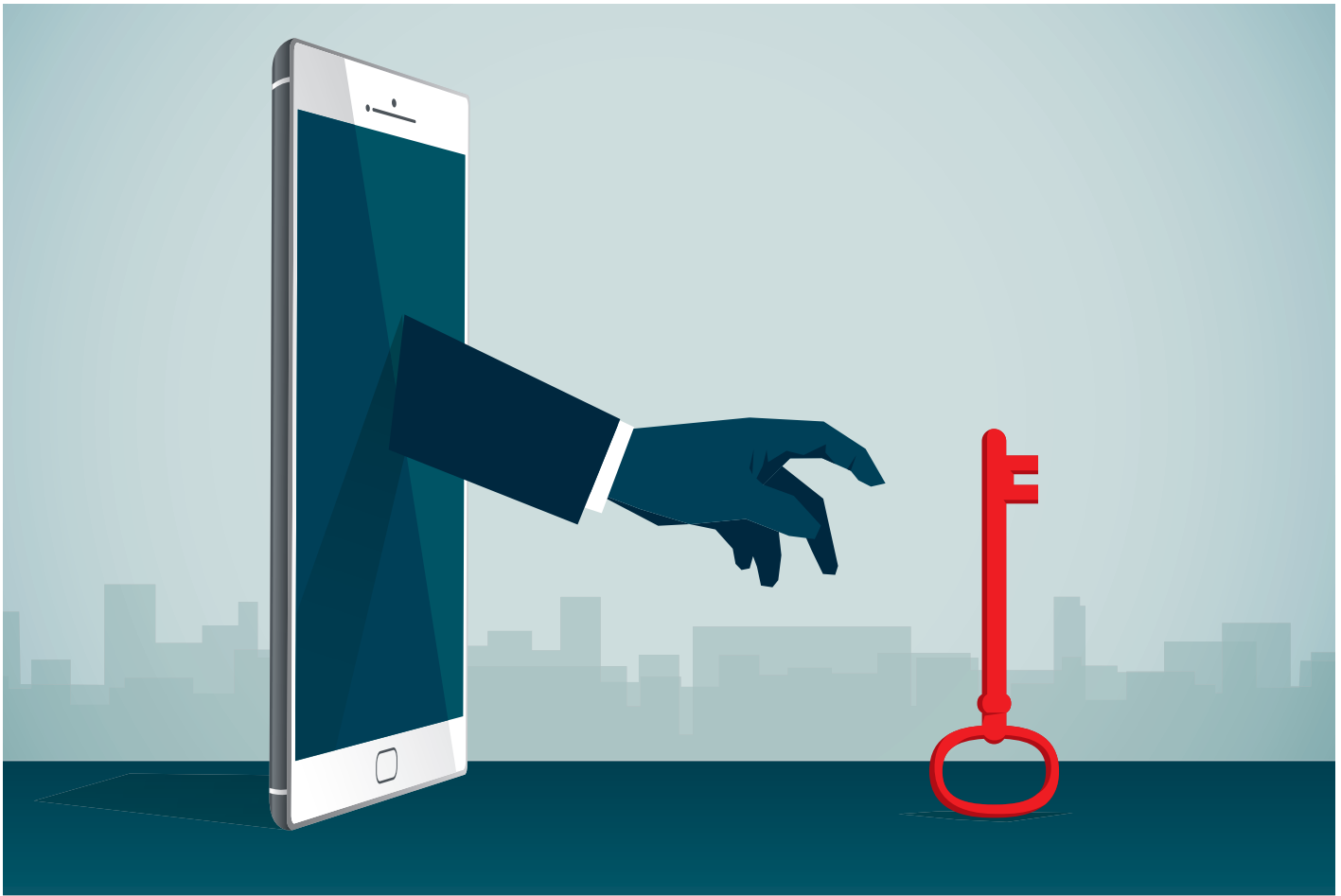


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Glenn Wood, Pastor of Administration
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Social Media and Cyber Attacks: The Invisible Threat to Churches

by Shawn Yingling & Taryn Kuhn

IMAGINE THAT YOU ARE THE FIRST PERSON TO ARRIVE AT CHURCH. AS YOU WALK UP TO THE BUILDING, YOU FIND THAT ALL OF THE DOORS WERE PROPERLY LOCKED THE EVENING BEFORE, THE SECURITY SYSTEM WAS ACTIVATED AND NOTHING HAS BEEN VISIBLY DISTURBED. IN THIS MOMENT, YOU WOULD LIKELY HAVE NO DOUBT ABOUT THE SAFETY OF YOUR ORGANIZATION, BUT YOU MAY WANT TO RECONSIDER THIS THOUGHT.

Cybersecurity is a much less visible threat, but a very real one. Digital extortion, data breaches, and cyber attacks are now routine occurrences, and with **nearly**

one million new malware threats released every day¹, these incidents will likely continue to become more frequent and severe.

CONNECTING SOCIAL MEDIA RISKS

Training church leadership on cyber best practices is one effective solution to protecting your data, but you must also consider how many of your members, volunteers, and staff use social media sites. While social media is important for churches to use to attract new members, promote events, and connect with ministry, hackers are increasingly utilizing these platforms to obtain private and valuable information. **You would never leave your church facility**

unattended and unlocked, so why leave your digital doors open to hackers?

Social media platforms may seem safe at first glance, but entire databases can be hacked with very little information that can be obtained online. Beyond data from social media channels, hackers are now directly infecting computers and devices, giving them access to entire church networks. Clicking links, liking articles, and sharing news are standard social media behaviors, but these actions could lead to the accidental installation of malicious malware. With just a single click, your organization's security can become severely compromised. Careless social media use can effectively welcome hackers, giving them an unfair advantage.

Beyond potential data breaches, social media also leaves the door open to defamation, privacy issues, liability, copyright infringement, and other legal concerns. Staff members or volunteers may post personal opinions online, but if they are tied to your church, these posts could damage the reputation of your organization, be used in litigation, or acquire unwanted attention that could entice a cyber-security threat. Developing a written social media policy is a great way to help limit these risks and protect your church community.

To create an effective social media policy and help guard against cyber crime: define the goal of the policy, explain its importance to those who will be impacted by it, select responsible and educated people to oversee it, develop a plan to implement it, and evaluate potential consequences.

A well-developed social media policy may discuss:

- The creation of an official church social page that will have limited authorized users
- The development of content for the page that will aim only to serve the overall ministry mission
- How information will be approved and posted for groups (fundraising, youth groups, etc.)
- Volunteer/member guidelines involving requirements for posting

about official business or sharing identifying/confidential information

- Computer/device rules (limiting downloading/installing, preventing use of untrusted Wi-Fi connections, etc.)

It may also be beneficial to provide cyber-security training for your entire ministry. Church leaders may be aware of reputation risks that social media can pose, but other members of the church may not be. Providing advanced training from an IT consultant or expert may prove to be incredibly valuable.


Training may include

- Understanding cyber security (terminology, risks, types of attacks)
- Describing the specific risks that social media poses on security
- Explaining the benefits of making personal social media accounts private
- Understanding the ramifications of sharing racially-focused, political, or controversial content
- Implementing a “Bring Your Own Device” policy to limit access and exposures

PROTECTING THE ORGANIZATION

Beyond developing a policy and providing training, church leaders should connect with their insurance agents to discuss what types of cyber coverage are available to

help protect them in the event of a security breach or issue. Not only can this provide peace of mind, but it can also help protect the church and members against significant financial loss.

As social media continues to develop, the landscape of risks for churches will also evolve and increase. It is vital to try to educate ourselves about the risks and help stop preventable errors. Leaders should continue to keep social media trends in mind and to regularly educate staff and members on the risks that it may pose. With the proper policies, education and coverages in place, we can help keep the doors to social media open with less uncertainty about who may be walking in. 

ENDNOTE

¹ Harrison, V., & Pagliery, J. (2015, April 14). Nearly 1 million new malware threats released every day, CNNTech. Retrieved April 21, 2017, from <http://money.cnn.com/2015/04/14/technology/security/cyber-attack-hacks-security/>

Authors

Shawn Yingling is president of Glatfelter Religious Practice (GRP), a leading insurance program for churches, synagogues, temples and other religious institutions.

Taryn Kuhn is the director of Marketing for Glatfelter Insurance Group (GIG).



Digital extortion, data breaches, and cyber attacks are now routine occurrences, and with nearly **one million new malware threats** released every day.



Charitable Contributions and Grants Beyond the U.S. Border

by Cory Halliburton

ONCE UPON A TIME, A U.S. CHARITY RECEIVED WRITTEN CURRICULUM MATERIALS FROM A SCHOOL ORGANIZATION LOCATED IN A VERY POOR AND FAR AWAY ISLAND COUNTRY. THE KIND AND CUTE CHILDREN IDENTIFIED IN PHOTOGRAPHS SUBMITTED WERE CLEARLY ENGAGED IN LEARNING; A CHARITABLE CLASS AND PURPOSE WERE IDENTIFIED. THE COLORFUL STAMPS AFFIXED ON THE SCHOOL'S GOVERNING DOCUMENTS APPEARED AUTHENTIC, AND THE SCHOOL'S LEADERS' CORRESPONDENCE AND PLEA FOR FINANCIAL HELP WAS THOUGHTFUL AND WELL-WRITTEN.

Indeed, the U.S. charity was extremely excited and anxious to execute this long-awaited program to advance education and charity on a global scale.

