

## AGENDA

### COMMITTEE ON INSTITUTIONAL ADVANCEMENT

**Meeting: 1:45 p.m., Tuesday, November 12, 2002**  
**Glenn S. Dumke Conference Center**

Frederick W. Pierce, IV, Chair  
Anthony M. Vitti, Vice Chair  
Roberta Achtenberg  
Harold Goldwhite  
Shailesh J. Mehta  
Dee Dee Myers  
Erene S. Thomas  
Martha Walda

#### **Consent Item**

Approval of Minutes of Meeting of September 17, 2002

#### **Discussion Items**

1. Article 15. Alumni Associations--A Proposed Revision to Title 5, California Code of Regulations, *Action*
2. University Advancement Update, *Information*

**MINUTES OF MEETING OF  
COMMITTEE ON INSTITUTIONAL ADVANCEMENT**

**Trustees of The California State University  
Office of the Chancellor  
Glenn S. Dumke Conference Center  
401 Golden Shore  
Long Beach, California**

**September 17, 2002**

**Members Present**

Frederick W. Pierce, IV, Chair  
Roberta Achtenberg  
Martha C. Fallgatter  
Debra S. Farar, Chair of the Board  
Harold Goldwhite  
Shailesh J. Mehta  
Dee Dee Myers  
Charles B. Reed, Chancellor  
Erene S. Thomas  
Anthony M. Vitti, Vice Chair

**Members Absent**

None

**Other Trustees Present**

William D. Campbell  
Robert Foster  
Murray L. Galinson  
William Hauck  
M. Alex Lopez  
Ralph R. Pesqueira  
Kyriakos Tsakopoulos

**Chancellor's Office Staff**

Richard P. West, Executive Vice Chancellor and Chief Financial Officer  
Jackie McClain, Vice Chancellor, Human Resources  
Louis Caldera, Vice Chancellor, University Advancement  
Christine Helwick, General Counsel

**Call to Order**

Chair Pierce called the meeting to order at 3:32 p.m.

**Approval of Minutes**

The July 16, 2002 minutes were approved as a consent item.

**Naming of Facility – California State University, Dominguez Hills**

Chair Fred Pierce asked Vice Chancellor Louis Caldera to present information on the request for approval of a resolution to name the track and field complex and the velodrome at California State University, Dominguez Hills as part of The Home Depot National Training Center.

Vice Chancellor Caldera reported that the soccer stadium and tennis courts at CSU Dominguez Hills were previously named The Home Depot National Training Center at the request of the developer, Anschutz Southern California Sports Complex (ASCSC), as part of their agreement to build the facilities. This naming adds the track and field complex and velodrome to the facilities collectively known as The Home Depot National Training Center. ASCSC expects to invest an estimated \$3 million in improvements to the track and field and \$1 million to enhance the new velodrome. The firm will also provide a \$100,000 cash gift to the campus. This investment will bring the venue up to NCAA standards and create an exceptional sports complex at CSU Dominguez Hills. This naming is subject to clarifying the circumstances under which the university would be entitled to additional payments, with such clarification to be approved by the Chancellor.

Chair Pierce asked President Lyons to comment on the naming. President Lyons stated that he recommends the naming and is in agreement with the ASCSC representative regarding the clarification.

Chair Pierce recognized Mr. Gil Smith, a representative from the community, who requested to address the board. Mr. Smith requested access to any amendments to the agreement. Chair Pierce confirmed that Chancellor Reed would handle Mr. Smith's request.

The Committee recommended approval by the Board of Trustees of the proposed resolution.  
(RIA 09-02-07)

**Naming of Facility – California State University, San Marcos**

Vice Chancellor Caldera presented a request to name the library at California State University, San Marcos, The Kellogg Library.

The naming of The Kellogg Library will honor Janet and Keith Kellogg II, long-time supporters of the California State University. Mr. and Mrs. Kellogg have given \$1.5 million toward the construction of the library and total gifts of \$2.9 million to CSU San Marcos. The new library will house 840,000 volumes and provide study areas for more than 1,500 students.

Chair Pierce asked President Gonzalez to comment on this naming. President Gonzalez replied that the Kelloggs have been involved with CSU San Marcos since its inception and have been

integral in the campus' ability to move forward on many projects including the construction of the library, support of the golf team and the development of scholarship programs.

