Purpose

This policy establishes authority to approve and conduct fundraising campaigns.

Definitions

Fundraising Campaigns

Organized efforts to solicit gifts for any University purpose from private sources which include but are not limited to individuals, firms, corporations, groups, and/or foundations. Announcements and solicitations of memorial gifts and annual fund drives are not considered fundraising campaigns.

Bequest

A transfer, by means of a will, of personal property (cash, securities, or other tangible property).

CMIA

Confidentiality of Medical Information Act (California Civil Code Section 56.10 et. seq.)

Fundraising Authorization

Obtaining the patient’s written authorization to use or disclose Protected Health Information (PHI), such as diagnosis, provider name, or department, for fundraising purposes.

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Fundraising Events

An event at which participation includes a gift component (charitable contribution), and may include a non-gift component (goods and/or services provided or available to the attendees, sponsors, or donors). Such
university events are conducted by or on behalf of UCSF or the UCSF Foundation.

Gift

Includes outright gifts, pledges, and bequests, but excludes grants from private sources as defined in the guidelines for review of gifts/grants for research dated July 8, 1980 (http://www.ucop.edu/ucophome/coordrev/policy/7-08-80.html [3])

Treatment, Payment, Health Care Operations (TPO)

The use and disclosure of PHI for purposes of TPO is allowed without a specific Authorization from the patient. Treatment means the provision, coordination and management of health care and related services by one or more health care providers. Examples of treatment include: consultation between health care providers regarding a patient or; referral of a patient to another provider for health care. Payment includes activities undertaken by a provider to obtain reimbursement for health care services, and by a health plan to determine eligibility for coverage and/or provide benefits. Health Care Operations encompass a variety of activities of a covered entity including, but not limited to, quality assessment and improvement, outcome evaluation and development of clinical guidelines, reviewing competence, qualifications, and performance of health care professionals, conducting health care practitioner training programs, accreditation, certification, licensing and credentialing. Note: Use and disclosure of PHI for research purposes requires either a Waiver of Authorization from the IRB or written authorization from the patient. TPO excludes uses and disclosures of PHI for research.

HIPAA


Pledge

A signed and dated legal commitment to make a gift over a specific period; the total value of such a commitment.

Private Grant

An award to UCSF in response to a proposal submitted to a private foundation, association, corporation or corporate foundation, or private trust that specifies reports on expenditures, guidelines for audits, consideration for the grantor, testing or evaluating, and/or satisfying specific conditions or requirements for a specified period of performance. Private grants are subject to The Regents' overhead charges of varying levels, depending on contractual arrangements.

Protected Health Information (PHI)
Any individually identifiable health information transmitted by electronic media, maintained in electronic media, or transmitted or maintained in any other form or medium. Records covered by the Family Educational Rights and Privacy Act of 1974 (FERPA) are excluded from the definition of PHI.

Policy

A. The Regental Policy on Fundraising Campaigns and the Presidential Delegation of Authority to Approve and Conduct Fundraising Campaigns delineate the conditions that apply to all forms of fundraising campaigns without exception, whether conducted for the benefit of the University through the Regents, the UCSF Foundation, University support groups, or individuals or organizations outside the University.

B. Authority to Approve Fundraising Campaigns

1. Chancellor

Campaigns with goals of up to and including $5,000,000 are within the authority of Chancellors to approve, pursuant to Delegation of Authority 2018 [4]

2. Regental approval is required:

Review by the President and approval by the Board of Regents are required for any proposal: a) for the public phase of a fundraising campaign with a goal of $50,000,000 or more; b) a campaign at any level that involves the solicitation of real property or funds for the purchase of real property.

3. Presidential Approval

Approval by the President only is required for: a) the initial, aka ?silent,? phases of campaigns with goals of $50,000,000 or more; b) any organized fundraising campaign the goal of which is an amount between $5,000,000 and $50,000,000. As a result, the President has the obligation to update the Chairman of the Board, the Chairman of the Committee on Educational Policy and other key members of the Board about the plans of each chancellor for such fundraising campaigns, including the silent phase of $50,000,000 + campaigns.

C. Authority to conduct fundraising campaigns is subject to the following conditions:

1. All fundraising activities must conform to established University programs and policies, must be reviewed for approval by the appropriate dean or vice chancellor, and must be coordinated with University Development and Alumni Relations.

2. Campaigns must be financed from funds that are available for such purposes, including campaign proceeds.

3. Campaigns for support of capital improvements projects require that if the project has been approved for inclusion in the Capital Improvement Program and that the required environmental review process has been completed.


5. Gifts received as a result of fundraising campaigns may be accepted only in accordance with the requirements of delegation of authority to solicit and accept gifts.

D. Compliance with Health Insurance Portability and Accountability Act (HIPAA ) and Confidentiality of Medical Information Act (CMIA)
1. UCSF's solicitation practices must comply with HIPAA, CMIA and the related UCOP policies.

2. Further information about HIPAA and CMIA may be found in Policy 450-10 [6].

Responsibilities

Contact Responsible Office (see above) with questions.

Related Policies
- 400-11 - Eligibility to Submit Proposals for Extramural Funds (PI Status) [7]

References
- Delegation of Authority--To Approve and Conduct Fundraising Campaigns [4], Office of the President
- Development Policy Manual, Office of the President
- Who has Authority to Approve and Conduct Fundraising Campaigns (Section I.C.1) [8]
- Policy on Fundraising Campaigns [9]
- UCSF Foundation [10]

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