The intended grant was substantial, and thus the U.S. charity ultimately, but reluctantly, decided to engage a consultant to travel to and perform a site-inspection of the school. Upon return, the consultant provided photographs of the “school” – an abandoned shack with no desks, no windows, no chairs, no blackboard, no students, no curricula, and no teachers.

Nothing.

The solicitation was a sham.

The U.S. charity was perilously close to contributing hundreds of thousands of dollars for the exclusive benefit of a foreign scam artist. The due diligence put forth by the U.S. charity was commendable and avoided potential

violation of a multitude of tax regulations. Moreover, the U.S. charity and all involved learned many valuable lessons through the process.

Now more than ever, individuals, private foundations and public charities have a strong desire to advance charitable missions globally. There are specific and sometimes complex tax regulations and real-life challenges, however, that should give pause to those eager to cross borders with intended charitable contributions or assets dedicated exclusively for charitable purposes.

This article provides information about how individuals and domestic charities (public charities and private foundations) may engage in and enjoy tax benefits (or protections) associated with giving to beyond the U.S. border.

CHARITABLE CONTRIBUTION.

First, it is helpful to review the definition of a “charitable contribution” because the concept ebbs and flows throughout many situations of giving beyond the U.S. border.

For purposes of allowance of a charitable deduction under section 170 of the Internal Revenue Code (Code), “charitable contribution” means contribution or gift to or for the use of a corporation, trust, or community chest, fund, or foundation:

- (A) *organized in the U.S. or in any possession thereof, or under the law of the U.S., any State, the District of Columbia, or any possession of the U.S.;*
- (B) organized and operated exclusively for charitable purposes;
- (C) no part of the net earnings of which inures to the benefit of any private individual; and
- (D) which is not disqualified for tax exemption under section 501(c)(3) by reason of attempting to influence legislation or participating in elections for public office.¹

INDIVIDUAL DONATIONS.

As defined, a “charitable contribution” does not include a gift made to a corporation, trust, etc., organized in or under the laws of a foreign government or country not specified in section 170(c)

(2)(A) of the Code. Thus, and except in limited situations, individuals are not permitted to claim a charitable contribution deduction for donations made to foreign organizations, even if the organization is recognized as charitable under applicable foreign law.

There are, however, a few ways in which individuals may satisfy their urge to impact the world beyond the U.S. border and still obtain charitable contribution tax benefits.

For example, individuals may donate to a qualified U.S. charity who engages in charitable works beyond the U.S. border or who, as part of its overall charitable program, makes and has the human capital and financial wherewithal to administer charitable grants to foreign organizations. Also, an individual may donate to a foreign subsidiary of a U.S. charity – sometimes referred to as “friends of” organizations – provided that the U.S. charity in fact controls and oversees the foreign entity’s administrative and other activities.

These opportunities are indirect means for an individual to touch the world on a global scale and still reap charitable contribution tax benefits. Moreover, the risk associated with the foreign contribution is likely reduced, and the likelihood that the contribution will benefit a charitable class or purpose is likely increased.

However, if a contribution has been earmarked for a foreign recipient, then the analysis goes beyond the immediate

domestic recipient to determine whether the payment constitutes a deductible contribution.² For example, the domestic recipient cannot exist solely to funnel contributions to a foreign organization. Under section 170 of the Code, no charitable contribution exists where the domestic organization serves solely as a nominal donee.³ Indeed, “[a] given result at the end of a straight path is not made a different result because reached by following a devious path.”⁴

Rather, the domestic charity must engage in sufficient charitable operations within the U.S. in order to qualify as a domestic charity to whom charitable contributions may be made. Also, the contribution cannot be earmarked for submission to a specific foreign organization and void of discretion and oversight of the receiving U.S. charity. The domestic U.S. charity must have and maintain control and oversight responsibility over the funds intended for or granted to the foreign organization.⁵

Essentially, the individual’s contribution must be a gift to a qualified domestic charity; that is, a transfer of an asset with donative intent, disinterested generosity, and with no return goods or services. If the domestic recipient exists for no other legitimate reason except to serve as a conduit for a foreign recipient, such services will essentially destroy the donative intent necessary to qualify a charitable contribution under section 170 of the Code. The U.S. charity should have discretion and control over whether and how much of the individual’s contribution may be delivered across the

The U.S. charity was **perilously close** to contributing hundreds of thousands of dollars for the exclusive benefit of a foreign scam artist.

U.S. border, to whom it may be delivered, and how it may and must be monitored for advancement of qualified charitable purposes.

PRIVATE FOUNDATIONS⁶

For private foundations, foreign grant-making entails the concept of taxable expenditures. Section 4945 of the Code imposes an excise tax on a private foundation's "taxable expenditures," and the applicable tax may be assessed against the foundation, with an additional tax assessed against the foundation's managers who knowingly permit a taxable expenditure;⁷ thus, most private foundations (and their managers) usually try dearly to avoid taxable expenditures.

Briefly, a taxable expenditure includes "any amount paid or incurred" by a private foundation (1) for any purpose that is not a valid charitable purpose described in section 170(c)(2)(B) of the Code (noted above), or (2) as a grant to an organization, unless (i) the grant is made to certain types of U.S. charities (or to a foreign equivalent of a U.S. public charity); or (ii) the foundation exercises expenditure responsibility according to subsection 4945(h) of the Code.⁸

Thus, private foundations who desire to engage in grants beyond the U.S. border must engage in pre-grant efforts to qualify the foreign grant recipient, must exercise expenditure responsibility, or may execute a blend of both previous options without violating the requirements of either.

WHAT IS A "GRANT"?

First, the private foundation should determine whether the amount paid or incurred is a "grant." In this context, "grants" include amounts spent by a recipient organization to carry out a charitable activity; scholarships, fellowships, internships, prizes, and

awards; loans for charitable purposes described in section 170(c)(2)(B) of the Code (noted above); and program-related investments.⁹ Conversely, grants do not include compensation to the foundation's employees, or payments to others for personal services in assisting the foundation in developing projects of foreign program activities.¹⁰

If the foundation determines that the amount to be paid to a foreign organization will constitute a grant, the foundation must decide whether it will exercise expenditure responsibility over the grant, or will properly qualify the foreign organization as the equivalent of a public U.S. charity.

EXPENDITURE RESPONSIBILITY.

The requirements of expenditure responsibility are too detailed to adequately describe in this article. However, the requirements may be summarized as follows:

- (1) the granting foundation must screen the intended grantee before assets are contributed;
- (2) the granting foundation and the recipient foreign organization must execute a grant agreement that describes, among other things, the charitable activity to be accomplished;
- (3) the granting foundation must require and receive progress reports regarding the activities advanced by the grant; and
- (4) the foreign grantee must provide (and make available upon request) financial books and records evidencing how the funds were spent.¹¹

Pre-grant screening should include identity, past experience, management, activities, and practices of the foreign organization.¹² The scope of the inquiry may vary from case to case depending

upon the size and purpose of the grant, the period over which the grant is to be paid, and the prior experience which the grantor had with respect to the capacity of the grantee to use the grant for the proper purposes.¹³

In order to meet the expenditure responsibility requirements, the grant must be made under a written grant agreement that prescribes the charitable purposes for the grant. The foreign organization must agree to repay any amount that is not used for the purposes of the grant, and to affirm that the grant will not be used to influence legislation, the outcome of any specific public election, or any voter registration drive. The foreign organization must also agree to maintain records of receipts and expenditures and to make its books and records available to the grantor foundation.¹⁴

Any diversion of grant funds for a use not specified in the grant agreement may result in that part of the grant being treated as a taxable expenditure to the grantor foundation. If a grantor foundation determines that any part of the grant has been used for improper purposes (and the grantee has not previously diverted grant funds) the foundation will not be treated as having made a taxable expenditure if the grantor: (1) exerts reasonable efforts to recover amounts not used according to the agreement; and (2) withholds further payments to the grantee, after being made aware that a diversion of funds may have occurred, until assurances are given that future diversions will not occur due to additional and extraordinary precautions are engaged by the foreign recipient.¹⁵

REPORTS ON THE EXPENDITURES TO THE IRS.

To satisfy the report-making requirements involved in expenditure responsibility, a grantor foundation must



provide the required information on its IRS Form 990-PF annual tax return as long as grantee reporting on that grant is required.¹⁶

The reports must include

- (i) The name and address of the grantee.
- (ii) The date and amount of the grant.
- (iii) The purpose of the grant.
- (iv) The amounts expended (based upon grantee's most recent report).
- (v) Whether the grantee has diverted any portion of the funds.
- (vi) The dates of any reports received from the grantee.
- (vii) The date and results of any verification of the grantee's reports undertaken by the grantor.¹⁷

If the grantor foundation fails to comply with the expenditure responsibility requirements, such as by failing to conduct a proper pre-grant inquiry,

failing to use a proper grant agreement, or failing to report properly to the IRS, the grant will likely constitute a taxable expenditure.

FOREIGN EQUIVALENCY DETERMINATION

If the private foundation does not desire to exercise expenditure responsibility, the foundation may seek to qualify the foreign organization as the equivalent of a public U.S. charity, unless the foreign grantee has a determination letter from the IRS. To so qualify a foreign grantee, the private foundation must make or receive a good faith determination that the grantee is the equivalent of an organization described in section 509(a)(1), (2), or (3) of the Code, which, generally speaking, includes public charities, churches, educational organizations, or any arm of the U.S. or any State political subdivision.