Chancellor Reed also expressed his support of this naming and commented on the generosity of the Kelloggs. The Kellogg family and The Kellogg Foundation have provided significant support to the California State University at both California Polytechnic University, Pomona and California State University, San Marcos.

The Committee recommended approval by the Board of Trustees of the proposed resolution. (RIA 09-02-08)

### **2002/2003 University Advancement Campus Plans**

Chair Pierce asked Vice Chancellor Caldera to discuss the 2002/2003 University Advancement Campus Plans, "*Planning for Expanding the Resource Base.*" Vice Chancellor Caldera stated that the trustees asked the Division of University Advancement to provide a report each year on the plans at each campus for achieving their goals in key areas of advancement – fundraising, alumni relations, communications and public affairs. The successful accomplishment of these goals is especially important this year as the California State University faces a budget deficit. Campuses depend on their advancement programs to fund important initiatives such as scholarships, capital improvements, and academic departmental support.

### **Article 15. Alumni Associations—A Proposed Revision to Title 5, California Code of Regulations**

Article 15, Alumni Associations is a proposed change to Title 5 of the California Code of Regulations and was presented as an information item. This document will be submitted for action at the November Trustees' meeting and if approved, it will then go into effect July 1, 2003. Chair Pierce asked Vice Chancellor Caldera to discuss the development of this document and summarize some of the provisions included in it.

Vice Chancellor Caldera stated that a committee was formed at the request of Chancellor Reed to determine a management structure for CSU alumni associations that would strengthen the associations while assuring that they operate within the policies and procedures of the campus and are accountable to campus presidents for the funds they raise and spend in the name of the university. The committee was chaired by Mr. Caldera and included Vice Presidents for Advancement and the Alumni Trustee, a representative from the General Counsel's Office, the University Auditor's Office, University Advancement and the Alumni Council. Discussions focused on creating guidelines that recognize the important role that alumni associations play, but bring these organizations solidly within the campus operational system. It was determined that including the provisions in Title 5 gave them the force of law to make their requirements binding on all persons whose actions in relation to the university bring them under the purview of the title even if they have no official university affiliation.

Drafts of this document have been shared broadly with various members of the campus community and interested individuals for their comments and recommendations. Under Article 15:

- The president has the authority to recognize a single entity as the official alumni organization of the campus through an agreement to be entered into between the president and the association board, which grants that association certain privileges and benefits.
- The alumni association is asked to support the priorities of the campus and to work in partnership with the president.
- The alumni association must demonstrate to the campus that they are in compliance with the provisions of Article 15 as well as the policies and procedures of the campus.
- Alumni associations are required to provide certain budget and financial data and share fundraising and other program information with the campus. Associations will be subject to an audit or an inspection of their books and records.
- The alumni association at each campus is placed in an oversight position of constituent alumni organizations, such as alumni chapters and special interest groups unless those organizations enter into a separate agreement with the campus president

Chancellor Reed complimented the committee on the work they had done. He mentioned that this Article 15 was developed as a result of an assessment of the risk to the CSU posed by organizations that are affiliated with, but not a part of, the CSU. The goal of Article 15 is to bring the alumni associations into the CSU family and to make them accountable to the campus presidents.

Chair Pierce thanked Vice Chancellor Caldera for this information and asked the committee for any questions or comments. As there were no questions or comments raised, Vice Chancellor Caldera recommended that Article 15 be presented for adoption at the November Board of Trustees meeting.

### **University Advancement**

Vice Chancellor Caldera reported that data on fundraising and external support developed from our campuses for the last fiscal year are presently being collected. This data will be presented in the report to the Trustees on voluntary support and special revenue. This year campuses will once again submit data on expenditures for advancement, which provide the ability to examine the return on investment for the funds spent on advancement programs.

In addition, the University Advancement Division continues to provide information on Proposition 47, the education bond measure on the November ballot. Earlier in the month, meetings were held in Northern and Southern California with key campus leaders to discuss the most effective ways to disseminate information to campus constituencies on Proposition 47. The goal was to assist the public in making an informed decision in November. Recently, the CSU Labor Council expressed interest in becoming more involved in this effort.

