

UNIVERSITY OF HAWAII

EXECUTIVE POLICY – FUND RAISING
October 2011

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I. Introduction

In Section 8-9, Fund Raising, Board of Regents policies, the Board provides that the Regents of the University of Hawai'i wish to acknowledge the service of volunteer groups and nonprofit organizations and to encourage their support on behalf of the University. These entities provide valuable assistance in fund raising, public outreach and other support for the University's mission. The most common forms of such organizations are Support Groups and Alumni Chapters.

The University expects that affiliated volunteer groups or nonprofit organizations desiring to be associated with the University shall seek formal and continued recognition by the University. Further it is the University's expectation that volunteer groups and nonprofit organizations formally recognized by the University shall comply with applicable laws, rules, regulations, and University policies.

II. Purpose

The purpose of this executive policy is to fulfill the provisions of Section 8-9, Fund Raising of the Board of Regents policies that the President shall promulgate such necessary policies and procedures that provide for the official recognition of groups and includes provisions that promote the fulfillment of the envisioned support of the University by the group and compliance with usual and common business and regulatory practices. For purposes of this Executive Policy volunteer groups and nonprofit organizations are defined as those entities having as their intent and purpose the establishment and maintenance for an indefinite period of time an affiliation with the University.

III. Responsibilities

The President: As provided for in Board of Regents policy Chapter 8-9, the President shall promulgate such necessary policies and procedures that provide for the official recognition of volunteer groups and nonprofit organizations including provisions that promote the fulfillment of the envisioned support of the University by the group and compliance with usual and common business and regulatory practices.

The Vice President for Budget and Finance/CFO: Shall prepare draft executive policies relating to fund raising for consideration by the President and shall be responsible for monitoring compliance with fund raising guidelines on a system wide basis.

Vice President for Student Affairs and University/Community Relations: Shall be responsible for promoting and coordinating with volunteer groups and nonprofit organization groups by encouraging and supporting the development of University support programs and initiatives throughout the system and collaborating with campuses in providing assistance in communications.

Chancellors: Shall be responsible for promoting, coordinating, collaborating and monitoring volunteer groups and nonprofit organizations by (a) encouraging and supporting the development of campus support programs and initiatives, (b) acknowledging the service of volunteer groups and nonprofit organizations, and (c) monitoring compliance with usual and common business and regulatory practices.

Chief Executive of a Volunteer Group or Nonprofit Organization: Shall monitor the group's or organization's operations for conformity with University policy requirements to include the annual submission of an IRS Form 990 or such other information as may be required by the University in association with formal University recognition of the group or organization.

IV. Guidelines

For volunteer groups and nonprofit organizations to be eligible to be officially recognized as a University of Hawaii affiliated volunteer group or nonprofit organization, the volunteer groups and nonprofit organizations, except for the University of Hawai'i Foundation and the Research Corporation of the University of Hawai'i, must comply with the following:

A. Obtaining Recognition

1. To obtain official recognition, a volunteer group or nonprofit organization shall apply in writing to the respective campus Chancellor. Such application shall contain the following information:
 - a. Name of the organization
 - b. Purpose of the organization
 - c. Campus or University unit benefited
 - d. Disclosure of any conflicts of interests
 - e. Identification of any University resources expected

In evaluating request for official recognition the Chancellor shall consider liability and as appropriate ensure the establishment of safeguards for the University based on consultations with the Office of the General Counsel.

- B. By April of each year, Chancellors shall submit to the President who shall forward to the Board:
1. A listing of those volunteer groups and nonprofit organizations that have received official recognition by the campus as providing valuable assistance in fund raising, public outreach, and other support for the University's mission.
 2. Included in the annual listing of volunteer groups and nonprofit organizations shall be citation of the accomplishments of volunteer groups and nonprofit organizations and how the campus recognized the efforts of the groups' fund raising, public outreach, and other support for the University's mission.
 3. Along with the volunteer groups and nonprofit organizations, the campus shall submit an explanation of the campus' efforts to ensure that the volunteer groups and nonprofit organizations are in compliance with usual and common business and regulatory practices and consistent with the overall educational mission of the University. For officially recognized alumni chapters, the University of Hawai'i Foundation's Office of Alumni Relations shall submit certifications to the President with copy to appropriate Chancellor regarding an official recognized alumni chapters' compliance with the executive policy.
 - a. As evidence of compliance, groups and organizations should submit and chancellors should maintain current copies of the organization's constitution/ charter and bylaws.
 - b. On an annual basis, a copy of audited or unaudited financial statements with accompanying reports of an auditor, if any, regarding the volunteer group's and nonprofit organization's financial status and any other documentation indicating compliance with usual and common business and regulatory practices and applicable laws, rules, e.g., IRS, regulations and policies.
 4. The chancellor's office shall annually review its relationship with each volunteer group and nonprofit organization for purposes of determining whether the campus, on behalf of the University, should continue or discontinue recognition of the organization.
- C. All fund raising campaigns done for the benefit of the campus unit or University shall be coordinated by the University of Hawai'i Foundation in accordance with the Foundation's policies and procedures. The Foundation shall also act as fiscal agent for funds raised and expended in this way.

- D. The University and Foundation shall ensure that all support in the form of contracts and grants from federal, state, local and foreign governmental, quasi-governmental or private organizations shall continue to be solicited and accepted directly by the University, unless such support is clearly in the form of a gift. The University's Office of Research Services shall be consulted on all matters related to contracts and grants.

System wide alumni activities shall be coordinated with the Office of the Vice President for Student Affairs and University/Community Relations and the University of Hawai'i Foundation's Office of Alumni Relations.

- E. Non-recognized Entities

Without formal recognition, a volunteer group or nonprofit organization shall not (a) represent itself as raising funds or otherwise providing support on behalf of or for the benefit of the University or any unit thereof; (b) use the name of the University of Hawai'i or any of its campuses, facilities, or programs expressly or by implication; or (c) use University facilities, equipment, personnel, or other resources.

- F. Compliance

It shall be the responsibility of the volunteer group or nonprofit organization to comply with applicable law, rules, regulations and University policies. As it relates to compliance with applicable University rules, regulations and policies, upon failure of a volunteer group or nonprofit organization to comply, the University may initiate appropriate action that may include withdrawal of the University's official recognition of the volunteer group or nonprofit organization and as appropriate, initiation of legal action.

- G. Exceptions

Chartered Student Organizations and Registered Independent Organizations as provided for in Sections 7-2 and 7-3 of Board of Regents Policies shall be exempt from the provisions of this Executive Policy, but shall be subject to other policies and procedures as may be promulgated and applicable to these organizations relating to fund raising.

The Chancellor may make exemptions to the financial reporting requirements for volunteer groups and University affiliated non-profit organizations, e.g., one-time fund raising events such as those associated with promoting and supporting the culinary arts programs, when it is in the best interest of the University and such exceptions shall be included in the annual submission to the President.