Revenue Procedure 92-94, 1992-1 C.B. 507, as amended by Treasury Decision 9740 (effective September 25, 2015) provides procedures that a domestic foundation must use to determine whether a grant to a foreign organization may be treated as a

grant to an organization described in section 509(a)(1), (2), or (3) of the Code. The procedures allow a grantor to distinguish a qualifying distribution from a taxable expenditure under section 4945 of the Code, and they allow a useful path for private foundations to engage in international grant-making.

Briefly, the foreign grantee organization will usually provide an affidavit (translated in English) that includes representations about how and why the organization qualifies as the equivalent of a U.S. public charity. The affidavit should be current (as described in T.D. 9740) and include verified copies of governing documents (translated) as well as a schedule of financial information to verify sufficient receipts from the donating public so as to qualify the organization as a public charity. Then, the grantor foundation, through a "qualified tax practitioner," makes a good faith determination on whether the foreign organization is qualified based on the information provided.¹⁸

Revenue Procedure 92-94 includes the requirements for the affidavit and provides sample language. However, Treasury Decision 9740 makes clear that grantor foundations should not rely solely on the sample affidavit completed by the foreign grantee. Rather, the grantor foundation should dive deeper into governance documents, program materials, and other organizational and operational matters relevant to qualifying the foreign organization as the equivalent of a U.S. public charity. Essentially, a grantor foundation (or its qualified tax practitioner) is wise to scrutinize a foreign organization's request for funding in a manner similar to the scrutiny expected of the IRS in regard to its review of a domestic organization's Form 1023 Application for Recognition of Exemption Under Section 501(c)(3) of the Code.

GRANTS TO FOREIGN GOVERNMENTS

No equivalency determination or expenditure responsibility is required for grants to a foreign governmental unit.¹⁹ Nonetheless, the granting foundation should document that the grantee is a unit of foreign government. Also, the grant arrangement must identify and advance a charitable purpose, as opposed to a purely governmental or political purpose. General support grants to foreign governments are not prohibited, but the granting foundation may have a difficult time accounting for the charitable purpose achieved by the grant. If a specific, charitable purpose is identified, the granting foundation may more easily monitor and account for the appropriateness of the grant.

SUSPECTED TERRORISTS

At the risk of being obtuse, no funds should be granted to individuals or organizations designated as suspected terrorists by the U.S. Department of the Treasury or the U.S. Federal Government's Office of Foreign Assets Control (OFAC). OFAC publishes a list of individuals and companies owned or controlled by, or acting for, targeted countries, and OFAC also lists individuals, groups, and entities, such as terrorists and narcotics traffickers designated under programs that are not country-specific, whose assets are generally blocked.

Links to these lists may be included in grant agreements, and foreign grantees may affirm that neither the grantee nor any of its officers, control persons, etc., are designated as suspected terrorists on the applicable lists.

PUBLIC CHARITIES

The expenditure responsibility rules and foreign equivalency rules do not apply


to domestic public charities. However, public charities must ensure that its assets are used exclusively to achieve or advance a charitable purpose. Thus, public charities should refrain from general support grants to foreign organizations unless the foreign organization has been qualified as the equivalent of a U.S. public charity. Without qualifying the foreign grantee, the domestic grantor will have great difficulty identifying the charitable purpose achieved with a general support grant, which could jeopardize the domestic charity's tax exemption.

A better approach is for the domestic public charity to engage in project-specific grants to foreign organizations. This allows the grantor charity the ability to identify a specific, charitable objective to be achieved with the grantor's assets. The grantor will be in a much better position to document and receive reports regarding the specific charitable objective achieved through the grant.

In any event, and especially if the grant is substantial, the domestic public charity should consider entering into a grant agreement with the foreign grantee. The agreement may identify the purpose of the grant, reporting requirements, protocol for disbursement of funds, repercussions for violating the agreement, and affirmation that the foreign grantee is not a terrorist organization.

CLOSING CONSIDERATIONS

The foregoing constitutes some high-level concepts and tax issues to consider when charitable contributions or charitable assets are expected to cross the U.S. border. Domestic organizations may find that initial foreign grant programs are cumbersome and even administratively costly. However, through the development of a focused and compliant foreign grant

program, the domestic organization will likely settle well into a manageable budget as well as the applicable tax regulations. By doing so, domestic organizations should be in a position to honor the privilege of tax-exemption and truly affect change on a global scale. 

ENDNOTES

- ¹ See 26 U.S.C. § 170(c)(2)-(2)(D).
- ² See Rev. Rul. 63-252, 1963-2 C.B. 101; Rev. Rul. 54-580, 1954-2 C.B. 97.
- ³ See Rev. Rul. 63-252, 1963-2 C.B. 101.
- ⁴ *Id.* (quoting *Minnesota Tea Co. v. Helvering*, 302 U.S. 609, 613 (1938)).
- ⁵ See Rev. Rul. 75-65, 1975-1 C.B. 79.
- ⁶ See 26 U.S.C. § 170(b)(1)(A)(v), (c)(1) (setting forth defining characteristics of a private foundation).
- ⁷ See *id.* at § 4945(a)(1)-(2).
- ⁸ See *id.* at § 4945(d)(4), (d)(4)(B), (h)-(h)(3).
- ⁹ See 26 C.F.R. § 53.4945-4(a)(2).
- ¹⁰ See *id.*
- ¹¹ See *id.* at § 53.4945-5(b)-(b)(iii).
- ¹² See *id.* at § 53.4945-5(b)(2).
- ¹³ See *id.*
- ¹⁴ See *id.* at § 53.4945-5(b)-(b)(3).
- ¹⁵ See *id.* at § 53.4945-5(e)(1).
- ¹⁶ See *id.* at § 53.4945-5(d)(1).
- ¹⁷ *Id.* § 53.4945-5(d)(2)-(2)(vii).
- ¹⁸ A "qualified tax practitioner" includes certified public accountants, enrolled agents, as well as attorneys who are subject to the standards of practice before the IRS set out in Circular 230. See T.D. Cir. No. 230 §§ 10.2(a)(1), 10.2(a)(3).
- ¹⁹ See and compare 26 U.S.C. § 4945(d)(4) and 26 C.F.R. § 53.4945-5(a)(4)(iii) (noting that a grantee organization will be treated as a section 509(a)(1) organization if it is a foreign government, or an instrumentality thereof), with 26 U.S.C. § 170(b)(1)(A)(v), (c)(1) and *id.* at § 509(a)-(a)(4) (omitting foreign governments from the list of organizations to whom a charitable contribution may be made).

Author

Cory Halliburton is a shareholder attorney with Weycer, Kaplan, Pulaski & Zuber, P.C. He represents a wide array of public charities, private foundations, trade associations and other tax-exempt organizations. He can be reached at challiburton@wkpz.com.



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Bell Towers Becoming Cell Towers: *Is the Financial Gain Worth the Risk?*

by Hugh Odom

CHURCHES OFFER AN IDEAL LOCATION FOR CELL TOWER COMPANIES. THE REASON?: YOUR CHURCH'S LOCATION IN OR NEAR RESIDENTIAL AREAS. CHURCHES ALSO PROVIDE CELL TOWER COMPANIES WITH THE ABILITY TO GET PERMITS FOR BUILDING STRUCTURES THAT RESIDENTIAL ZONING WILL NOT ALLOW FOR HOMEOWNERS. THIS WINNING COMBINATION MEANS YOUR CHURCH MIGHT BECOME THE NEXT CELL SITE LOCATION SOUGHT AFTER BY COMPANIES LIKE AT&T, VERIZON, OR AMERICAN TOWER.

These companies set up towers, rooftop antennas, and other types of telecom

installations on church properties across the United States. Cell sites do more than expand the coverage of wireless devices in your area. They also bring in rent to the churches, businesses, and homeowners whose locations they use.

There are over 307,000 cell sites around the country with annual rents ranging from \$10,000 to over \$50,000 per lease. While the tower companies will tell you that it is easy money and a win-win situation. The reality is that there are some caveats to keep in mind when evaluating their offer, and in some cases, a cell site lease may not be a good fit for your church.

If you are approached for a cell site lease, keep the following in mind before signing any legally binding agreements:

- **Understand Your Options.** Many times, churches are told that if they negotiate a cell site lease, they will lose it. This high-pressure tactic is taught within the industry. In truth, you deserve to understand not only your church's options, but also what "real" options the cell tower company has in your area. If there is no other viable location for a cell tower, then your leverage just got a lot better.

- **Market Rents.** Do not fall for so-called “market rents.” Simply stated, there is no such thing as market rent in the cell tower industry. Every cell tower site has its own unique value because it solves a unique need for that tower company.
- **Taxes.** Cell site leases can impact your church's exempt tax status. Under federal law, a tax-exempt organization may still have to pay income tax on income it receives from an unrelated trade or business, which is referred to as “UBIT.”
- **Subtenants.** You deserve the right to share in revenue generated from subtenants installing their equipment on the church's property. It is not only important to get the rights to such revenue, but also to structure such rights to make sure they are paid correctly.
- **Liability.** Every property owner, especially churches, needs to make sure that he does not only overexpose itself to direct damages it might incur resulting from leasing its property to a wireless carrier, but also to indirect damages (i.e., loss of revenue, data loss, etc.).
- **Insurance.** You need to make sure that your church not only gets the correct coverages and the right amounts of coverage, but also is allowed to negotiate terms that are not stagnant over a long-term lease. This means establishing insurance coverages that increase over time, not only based upon inflation, but risk.
- **Opposition.** Due to that fact that many times churches are a central part of a neighborhood, the installation of a cell tower on your church's property may be controversial. It is important to understand all the options you have regarding the installation of the tower on your property in order to reap the rewards – while not enduring the wrath of the neighborhood.
- **Stealth.** Many times, you can negotiate terms with a wireless carrier that will allow for the camouflaging of any cell site equipment placed upon your church's property and/or buildings. This camouflaging can be equipment placed behind barrier walls, or actual towers that are flagpoles, trees or even crosses.
- **Safety Concerns.** Many times, churches are faced with questions from their congregations that focus on the safety of a cell tower. This is especially a concern if your church has an affiliated school or day care on the property. It is important that your church negotiates terms that provide for certain safety testing to be performed throughout the term of the cell tower lease to protect your church today and going forward.
- **The “Unknown.”** No property owner can predict the future, especially

when that future may be 25 or more years down the line; therefore, it is important that your church structures a cell tower lease which provides flexibility for changes that may occur regarding the operation of your church and use of the property. If not, your church may be revolving around the cell tower lease, not vice versa.