Chair Pierce thanked Vice Chancellor Caldera for his update on advancement activities.

**Adjournment**

The meeting was adjourned at 3:54 p.m.

## **COMMITTEE ON INSTITUTIONAL ADVANCEMENT**

### **Revision of Title 5, California Code of Regulations, Adding Article 15. Alumni Associations**

#### **Presentation By**

Louis Caldera  
Vice Chancellor  
University Advancement

#### **Summary**

The Division of University Advancement is proposing a revision to Article 15 of the California Code of Regulations related to alumni associations. The draft of Article 15 was presented to the Trustees at its meeting on September 18, 2002 as an information item.

The purpose of adding Article 15 (commencing with Section 42397) to Subchapter 5, Chapter 1, Division 5 of Title 5 of the California Code of Regulations is to provide a framework within the California State University for the operation of campus alumni associations, constituency alumni groups and systemwide alumni organizations. Because CSU alumni associations have developed in a variety of ways, most as incorporated 501(c)(3) organizations, formalizing the relationship with the campus enhances the position of the alumni association as a valued participant in campus life and brings the alumni association within the broad campus management system.

Under the provisions of Article 15, alumni associations are accountable to the campus president and operate within the confines of campus policies and procedures. The provisions in Article 15 will serve as the basis of an agreement that will be entered into by each campus president and the alumni association board that aligns alumni associations with campus priorities and provides policies that ensure accountability and financial oversight.

Article 15 comes as a result of a request made by Chancellor Reed to Vice Chancellor Caldera in July 2001 to organize a working group to recommend an organizational model for alumni associations. After more than a year of meetings, discussions and consultation with campus and alumni representatives as well as a careful review of other university systems around the country the provisions of Article 15 have been developed.

After development of a draft Article 15 by an alumni association task force comprised of alumni and campus representatives, the alumni trustee, and members of the Chancellor's Office, a draft of Article 15 was distributed widely to campus Presidents, Vice Presidents for Advancement, Alumni Directors, Alumni Association Presidents and the Alumni Council by Vice Chancellor Caldera. Campus representatives were asked to review the draft carefully and discuss it

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thoroughly with their alumni association board members. In July 2002, a combined teleconference/video conference was arranged to provide a detailed review of the draft. Representatives from the task force led by the General Counsel's office, reviewed each section and sub-section of the draft and discussed the implications for campuses and alumni association boards. The task force encouraged alumni boards and campus representatives to respond to the draft with their comments, questions and recommendations.

The responses that were received were reviewed carefully and the draft of Article 15 was modified to reflect many of the thoughtful comments that clarified or enhanced the provisions of the document. The present draft represents the combined efforts of alumni association board members, campus administrators, Alumni Council representatives and many others who worked diligently to create a document that enhances and formalizes the important role of alumni associations within the CSU.

The following resolution is recommended for approval:

**RESOLVED**, By the Board of Trustees of the California State University, acting under the authority prescribed herein and pursuant to Sections 89030 and 89030.1 of the Education Code, that the board hereby adopts regulations relating to the internal management of the university comprising Article 15 (commencing with Section 42397) of Subchapter 5, Chapter 1, Division 5 of Title 5 of the California Code of Regulations as follows:

### **Article 15. Alumni Associations**

#### **Section 42397. Purpose.**

Campus alumni organizations aid the California State University in achieving its goals by providing leadership in fostering participation and support of campus priorities and representing alumni interests. As a public trust and the beneficiary of the support provided by alumni associations, the trustees are obligated to require that the funds raised by alumni associations be properly controlled and expended. Consequently, it is the intent of the trustees (1) to develop policies and procedures governing the recognition and management of alumni organizations, including the use of funds and institutional resources and, (2) to ensure cooperative and collaborative efforts between the alumni organizations and the campuses. To accomplish this, the campus president has the responsibility of granting and periodically reviewing recognition of a campus alumni association. These provisions govern the relationship between the alumni association and the campus it supports.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.1. Recognition.**

- (a) A campus president, by agreement between the campus and the organization, may recognize as the campus alumni association a single campuswide organization that has the following characteristics:
- (1) is organized and operated solely for the benefit of the university and its alumni;
  - (2) has as its purpose providing service and support to its members, the alumni of the campus, and to the university;
  - (3) does not restrict membership or benefits of membership on the basis of race, religion, national origin, gender, physical disability or sexual orientation;
  - (4) recognizes the unique role of the campus president in setting campus priorities;
  - (5) is the umbrella organization for the constituency alumni groups of the campus; and
  - (6) irrevocably dedicates its assets for the benefit of a campus of the California State University. In the event of the association's dissolution, its assets shall be transferred to the campus or an auxiliary organization designated by the campus president for purposes consistent with the purposes of the association and the terms of the individual gifts that are part of the assets, and, if a corporation, in conformance with the California Nonprofit Corporation Law.
- (b) Each recognized alumni association shall enter into an agreement with the campus that shall include the following:
- (1) the provisions of this article shall be incorporated by reference;
  - (2) the exchange of value between the campus and the alumni association shall be expressed and may include provision of facilities and other tangible as well as intangible exchanges;
  - (3) a license agreement for use of the campus name and symbols;
  - (4) authority and responsibility with regard to use of the campus alumni database; and
  - (5) the term of the agreement.

In addition, the agreement may include other provisions unique to each campus and alumni association such as the following:

- (6) financial management and record keeping arrangements between the parties;
- (7) provisions for the construction and operation of an on-campus alumni center;
- (8) provisions for use of alumni association name and symbols; and

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- (9) such other provisions that may pertain to the relationship between the campus and the alumni association.
- (c) Compliance with this article and the agreement between the campus and the alumni association is a condition of continued recognition. A copy of this article and the agreement shall be given to all members of the campus alumni association's governing body and to any new member of the governing body when the new member takes office.
- (d) To obtain and maintain recognition, the campus alumni association shall submit the following to the campus president or designee on an annual basis or otherwise as specified by the campus president:
  - (1) a current list of officers, members of the governing body, and the principal contact person for the organization;
  - (2) a statement of the organization's purpose and goals consistent with subsection (a) and copies of the current enabling documents of the organization (*i.e.*, bylaws, constitution, articles of incorporation, or other governing document);
  - (3) a current roster of names and addresses of donors and members, unless such records are otherwise maintained by the campus;
  - (4) a statement signed by the officers/representatives of the organization that the governing body has read and formally voted that it will comply with this article and the agreement;
  - (5) a copy of the organization's annual financial statements;
  - (6) for an organization with accounts at a financial institution, a list identifying all such accounts, including the institution's name and address, the organization's account numbers, and a statement signed by an appropriate officer or representative of the organization authorizing the campus to obtain upon request from the financial institution information, records, or photocopies of transactions relating to the accounts; and
  - (7) for an incorporated, tax-exempt organization, (A) a copy of the organization's state and federal tax-exempt status determination letter; (B) a copy of the organization's most recent Internal Revenue Service Form 990; and (C) a list of the types of activities, including fundraising and membership drives, the organization intends to undertake and how the organization intends to financially support these activities.
- (e) The following are among the privileges that may be granted by the campus president to a recognized campus alumni association:
  - (1) use of the name of the campus and symbols, including the name of its mascot or other identifying marks that would cause the public to assume it is dealing with the university or a university recognized group;

- (2) use of the campus as approved by the campus president or designee in performance of an association's recognized activities; and
- (3) use of a campus auxiliary organization's investment services, as approved by the campus president or designee.
- (f) Under the authority of the campus president, the recognized campus alumni association may be assigned the responsibility of ensuring that all geographical and special interest chapters of the campus alumni association, as well as other recognized constituency alumni groups, are in compliance with this article.
- (g) After July 1, 2003, use of the campus name and symbols, including mascot or other identifying mark, by an organization that has operated as a campus alumni association, is prohibited unless the organization has been recognized by the campus as the campus alumni association under the provisions of this article. A campus alumni association that meets the criteria of this article and has been recognized as the campus alumni association shall not have that recognition withdrawn by the campus president except for material noncompliance with this article, after having been given an opportunity to correct the noncompliance.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.2. Organization.**