Finally, even though a cell tower lease provides revenue that could be used by a church, consider all the options carefully before deciding. As Scripture teaches us, temptations can lead us to make choices that appear beneficial, but actually have negative long-term ramifications.

Wireless carriers are facing ever-growing demands from their customers not only to make sure they have phone coverage, but, in today's world, to have adequate data capacity is the name of the game. If your church is faced with a decision about either a new cell site lease or an existing one, it is best that you get advice from someone who understands all the aspects of a cell tower lease.



Author

Hugh Odom is the president and founder of Vertical Consultants, a cell tower lease-consulting firm. He can be reached at hugh@vertical-consultants.com.



There are over 307,000 cell sites around the country with annual rents ranging from **\$10,000 to over \$50,000** per lease.



GOT A PROBLEM? Solve It with One Word

by Dr. Charles Waldo

IF THERE IS ONE THING ORGANIZATIONS AND INDIVIDUALS HAVE IN ABUNDANCE, IT IS PROBLEMS. THEY COME IN EVERY CONCEIVABLE TYPE, SIZE, FREQUENCY OF OCCURRENCE, AND MAGNITUDE OF DIFFICULTY IN SOLVING.

What is a “problem?” One definition states, “A problem is a difficulty, obstruction, or obstacle that hinders or impedes progress towards a goal.”

Another definition states that a problem is “A deviation from a known or agreed-to standard.” An old adage says, “A problem is simply an opportunity waiting to be borne.”

Whatever the definition, problems will always be with us in one form or another. A friend of mine, the manager of a local manufacturing plant, describes his normal work day as being like a fireman constantly rushing from one fire (aka

“problem”) to another with never a break using a leaky hose with low water pressure. Wow! What’s a normal work day for you like? I hope it is not as frantic as my friend’s.

While the nature of life is such that problems will never totally go away, one way to lessen the toll of a problem is to get at its root cause, then develop countermeasures to fix it so it will not come back – bury it deep and permanently.

A TOYOTA APPROACH TO PROBLEM-SOLVING

The Toyota Motor Corporation is generally regarded as one of the very best large-scale manufacturing and service firms in the world. Its various brands (Lexus, Camry, Prius, etc.) are among the top sellers in the U.S. and always score at or near the top of the J.D. Power Company’s quality rankings. Designing, assembling, and selling high-quality

automobiles in massive numbers is as daunting a challenge as any company can face. For example, the 5,100 employees at Toyota’s Princeton, Indiana, plant produced over 400,000 vehicles in 2016 which works out to be a finished car about every 30-40 seconds. These kinds of numbers generate many challenges! (Aka “problems.”)

THE ONE-WORD PROBLEM SOLVER

Years ago Toyota unveiled a problem-identification and solving process that helps explain its business success. Dubbed the “5-Why” method, it recognized that it makes no sense to apply “quick fixes” to problems since they will only come back again and cause more pain. Better to dig tirelessly and systematically into the “layers” of a problem until you get to the bottom – the “root cause” – then fix it. Dig relentlessly asking, “Why?” until you get to the base. Do not accept the first “reason(s).”

AN EXAMPLE OF THE 5-WHY METHOD AT WORK:

Let us look at an example of the 5-Why process being used by a quality engineer seeking to understand why there are occasional, unexpected stoppages of a machine that shuts down a total manufacturing line. He is interviewing the line's supervisor and the department manager.

Quality Engineer: What is the situation?

Supervisor: From time to time a cutting machine will unexpectedly stop. Since it is part of an interlinked, automated process, its stoppage will also stop the other machines in the production sequence and idle the operators until fixed.

QE: How often do the stoppages occur?

S: Maybe two or three times a week.

QE: Is this stoppage frequency acceptable?

S: No, but it may just be the nature of the machines we are using.

QE: Are stoppage times predictable?

S: No. They seem random.

QE: Why does the machine stop?

S: Because a fuse blows.

QE: What do you do to fix the situation?

S: Replace the fuse as fast as possible to minimize downtime and then speed up the line to make up for lost production. We also change the lubricating oil at the same time.

QE: Did that solve the problem?

S: No, the machine works fine for a while but then that fuse will blow and we go through the shut-down process again. Also, when we speed up to make up for lost production, quality levels slip a bit and rejections of finished product go up.

QE: Why do the fuses blow?

S: They are overloaded and blow for safety reasons.

QE: Why is there an overload?

S: Because the bearing lubrication was inadequate.

QE: Why was the bearing lubrication inadequate?

S: Because the lubrication pump did not function right.

QE: Why did the lubrication pump not work right?

S: Because the pump axle gets "hung up" and won't turn.

QE: Why is the pump axle hanging up?

S: Because sludge gets into the pump axle housing. So we clean off the pump axle, change the fuse, put in fresh, clean oil, and keep our fingers crossed. All this takes non-productive time which drives costs up.

QE: Why does sludge get in to the pump axle housing?

S: I hadn't really thought about it but it's probably because there is no oil strainer to do this important job.

QE: Why is there no strainer?

S: That's the way the machine was made. I guess the manufacturer didn't feel there was a need for a strainer plus not having one reduces the machine's initial selling price and our purchasing people are always interested in keeping prices down.

QE: Not having a strainer and a status check system seem to be the base problems and they won't just go away on their own. Countermeasures need to be taken. What will work best?

S: I'll get with our purchasing manager and manufacturing, engineering head, explain the situation, and, hopefully, they'll get with the machine's manufacturer to retro-fit our machines with strainers ASAP. We will also look at what else is on the market as better machine replacements. We will also set



up a strainer maintenance schedule to prevent clogging of the strainer.

QUICK FIXES DO NOT WORK OUT IN THE LONG RUN

This "digging in depth" approach to problem-solving might seem simple on the surface but is all too often absent from most American companies' day-to-day activities. The quick-fix, Band-Aid solution seems to be favored on this side of the Pacific. "Permanently" fixing a problem is a matter of discipline, attitude, culture, persistence, and taking the long view, not the use of "sophisticated" quality programs such as Six Sigma.

A final tip to successfully use the 5-Why method is to be sure all parties involved understand that no one is having "blame" pinned on them. You are just trying objectively to identify ways to permanently solve problems and make life easier and more productive for everyone. Give it a try and, as always, good luck.

PS: This method is called the "5 Why" since Toyota has found that "Why?" must be asked a minimum of five times before the root cause is identified.



Author

Charles Waldo, Ph.D., is Professor of Marketing (ret.) at Anderson University's Falls School of Business. He can be reached at cnwaldo@comcast.net.



Illustration by Cathy Hutchison ©

Four Surprisingly Effective Strategies for Dealing with **Difficult People** at Work

by Cathy Hutchison

YOU KNOW THE ONE.

THAT PERSON WHOSE NAME YOU DREAD READING IN AN E-MAIL. THE ONE YOU LET GO TO VOICE MAIL SO YOU CAN BRACE YOURSELF BEFORE TALKING WITH HIM IN REAL LIFE. THE ONE WHO MAKES YOUR BLOOD PRESSURE RISE JUST A LITTLE WHEN SHE TAKES A CHAIR AT A MEETING NEXT TO YOU.

Most of the time, we do not get to pick the people we work with. **Difficult clients and co-workers are just part of the equation.**

And these people come in a variety of types all designed to suck the life out of us. A few examples:

- **Steve, the obstructionist.** Steve is a big ball of “no.” Regardless of what your team is trying to achieve on a given day, Steve will be the obstacle.
- **Judy, the complainer.** Her dripping of negative commentary makes the world feel like a terrible place to be. (Judy is closely related to Playwright Mike, whose every story is a tragedy starring him.)
- **Rachel, the master manipulator.** Every conversation winds up with you accidentally committing to something that meets her priorities while sidelining your own.
- **Kevin, the incompetent.** You need to be able to throw the ball to him and have him catch it, but that is never going

to happen. Not only that, but Kevin is full of excuses as to why he did not get things done.

- **Kassandra, the rager.** You never know what is going to spring her trip wire.
- **Carl, the critic.** Regardless of how amazing the idea is that you just put on the table, Carl will zoom in to highlight the insignificant item that is not absolutely perfect. Almost every move Carl makes is designed to make himself look good and others look inferior.

While dealing with difficult people is an unchangeable fact of life, there are some surprisingly effective strategies to switch the game regardless of the variety of difficult people with whom you are dealing.

1. NARROW YOUR FOCUS. IDENTIFY YOUR GOAL.

Making your goal to get a difficult person to change is a Herculean task—one that drains your energy and has a negligible success rate.

Dropping the fantasy that it is even possible changes how we come up with solution ; so, narrow the focus to what you have influence over and identify your goal.

Here is what that looks like in different contexts:

- With Steve, the obstructionist, you want to be able to get things done.
- With Judy, the complainer (or Playwright Mike), you want to work in a positive environment.
- With Rachel, the manipulator, you want to quit being railroaded.
- With Kevin, the incompetent, you want to prevent mission failure.
- With Cassandra, the rager, you want not to have to walk on eggshells in meetings.
- With Carl, the critic, you want collaboration and contribution in healthy ways.

If we can narrow our focus to zoom in on what we actually want, we stop the futile brainstorming on how to make the difficult person better (an impossible task), and begin to put energy toward meeting our actual goal.

2. SOLVE FOR WHAT YOU WANT, BUT TREAT THE PERSON AS A FIXED VARIABLE IN THE EQUATION.

If you were solving the problem of getting what you want without the emotion attached to it, what would you do? Remember that the person is a fixed variable in the equation. He is not magically going to get fired or suddenly move to Morocco.

What are your options if there is absolutely nothing you can do to impact the difficult person?

Let us go back to one of our examples:

- Judy is a huge complainer—and she sits right next to you. Every day her dripping of negative commentary drains your energy. *What do you want? To be able to work in a positive environment.* While you have the option of confronting Judy, most of the time negative thinking is so ingrained in people that they cannot see it. (As a general rule, telling someone she is not self-aware is not helpful.) If Judy is always going to be toxic, what can you do to get to a more positive work environment?
- You might be able to rearrange your office space to have less physical contact with Judy.
- You could apply for that promotion.
- You could try working from home.
- You could throw on some headphones and stream more positive messaging.
- You can create strong psychological

boundaries at work and limit your interaction.

- You could walk away when Judy starts in on her whining. (We are programmed socially not to do this. It is not nice, but complaining is not nice either.)
- You could look for a new position with a different company.

Here is another example:

- Kevin is just incompetent. You need to be able to throw the ball to him and have him catch it, but that is never going to happen. Not only that, but Kevin is a blamer and is full of excuses as to why he did not get things done. *What do you want? To prevent mission failure.*
- Hopefully at some point Kevin gets fired—but you cannot count on that, especially if Kevin is the owner's nephew or if he is really good at playing a shell game with his responsibilities. If Kevin is always going to be incompetent, what can you do to prevent mission failure?
- You could get creative with your budget and find a way to outsource some of Kevin's tasks.
- You could go around Kevin and do it yourself so the mission is met.
- You could check your bias and see if Kevin is really incompetent at everything, or just some things.
- You could be proactive and put redundancies in place to protect from failure.

Most of the time, we do not get to pick the people we work with. **Difficult clients and co-workers** are just part of the equation.

- You could implement reminders for the team that happen to help Kevin out (or out Kevin).
- You could speak with your boss about where the points of failure are without actually complaining about Kevin.
- You could look to transition to a different team.

Solving for what we want without attempting to “fix” the person, gives us far more possibilities, but it is not easy. By the time someone gets to “difficult person” status in our heads (or more disparaging terms that probably should not be typed out here) there is already a lot of emotion attached. The brainstorming is more effective if you can minimize the angst you feel while doing it.

3. FIGURE OUT WHY IT TRIGGERS YOU.

Tony Schwartz in his HBR article, “The Secret of Dealing with Difficult People Is about You,” writes, “Our core emotional need is to feel valued and valuable. When we do not, it is deeply unsettling, a challenge to our sense of equilibrium, security, and well-being. At the most primal level, it can feel like a threat to our very survival.”

The reality is that we deal with difficult people all the time, and often, it just slides right by us. Yet, when we encounter someone who especially triggers us, it often touches something that makes us feel threatened in some way.

For example,

Rachel, the manipulator, might make us feel stupid, like we’ve been tricked. Or she might cause us to feel powerless.



Whereas, if we were less emotionally triggered by Rachel, we would likely go back after committing to something and let her know that after more evaluation, we can’t take on that project after all. We wouldn’t care what she thought about us, and we wouldn’t be intimidated by the hard conversation.

Kassandra, the rager, might tap into experiences we had as kids with bullies or with an abusive parent. If we weren’t triggered, we would likely see Kassandra as foolish for being so tossed about by her emotions rather than feeling threatened by her rage. (We might also be brave enough to stand up for ourselves and call her on her BS.)

The Momentous Institute has a strategy they teach young children: “Settle Your Glitter.” Remember the bouncy balls filled with water and glitter that would get shaken up when you bounced them? Look inside a shaken glitter ball and you cannot see through it, but once it settles, you can see clearly to make a good decision.

Noticing why we are being triggered can help us settle our glitter. (As can three minutes of deep breathing.)

4. FIND YOUR GROWTH EDGE.

If we keep running into the same type of “difficult person,” there is a good chance that we are encountering a normal person who just happens to uncover a place we need to grow.

In the examples of Steve, the obstructionist, or Carl, the critic, we may need to develop a black belt in communication skills, or we might need to improve our process so we weed out concerns before they become objections. Or we may just have to improve our professionalism to a point where we can let the work be the work without feeling like critiques are a commentary on our soul.

Since the difficult person is a fixed variable in the problem, then often the only power we have is to get better ourselves, so that it has less impact. Difficult people can be an invitation to our growth edge as a signal that it’s time to make a change.



Author

Cathy Hutchison is a “Random Thought Connector” and blogger. She can be reached at cathy@loveyourdayjob.net.



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3 Key Indicators of Your Church's Financial Health – Even 4

by Michael Martin

**IS YOUR CHURCH FINANCIALLY HEALTHY?
HOW DO YOU KNOW?
WHO CARES?**

Recently, I had the privilege of participating in another Metro Network round table sponsored by The Church Network (TCN), a group including some of the sharpest minds in church administration across the country. (If your church is eligible to participate in the Metro Network and you have not attended one of the round tables, you are missing out!).

During the round table discussion focused on finances; one of the leaders posed this question to his peers: “What are the top 3

metrics you look at to determine the overall financial health of the organization?”

Little time passed before several administrators around the room began chiming in with their churches’ metrics. Soon, a pattern began to emerge through the collective wisdom and experience in the room, and one of the basic principles for church financial analysis was illustrated. Every church shared a separate set of top metrics. In other words, there is no magic list!

The top indicators of overall financial health can and should vary by church. While hearing what other churches are tracking may be instructive, it is not prescriptive.

Why is that the case? For starters, the key measures of financial health should be directly tied to the church’s progress in achieving its own underlying mission and goals. Because every church is in some way unique with respect to its mission and goals, so too should its indicators of financial health.

Also during the round table, the group discussed the importance of tailoring the presentation of this information to match the needs of your audience in that setting. Your congregation, staff leadership, and board or committees will all be looking at financial health from somewhat different perspectives. Your presentation approach and the types of details shared should, therefore, be customized in a way that is

most meaningful to that particular group, whether it be for periodic church-wide updates or for leadership meetings of the staff, board, or committees.

ARE THERE ANY COMMON THREADS?

Now we have established that churches should be tracking specific metrics related to their church, and we know the presentation of this data should be shared with various groups in different ways.

Even still, at ECFA we would suggest that there are some potential common threads or basic metrics that financially responsible churches across the spectrum are likely tracking. The question submitted to the round table originally asked for the top three metrics, but we could not resist sharing at least one additional as a bonus!

Here they are, in no particular order:

1. Are there adequate cash reserves?

Cash is king. Is there cash to cover all of the restricted (temporary or permanent) net assets? During tight financial times, it can be easy for a church, even unintentionally, to be borrowing against giver-restricted net assets for operating purposes. This creates a problem because the church may not be able to satisfy the purpose or time restrictions on the gifts from donors in a timely manner.

At the lowest cash point in the year (typically end of summer), does the church have at least 2-3 months of cash on hand—in addition to the cash for restricted net assets? In a highly-leveraged church, the number of months of operating cash is likely in addition to cash for mortgage reserves.

Having additional operating cash on hand helps the church respond to unexpected opportunities and meet its bills as they come due (avoiding overdue payment fees).

2. Is church debt at a reasonable level?

Reasonable depends on the size of the church, whether the church is growing or in decline, the giving trends, and more. While the appropriate level of debt varies across churches, we all understand the more debt the church has, the less flexibility it has financially and the more at risk it would be in the event of an unexpected decline in revenue.

3. Is the percentage of total compensation to total operating expenses (exclusive of expenses related to restricted gifts) at a reasonable level?

This usually ranges anywhere from 35% to 60%, with the most common percentage being around 50% of total compensation to total operating expenses. Again, there is not one right or wrong here – the percentage just needs to be appropriate for the congregation's overall financial philosophy and goals. The higher the percentage, the more likely the church will be forced to lay off staff in a downturn. On the other hand, the lower the percentage, the more likely the church is inadequately staffed.

4. After excluding net property, plant and equipment (less related debt), is the unrestricted net assets number positive by a healthy amount?

If your church's financial statements meet accounting standards, your property, plant and equipment (less accumulated depreciation), minus related debt,

is included in your unrestricted net assets. Since churches rarely plan to sell their property, plant and equipment, it is important to exclude this amount minus related debt, when determining the church's financial health.