- (a) A campus alumni association may be included as part of the university or an auxiliary organization or, if organizationally separate from the university or an auxiliary organization, shall obtain and maintain status as a tax-exempt organization under state and federal law.
- (b) The campus president or designee shall be an *ex officio* voting or non voting member of the association's governing body.
- (c) Campus presidents are responsible for determining that campus alumni associations are in compliance with this article and have authority to require campus alumni associations to provide written evidence of compliance.
- (d) Campus presidents may, after consultation with the campus alumni association, establish additional written campus policies governing campus alumni associations consistent with this article. Copies of these policies and any amendments thereto shall be forwarded promptly upon their issuance to the Chancellor.
- (e) A campus alumni association shall comply with campus policies pertaining to use of the campus name and symbols.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

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### **Section 42397.3. Fundraising.**

- (a) Fundraising campaigns proposed by a campus alumni association shall be approved in advance in writing by the campus president or designee as provided in campus policy. Solicitations of membership dues do not require such advance approval and are not fundraising within the meaning of this article. All fundraising campaigns shall be coordinated through the campus development office. Campus alumni associations may accept gifts only if the associations comply with the financial policies of this article, including, for alumni associations separate from the state, maintaining state and federal tax-exempt status. Campus alumni associations shall acknowledge and thank donors who have made gifts in a manner consistent with campus development policies.
- (b) A campus alumni association shall advise donors that any restrictive terms and conditions attached to gifts for the campus are subject to campus approval.
- (c) All gifts for the benefit of a campus alumni association shall be reported by the association to the campus president or designee.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

### **Section 42397.4. Financial Activities.**

- (a) Financial Control: Financial activities of a campus alumni association shall be administered and reported to its governing body in accordance with prudent business practices, generally accepted accounting principles, and this article.
- (b) State Funds: State Funds shall not be transferred to a campus alumni association. Payments for commensurate value received are permitted, but gifts or unrestricted grants are not.
- (c) Submission of Budget and Report of Expenditures: The campus alumni association shall submit its budget to the campus president for review at least 30 days prior to the commencement of the fiscal year. Within 180 days of the close of each fiscal year, the campus alumni association shall submit to the campus president a detailed report comparing budgeted to actual expenditures by fund source. Upon request, a campus alumni association shall submit to the president, within 30 days of such request, interim financial information.
- (d) Bonding and Insurance: The governing body of a campus alumni association shall make an express determination of the appropriateness, necessity, and amounts of any bonds for officers and staff members. General liability and directors' and officers' liability insurance also shall be obtained in amounts determined annually by the governing body to be reasonable, appropriate, and necessary. The insurance may be provided by a campus auxiliary organization. Any general liability insurance obtained by or on behalf of a campus alumni association shall name the campus as an additional insured.

- (e) Funds for Support of University Departments: Restricted funds received or unrestricted funds, including investment payout, allocated for support of campus departments or programs, shall be transferred at least annually to the campus, unless otherwise provided by the campus president, and shall be administered in accordance with campus policies and expended from campus department or program accounts.
- (f) Bank Accounts: Only the following expenditures for campus alumni association activities may be made from bank accounts:
  - (1) payments for goods, facilities, and services including salaries of staff, if the goods, facilities, and services are in connection with official activities of the campus alumni association;
  - (2) payments for audit, tax preparation, and legal fees;
  - (3) payments to donors and members to refund contributions and dues as permitted by law, or to return overpayments pursuant to a donor's or member's request;
  - (4) payments to other organizations of donations or other remittances made in error;
  - (5) transfers to the campus or a campus auxiliary organization;
  - (6) travel expenses reimbursement, scholarships, support of campus activities; and
  - (7) legally appropriate payments from its bank account to support ballot measures beneficial to the university and endorsed by the trustees.
- (g) Disbursements: All disbursements on behalf of a campus alumni association shall be approved by an officer or employee designated by the governing body. The governing body of the campus alumni association shall specify an amount beyond which checks must bear the signatures of two persons designated by the governing body.
- (h) Financial Statements: Financial statements and expenditures by a campus alumni association shall be in accordance with campus policies, with detailed budgets approved by the campus alumni association's governing body.
- (i) Payments to University Employees: A campus alumni association shall not (a) directly or indirectly employ, (b) supplement the salary of, or (c) provide any consulting fees, loans, or perquisites to campus employees outside of established personnel policies and practices of the California State University.
- (j) Payments to Directors and Officers: Except for reimbursement for expenses incurred on its behalf, a campus alumni association shall not pay any salaries, consulting fees, loans, or perquisites to a campus alumni association director, officer, or volunteer without the campus president's prior written approval.
- (k) Deposit of Gifts to the Campus: Campus funds or gifts payable to the California State University shall not be deposited with or transferred to a campus alumni association.