If your year-end financial statements are prepared by an independent CPA firm, you can request they segregate the portion of the unrestricted net assets relating to net property, plant and equipment, minus related debt, for ease in communicating the portion of unrestricted net assets that are actually available for operating purposes.

We hope these four general pointers are helpful as you consider the top financial health metrics to be analyzing and reporting in your church.

I mentioned earlier the opportunity to participate in TCN's Metro Network. The group typically meets during the TCN National Conference and two other times throughout the year. Do not miss out on this wonderful opportunity for discussion and relationship-building with peers. To learn more, visit NACBA.net/pages/metro or email the facilitator Glenn Wood of Seacoast Church, glennwood@seacoast.org.



Author

Michael Martin is vice president of ECFA (Evangelical Council for Financial Accountability), an organization that certifies churches and ministries for financial integrity. He can be reached at michael@ecfa.org.



The key measures of financial health should be directly tied to the church's progress in achieving its own underlying mission and goals.

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Pastor Excel 17

Excel Camera Tool and the DATEDIF Function

by Glenn Wood, CCA

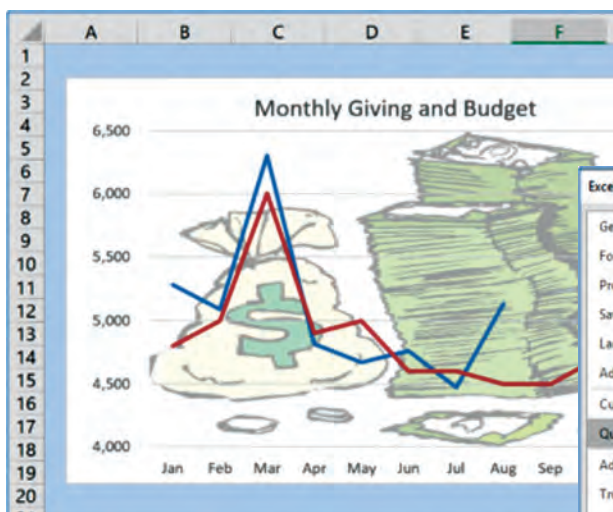
THIS EDITION WILL TACKLE SEVERAL USEFUL, BUT OFTEN UNUSED, EXCEL TOOLS.

The Camera Tool can give visibility into what is happening on another tab or area of a spreadsheet, and the =DATEDIF function can determine the number of days, months, years, or a combination of these, between two dates.

Camera Tool

When working with multi-sheet spreadsheets or calculations that are pulling data from several sheets, the camera tool allows a live look into a single cell or a group of cells that can “float” on top of another sheet.

In the example below, actual giving and budget numbers for the church are on a tab which drives a chart located on another tab. The Camera Tool will be used to “float” the chart next to the table so there is a real-time view of the chart as changes are made.

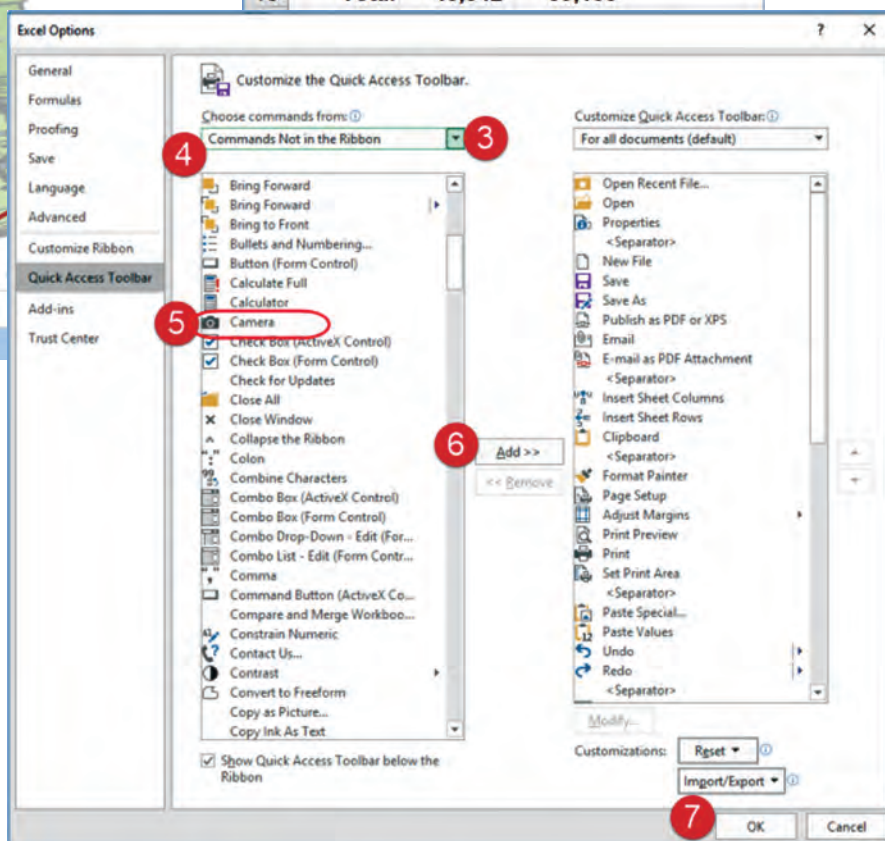


	A	B	C	D
1	Your Church Giving and Budget Report			
2				
3	Mth	Monthly	Budget	
4	Jan	5,286	4,800	
5	Feb	5,092	5,000	
6	Mar	6,304	6,000	
7	Apr	4,817	4,900	
8	May	4,672	5,000	
9	Jun	4,763	4,600	
10	Jul	4,472	4,600	
11	Aug	5,136	4,500	
12	Sep		4,500	
13	Oct		4,700	
14	Nov		4,500	
15	Dec		6,000	
16	Total	40,542	59,100	

ADDING THE CAMERA TOOL TO THE QUICK ACCESS TOOLBAR

To utilize the Camera Tool, it must be added to the Quick Access Toolbar (QAT) as the option is NOT available on any of the Ribbon tabs.

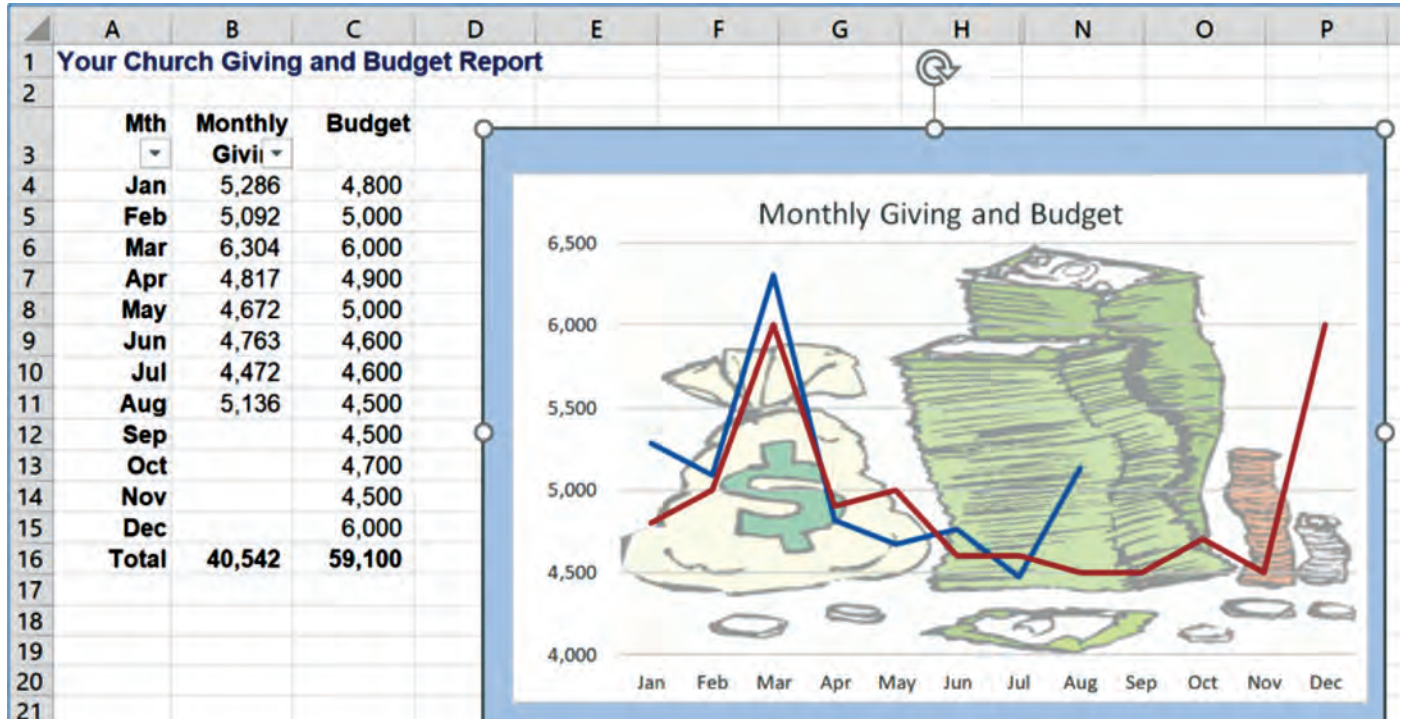
1. Click the drop-down arrow at the right side of the QAT.



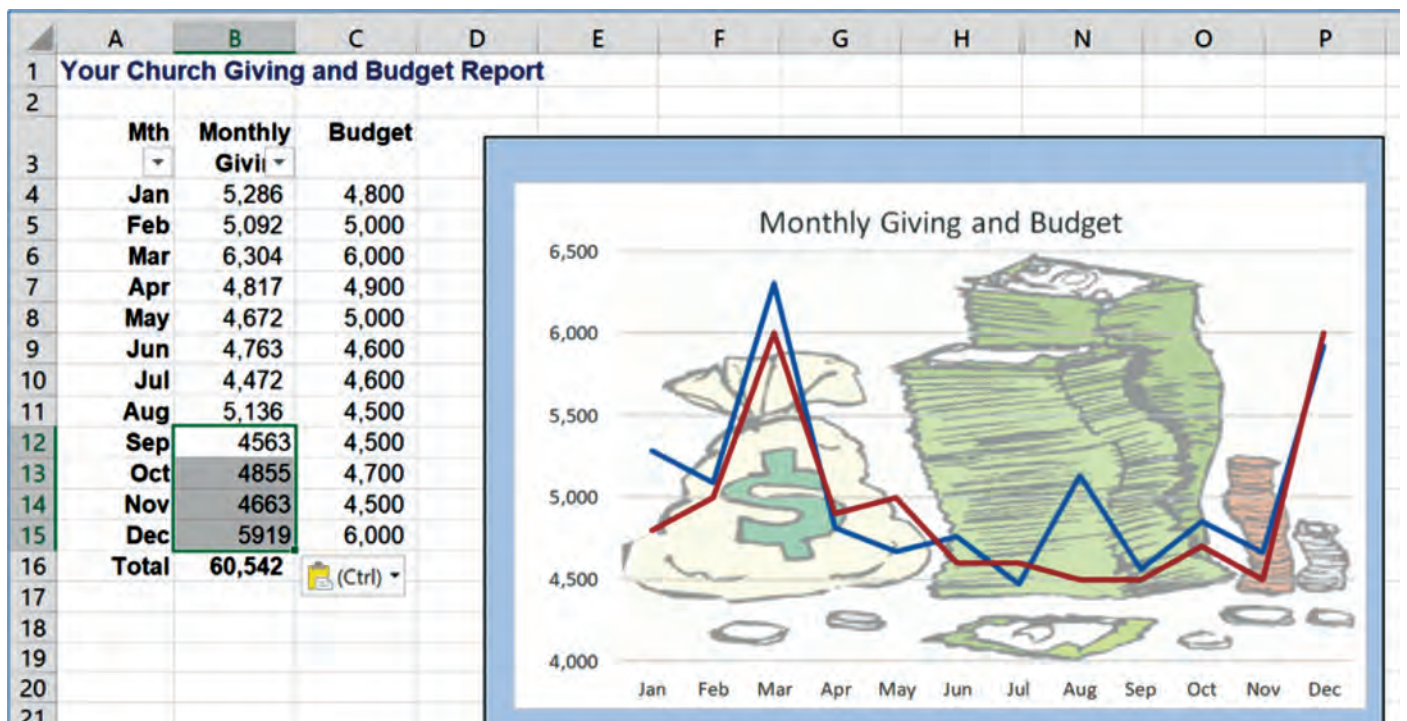
- Click on More Commands....
- Click the drop-down arrow in the Choose commands from:
- Select Commands Not in the Ribbon.
- Scroll down to highlight Camera.
- Click the Add button to move it to the QAT; use the arrows to move its position up and down.
- Click OK to finish.

USING THE CAMERA TOOL

- Click on the tab with the charts.
- Highlight the cells to "see," in this case A1:G20.
- Click the Camera Tool on the ribbon.
- Click on the tab with Giving Data; select the desired location of the upper left corner of the chart; drag the mouse down and to the right, release the mouse.



- Click the "snapshot" to move it around on the screen or resize the image as needed by using the round "handles" around the image edge.
- When new data is entered into either tab, the totals will update automatically as shown in the image below.



Other uses and notes:

- As budget numbers are updated, the consolidated Net Income number that is located on another tab or section of the spreadsheet is also updated and visible.
- The snapshot can be resized by clicking and dragging any corner.
- Updating the formatting on the linked cells also updates the snapshot .

DATEDIF function

When the need arises to determine the number of days, months, or years between dates, Excel has a function for that!

Syntax:

=DATEDIF(StartDate, EndDate, unit)

StartDate: Entered into a cell

EndDate: Entered into a cell

Unit: "Y" The number of complete years

"M" The number of complete months

"D" The number of days

"MD" The difference between the days in start date and end date. The months and years are ignored.

"YM" The difference between the months in start date and end date. The days and years are ignored.

"YD" The difference between the days of the start date and end date. The years are ignored.

	A	B	C
1			
2			
3	Start Date	1/1/2012	
4	End Date:	12/31/2012	
5			
6		Result Formula	
7		0 =DATEDIF(B3,B4,"Y")	
8		11 =DATEDIF(B3,B4,"M")	
9		365 =DATEDIF(B3,B4,"D")	
10		30 =DATEDIF(B3,B4,"MD")	
11		11 =DATEDIF(B3,B4,"YM")	
12		365 =DATEDIF(B3,B4,"YD")	
13			

14			
15	Start Date	6/15/2010	
16	End Date:	9/1/2015	
17			
18		Result Formula	
19		5 =DATEDIF(B15,B16,"Y")	
20		62 =DATEDIF(B15,B16,"M")	
21		1,904 =DATEDIF(B15,B16,"D")	
22		17 =DATEDIF(B15,B16,"MD")	
23		2 =DATEDIF(B15,B16,"YM")	
24		78 =DATEDIF(B15,B16,"YD")	
25			

CALCULATING AGES

This function can also be used to calculate ages and seems to be the easiest way in Excel to do this.

Rather than keying in “Today’s date,” use the =TODAY() function and the results will be dynamic when the file is saved and reopened on another date. This can save time from having to rekey today’s date into a spreadsheet every time it is opened. The =TODAY() can either be used in a cell or in the formula; both options are shown below.

Another use is determining how many years staff members have been employed by the church.

29	Calculating age & other options	
30	Birthday	4/15/1957
31	Today's date	3/15/2017
32		59 =DATEDIF(B30,B31,"Y")
33		
34	Birthday	3/1/2016
35	Today's date	3/15/2017
36		1 =DATEDIF(B34,B35,"Y")
37		1 =DATEDIF(B34,TODAY(),"Y")
38		

Using the =DATEDIF function to display the number of years AND number of months between dates

For those wanting to show off their Excel skills to their boss, create a list of employees displaying the number of years AND months since they were hired in the same cell. The formula to create this uses the DATEDIF function twice, once for the years and once for the months. Concatenate (join) the answers with some text and the resulting formula displays a cell with both numbers and text. Each time the spreadsheet is opened the =TODAY() function ensures the current date is updated in cell B2 so the values will always be accurate!

	A	B	C	D	E	F
1	Your Church Employee List					
2	As of:	Formula used to keep the date value current				
3	5/2/2017	=TODAY()				
4						
5	Emp #	First Name	Last Name	Hire Date	Years and Mths employed	Formula used to create the previous value
6	54	Glenn	Wood	01/01/2015	2 yrs and 4 mths	=DATEDIF(D6,\$A\$3,"Y")&" yrs and "&DATEDIF(D6,\$A\$3,"YM")&" mths"
7	73	Jonathan	Shaw	08/11/1998	18 yrs and 8 mths	=DATEDIF(D7,\$A\$3,"Y")&" yrs and "&DATEDIF(D7,\$A\$3,"YM")&" mths"
8	75	Joy	Lowe	10/01/1997	19 yrs and 7 mths	
9	89	Lena	Hudson	10/10/2012	4 yrs and 6 mths	
10	94	Terry	Douglas	12/05/2011	5 yrs and 4 mths	
11	105	Lucas	Bailey	08/01/1998	18 yrs and 9 mths	
12	123	Alberta	Klein	03/05/2011	6 yrs and 1 mths	
13	133	Chad	Tate	05/16/2012	4 yrs and 11 mths	
14	175	Boyd	Meyer	03/09/1998	19 yrs and 1 mths	
15	195	Lynda	Frazier	04/18/2011	6 yrs and 0 mths	
16	213	Henry	Roberson	07/30/2012	4 yrs and 9 mths	
17	248	Jeannie	Lewis	05/17/2012	4 yrs and 11 mths	
18						

The dollar signs before both the Column (A) and Row (3) make this an absolute reference which means that no matter where the formula is copied it will always point to this cell

Hopefully, the above examples will make your work a little easier.

Author

Glenn Wood, CCA, is the pastor of administration for Seacoast Church where he has served since 1995. He can be reached at glennwood@seacoast.org.



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BOOKREPORT

A Failure of Nerve by Edwin H. Friedman

Reviewed by Margaret Marcuson

DO YOU KNOW HOW TO WATCH OUT FOR A POTENTIAL PROBLEM PERSON AT CHURCH?

It's not the most fun thing to do, but being aware and alert about this can help save you lots of heartache in the future. To build up your skills, I highly recommend Edwin Friedman's *A Failure of Nerve: Leadership in the Age of the Quick Fix*. I'm re-reading it now. Friedman's brilliant insights into the nature of societal anxiety are more relevant now than they were 20 years ago. They apply to the global and national context, to family life – and of course, to congregational life.

He lists ten characteristics of what he calls potentially “viral” or “malignant” members of institutions. I'm going to simplify and share my favorite four of the ten. (See pp. 144-145, if you have got the book.) Do not just take my word for it – go read the book.