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- (l) Solicitation Literature: When a fundraising campaign has been approved by the campus president, a campus alumni association's solicitation literature shall make it clear when gifts are to be made payable to the campus alumni association. Each campus alumni association shall develop a procedure to document when gifts intended for it have erroneously been made payable to the campus and, when such documentation is provided, the campus may issue an exchange check to a campus alumni association.
- (m) Gift Expenses: If charges against gifts are to be made for costs of administering a gift to the campus alumni association, the campus alumni association shall include in its literature a statement to that effect. The charges shall be approved by the campus president and the campus alumni association's governing body, and the nature of such charges shall be disclosed in the campus alumni association's audited financial statement.
- (n) Report to Registry of Charitable Trusts and Statement of Domestic Nonprofit Corporation: Complete copies of the campus alumni association's annual report to the State Registry of Charitable Trusts and bi-annual Statement of Domestic Nonprofit Corporation shall be provided by the campus alumni association to the campus president, at the time the report or statement is filed.
- (o) Political Activities: No substantial part (as those terms are used in the Internal Revenue Code and regulations) of the activities of a campus alumni association shall attempt to influence legislation, or participate or intervene in any political campaign in support of or opposition to legislation. No part of those activities may be on behalf of any candidate for public office. However, advocacy on behalf of the campus is permitted if it is consistent with the legislative, budgetary, and electoral objectives of the university, pursued in coordination with the campus president, consistent with state law, the Internal Revenue Code and regulations, and in accordance with the articles and bylaws of the campus alumni association.
- (p) Conflicts of Interest: Business transactions involving the campus alumni association and the personal or business affairs of a director, officer, or staff member shall be approved in advance by the governing body. In addition, directors, officers, and staff members of a campus alumni association shall disqualify themselves from making, participating in making, or in any way attempting to use their official positions to influence a decision in which they have or would have a financial interest, as provided in Government Code Section 87100 and the definitions of the Political Reform Act and its implementing regulations, as if the director, officer, or staff member were a state employee. A financial interest exists if it is reasonably foreseeable that the decision will have a material financial effect on the director, officer, or staff member or his or her immediate family, or on any business entity in which a \$2,000 or more investment is held; any real property in which a \$2,000 or more interest is held; any source of income of \$500 or more received within the past 12 months; any donor of gifts aggregating \$250 or more received in the past 12 months; or any business in which a position of management is held.
- (q) Services to Constituency Alumni Groups: With the approval of the campus president or designee, a campus alumni association may provide to officially recognized constituency alumni groups the following, subject to the same conditions pertaining to the campus alumni association: cash management, disbursement, and accounting services; gift reporting; and,

in appropriate cases, coverage under the campus alumni association's insurance policies, inclusion in the campus alumni association's financial statements, external audits and tax reporting, or use of the campus alumni association's tax identification number.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.5. Audit.**

- (a) A campus alumni association shall permit the Chancellor, the university auditor, the campus president, and the campus internal auditor or designee to inspect and audit its books and records as well as those of its financial institution(s) as relates to the campus alumni association's account(s). In addition, a campus alumni association shall permit the university auditor and the campus internal auditor to review directly all bank account records.
- (b) A campus alumni association with annual gross revenues in excess of \$1 million shall have an annual audit of its financial statements performed in accordance with generally accepted auditing standards and in accordance with any additional systemwide procedures prescribed by the Chancellor or designee, by a certified public accountant selected by the alumni association.
- (c) A campus alumni association with annual gross revenues in excess of \$500 thousand and less than \$1 million shall have an annual review of its financial statements performed by a certified public accountant selected by the alumni association in accordance with standards for accounting and review services and in accordance with any additional systemwide procedures prescribed by the Chancellor or designee.
- (d) A campus alumni association with annual gross revenues less than \$500 thousand shall have its financial statements compiled by a certified public accountant selected by the alumni association in accordance with standards for accounting and review services and in accordance with any additional systemwide procedures prescribed by the Chancellor or designee.
- (e) A campus alumni association whose assets and records are in the custody of an auxiliary organization shall present its financial position through supplemental schedules attached to the audited financial statement of the auxiliary organization in sufficient detail to fully represent the financial position and activities of the alumni association. These schedules shall be subjected to the same procedures as the auxiliary's statements and in accordance with any additional systemwide procedures prescribed by the Chancellor or designee.
- (f) When completed, the campus alumni association's financial statements shall be furnished to the campus president or designee on the date designated by the campus president or designee.
- (g) A campus alumni association shall make its financial statements available upon request for public inspection within a reasonable period of time.

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Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.6. Organization of Constituency Alumni Groups.**

- (a) A constituency alumni group organized after the effective date of this article shall be organized within and as part of the campus alumni association.
  - (1) A constituency alumni group representing a school, college, department, or other unit shall secure the endorsement of the school, college, department, or other unit. The administrative head of the represented unit or designee shall periodically review and provide advice concerning the planned activities of the constituency alumni group, and shall serve as an *ex officio* voting or nonvoting member of the governing body of the constituency alumni group, if any, or of any executive or similar committee empowered to act for the governing body, if any, of the constituency alumni group.
  - (2) A constituency alumni group, as part of the campus alumni association, shall comply with all applicable campus policies and campus alumni association policies.
- (b) A constituency alumni group separately organized prior to the effective date of this article shall be organized within and become a part of the campus alumni organization and shall comply with subdivision (a), unless the campus president enters into an agreement with the constituency alumni group which provides as follows:
  - (1) The separate constituency alumni group agrees to the following characteristics:
    - a. is organized and operated solely for the benefit of the campus and the alumni of a school, college, department, or other campus administrative, academic, geographic, or other constituent unit;
    - b. has as its purpose providing service and support to its members, the alumni of a constituent unit, and to the university;
    - c. does not restrict membership or benefits of membership on the basis of race, religion, national origin, gender, or sexual orientation;
    - d. recognizes the unique role of the campus president or designee in setting campus or campus unit priorities; and irrevocably dedicates its assets for the benefit of the campus or appropriate unit of the campus. In the event of the group's dissolution, its assets shall be transferred to the campus alumni association, the campus, an appropriate unit of the campus, or an auxiliary organization designated by the campus for purposes consistent with the purposes of the group and the terms of any individual gifts that are part of its assets, and, if a corporation, in conformance with the California Nonprofit Corporation Laws.

- e. A constituency alumni group representing a school, college, department, or other unit shall secure the endorsement of the school, college, department, or other unit. The administrative head of the represented unit shall periodically review and provide advice concerning the planned activities of the constituency alumni group and shall serve as an *ex officio* voting or nonvoting member of the governing body of the constituency alumni group, if any, or of any executive or similar committee empowered to act for the governing body, if any, of the constituency alumni group.
- (2) The separate constituency alumni group agrees to obtain and maintain recognition, as a separate constituency alumni group by submitting the following to the campus president or designee on an annual basis or otherwise as specified by the campus president:
- a. a current list of officers, members of the governing body, and the principal contact person for the group;
  - b. a statement of the group's purpose and goals consistent with subsection (a) and copies of the current enabling documents of the group (*i.e.*, bylaws, constitution, articles of incorporation, or other governing document);
  - c. a current roster of names and addresses of donors and members, unless such records are otherwise maintained by the campus;
  - d. a statement signed by the officers/representatives of the group that the governing body has read and formally voted that it will comply with this article and the agreement;
  - e. a copy of the group's annual financial statements;
  - f. for a group with accounts at a financial institution, a list identifying all such accounts, including the institution's name and address, the group's account numbers, and a statement signed by an appropriate officer or representative of the group authorizing the campus to obtain upon request from the financial institution information, records, or photocopies of transactions relating to the accounts;
  - g. for an incorporated, tax-exempt organization, (A) a copy of the organization's state and federal tax-exempt status determination letter; (B) a copy of the organization's most recent Internal Revenue Service Form 990; and (C) a list of the types of activities, including fundraising and membership drives, the organization intends to undertake and how the organization intends to financially support these activities.
- (3) The provisions of this article shall be incorporated by reference;
- (4) The exchange of value between the campus and the constituency alumni group shall be expressed and may include provision of facilities and other tangible as well as intangible exchanges;
- (5) A license agreement for use of the campus name and symbols; and