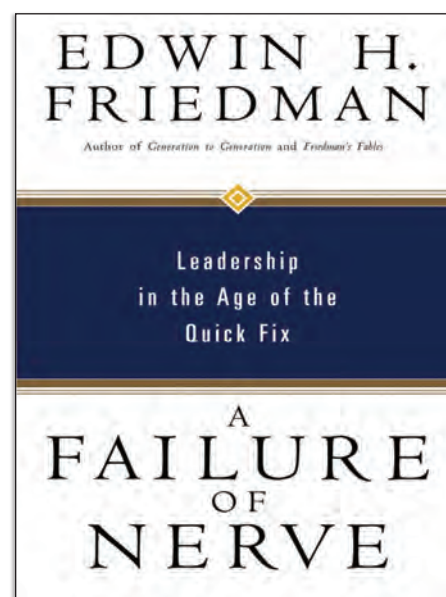
Spot a Potential Troublemaker:

1. They are easily hurt and collect injustices. They have a victim attitude

and sometimes a long, long memory that fixates on details. You might hear them say, “No one visited my sister in the hospital...” (when they did not let anyone know she was there).

2. They tend to idolize their leaders – until they do not. Friedman says, “Beware of those who adulate you early.” They can turn on a dime and suddenly be your worst enemy.
3. They are often black and white thinkers. They cannot tolerate difference or dissent. Their opinions are rigid and they are quick to proclaim what is right and wrong.
4. They are prone to groupthink. Friedman says, “they fuse with others like them into an undifferentiated mass (like a tumor).” Often they already have a few people close to them who support and echo their ideas and behavior.

You cannot lead people like this by being empathetic and trying to see their points of view. You may want to, and others may urge you to do so; however, “...promoting in others the initiative to be accountable



is far more critical to the health of an institution than trying to be understanding or insightful.” (p. 147) This is a hard lesson for church leaders to learn. We are trained to be understanding and insightful, not to take a stand.

Every church has people like this. Some have quite a few. In some churches they run the show. Remember, the impact of people like this is dependent on a host which allows them to make trouble. Leaders are like the immune system. Rather than blaming them or accommodating them, you and other leaders are called to take a stand and say, in essence, “You can’t act like that here.” Pastors need lay allies to do this, but it starts with you being willing to take a stand.

Where do you need to step away from endless empathy and toward clarity?



Looking for CEU credits?

Earn CEUs for CCA retention by submitting reports on approved reading.

In The Church Network certification retention program, up to 1.0 Continuing Education Unit (CEU) may be earned through the CEU reading program. TCN maintains an approved reading list on the Web site at www.thechurchnetwork.com/certify. See eligibility and requirements. Books are submitted by training center faculty for inclusion on the list. Each book read and reported will earn a 0.1 CEU.

Designees must submit a CEU Reading Form which has been completed at the computer. To access this form go to the retention information link at the website above. It is Appendix E.



Cremation on the Rise

Industry reports from IBISWorld, NFDA, ICCFA and CANA have noted the continuous rise in cremations this decade. While some debate the factors such as baby boomers passing, decreased number of plots in cemeteries, or rising costs of burial, the fact is that mortuaries and cemeteries confirm that people are requesting more cremations over burials for their final arrangements.

Customer desires are changing and churches, cemeteries, and mortuaries can adapt and thrive with the change with compassion (as they have always done) and a little creativity in product offerings such as:

- Cenotaphs next to scattering gardens
- Anniversary ceremonies, celebrations of life and memorials at niche garden

- Columbarium walls and structures
- Working harder to keep cremated remains in a location where family and friends can honor them at their local churches and cemeteries.

Drew Lovelace, MBA
Vice President/CAO
Columbarium by Design

4 Essential Tips to Ensure Your Church Website is Read

1. UPPER-LEFT CORNER

Visitors are looking for a simple confirmation that they're at the correct website. Confirm that they're at the right place by putting your logo here.

2. HEADER

People look for a header area that runs to the right of the logo at the top of the page. They expect to see a menu to the bottom-right of the header. Churches often use this space for important information like service times, locations, and directions as most congregation and community members visiting the website would want this information regularly.

3. MAIN CONTENT AREA

The main content area is where the content is delivered to the reader. It's typically in the center below the header. Because the average person spends eight to 10 seconds on a page, they want this content to be what they expect.

4. INDIVIDUAL PAGES

Thanks to our migration to mobile devices (phone and tablet) to access our web content, websites need to be as easily viewed on a small screen as on a large desktop monitor. This design type is called "responsive".

Gordon Proud
www.shelbysystems.com



Nest Camera

Get a Nest Camera for \$200. I put one in my office window pointing at the parking lot and I can view it through my smartphone. I bought it so that from the comfort of my house I could see how deep the snow was at the church over the winter. We put a snow gauge in the parking lot so we can know exactly how much snow fell. In the spring we had a violent hailstorm which the camera captured – that video evidence helped the church get a new roof paid by the insurance company.

But there are other unintended benefits:

1. When either the power or wifi goes out, I get an email stating the camera is offline so I'll know there is a problem at the church I need to address.
2. The camera is pointed at our multisite trailers which have a lot of expensive equipment. If someone steals the trailers, I've got the whole thing and their truck on video.
3. Multiple people can view the camera and the 10 days worth of recordings so my facilities manager knows what's going on from his home.

My InfoTech director wants a camera to monitor the server room. Cameras such as these have multiple uses – be creative (and careful to avoid legal issues) with this technology.

Steve Law
www.financeforchurches.org
www.churchbestpractices.org
www.facebook.com/financeforchurches
804-380-1741

Limiting Liquor Liability Exposure

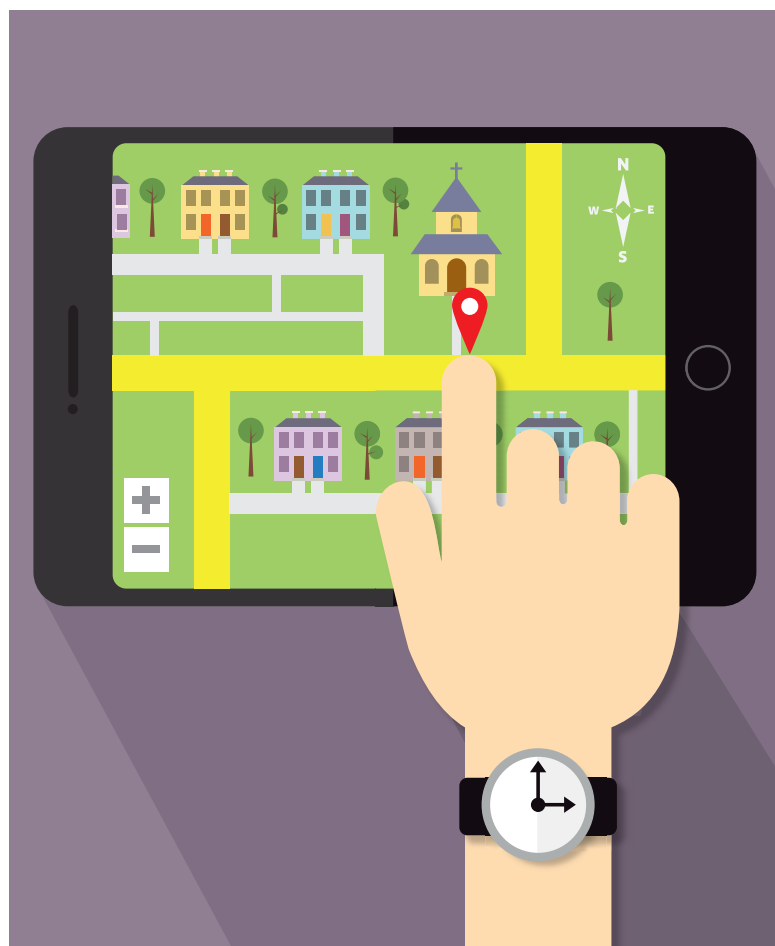
To support the budget and serve the community, churches occasionally rent meeting halls, conduct social activities or hold fundraising events. If these events include the sale/serving of alcohol, the following steps are recommended to help reduce liquor liability exposures:

- Obtain proper liquor permit/license
- Instruct alcohol servers attend a training program (i.e.: TIPS, TAMS, RAMP)
- Require patrons to show proof of age – when in doubt, do not serve
- Provide ID bracelets to distinguish people of legal drinking age
- Institute a drink limit
- Limit the event timeframe
- Observe patrons for signs of intoxication
- Do not serve alcohol to anyone showing signs of intoxication upon arrival or to those who may have consumed too much alcohol on the premises
- Implement a designated driver program
- Contact law enforcement if an intoxicated person gets in their vehicle



To learn more, visit:
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Betty Norman, Director of Risk Control
Glatfelter Religious Practice



3 Turnaround Tips for a Shrinking Church

80% of churches are in decline or stagnation. Most communities are growing while local churches are shrinking. Let's turn that around!

Here are 3 turnaround tips if you find your church shrinking:

1. Focus on your audience. Engaging a community requires knowing the people and their needs. Look at your congregation and identify where they live and why they come to church. Focus on those areas in your community.
2. Focus your message. Consider the solutions you have for your community's needs. Become known for one or two solutions by focusing everything you do around those keywords. Search engines will direct people to your church website as people seek those solutions.
3. Focus your Digital Hub. Email, Social media, and your Website should be your main way of communications. They'll reach farther for your dollar than print materials will. People seek solutions.

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