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- (6) The term of the agreement.
- (7) Privileges granted including authorization to use the name of the campus or other institutional unit. Without authorization, no group may:
  - a. represent itself as raising funds or otherwise providing support on behalf of or for the benefit of the campus, or any part of it, including its alumni;
  - b. use the name of the campus or any of its facilities or programs either expressly or by implication in connection with its activities; or
  - c. use campus facilities or resources in connection with its activities.
- (8) If a separate constituency alumni group does not comply with this article, the campus president or designee shall by written notice require the constituency alumni group to comply within 90 days or recognition as a constituency alumni group will be withdrawn.
  - a. In the event the group fails to comply within this time period, the campus president or designee may withdraw the constituency alumni group's recognition. In appropriate circumstances, the campus president may extend the period for compliance when action to remedy noncompliance is in progress.
  - b. Upon withdrawal of recognition, the assets of the constituency alumni group shall be transferred to the campus alumni association, the campus, or the designated campus auxiliary organization for purposes consistent with the purposes of the group and the terms of any individual gifts that are part of the assets.
- (9) Use of the campus or unit name and symbols, including mascot or other identifying mark by a separate constituency alumni group after July 1, 2003, is prohibited unless the group has entered into an agreement and has been recognized by the campus under the provisions of this article.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

### **Section 42397.7. Fundraising by Constituency Alumni Groups.**

Fundraising activities of constituency alumni groups shall be governed by the fundraising provisions of this article applicable to campus alumni associations.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.8. Financial Activities of Constituency Alumni Groups.**

Financial activities of constituency alumni groups shall be governed by the financial activities provisions of this article applicable to campus alumni associations.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.9. Audit of Constituency Alumni Groups.**

The audit requirements of constituency alumni groups shall be governed by the audit provisions of this article applicable to campus alumni associations.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.10. Waiver.**

For good cause and to address circumstances unique to a campus, a campus president may request that the Chancellor waive certain provisions of this article for a particular group or groups on that campus. Such waiver shall be in writing and shall specify the reasons for the waiver. Any waiver shall be subject to such terms and conditions as deemed advisable by the Chancellor.

Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

**Section 42397.11. CSU Alumni Council and Systemwide Constituency Alumni Groups.**

- (a) The Chancellor may recognize a CSU Alumni Council having systemwide jurisdiction and possessing rights to represent the CSU alumni organizations before the Trustees. The Council shall be governed by the provisions of this article applicable to campus alumni associations with the system and the Chancellor replacing the campus and the campus president in those provisions.
- (b) Systemwide constituency alumni groups may be recognized and regulated by the Chancellor as provided in the provisions of this article relating to campus constituency alumni groups. Systemwide constituency alumni groups shall relate to the CSU Alumni Council as provided in the provisions of this article addressing campus constituency alumni groups and their relationship to the campus alumni associations. The provisions of the campus constituency alumni groups shall apply to systemwide constituency alumni groups with the Chancellor or designee assuming the rights and responsibilities of the campus president or designee.

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Note: Authority cited: Sections 89030 and 89031.1, Education Code. Reference: Sections 89030 and 89902, Education Code.

And be it further

**RESOLVED**, That the Board of Trustees has determined that the adoption of the proposed section will not impose a cost or savings on any state agency; will not impose a cost or savings on any local agency or school district that is required to be reimbursed under Section 17561 of the Government Code; will not result in any nondiscretionary cost or savings to local agencies; will not result in any cost or savings in federal funding to the state; and will not impose a mandate on local agencies or school districts.

And, be it further

**RESOLVED**, That the Board of Trustees delegates to the Chancellor of the California State University authority to further adopt, amend, or repeal this revision if further adoption, amendment or repeal is required and is nonsubstantial or solely grammatical in nature, or sufficiently related to the original text that the public was adequately placed on notice that the change could result from the originally proposed regulatory action.

**COMMITTEE ON INSTITUTIONAL ADVANCEMENT**

**University Advancement**

**Presentation By**

Louis Caldera  
Vice Chancellor  
University Advancement

**Summary**

An update of advancement activities from the Division of University Advancement will be presented.