Topic
Development & Gifts Administration [1]
Policy Number
450-16
Reviewed Date
July 22, 2014
Responsible Office

- Office of University Development and Alumni Relations [2]

Purpose

UCSF has adopted this policy to ensure that fundraising events:

A. are consistent with campus and University of California goals and policies;

B. reflect favorably on UCSF's image;

C. are in compliance with Internal Revenue Service regulations and California Civil Code;

D. are arranged and conducted in such a manner as to comply with UCSF's fulfillment of its fiduciary responsibilities to its donors.

Definitions

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.

Policy

A. UCSF Approval

1.
   Fundraising events must be officially sanctioned and approved by the University Development and Alumni Relations (UDAR) Assistant Vice Chancellor ? External Relations, based on the criteria stated in Section I (Purpose).

2.
   UCSF approval entitles the sponsoring organization to use the UCSF name and logo in association with the event, to hold the event on UCSF property or in UCSF facilities if available, and to use various campus consulting and administrative services.

3.

Prior to approval of an event, UDAR shall review and endorse the fundraising event proposal, which must include the list of prospective donors to be invited and/or solicited, the budget, and the UCSF beneficiary of the event.

4.
Approval of a recurring event must be renewed by UDAR for each occurrence of the event.

5.
UDAR must be informed in advance of all prospective community or campus groups scheduled to attend or otherwise participate in fundraising events.

6.
List and Prospect Clearance?UDAR must approve all fundraising event lists that include patient data before fundraising communications in any form are sent.

7.
Requests for Patient Lists for Mailing
a. All requests for patient mailing lists for fundraising events must be directed to UDAR for compliance with HIPAA and opt-out requests.

b. Requester shall ensure that patient lists do not include diagnoses or any PHI beyond department, physician and outcome information (e.g., death). Refer to Policy 450-10 ?Authority to Solicit Gifts and Private Gifts.?

c. Confidentiality and security standards much be adhered to throughout this process.

8.
Providing an Opt-Out Mechanism
The following language must be included in all printed fundraising event materials.

?If you do not wish to receive further fundraising communications from UCSF, please contact: Records Manager, UCSF, Box 0248, San Francisco, CA 94143-0248 or email HIPAAOptOut@support.ucsf.edu [3] or call 1-888-804-4722.?

B. State of California Charitable Solicitation Legislative Requirements

1. For fundraising events involving the sale of tickets or merchandise, the solicitation, receipt, and other written materials should clearly state the portion of the ticket and/or merchandise price that is tax deductible.

2. An event is tax deductible to the extent that the purchase price exceeds the fair market value of what the purchaser receives in return (e.g., the price of the ticket to a dinner is $100 and the fair market value of the dinner is $35. The tax deductible portion would be $65).

a. The words ?donation,? ?contribution,? and ?charitable gift? may only be used to the extent that such items are tax deductible.

b. If the person selling the ticket is a paid solicitor, this information must be made known to the purchaser at the time of the solicitation.

c. Solicitors may not be paid a percentage of the ticket price.

C. University Development and Alumni Relations Representation

1. A representative from UDAR must serve in an advisory capacity on each event's planning committee. Any department, support group, or organization wishing to sponsor an event must contact UDAR's Director of Special Events, so that a representative may be assigned.

2. The UDAR representative has the responsibility to:

a. ensure adherence to UCSF and University of California policies;

b. ensure compliance with Internal Revenue Service regulations and California Civil Code;

c. provide advice and guidance;

d. facilitate communication between the campus and volunteers;

e. facilitate the campus approval process for fundraising events.

D. Fiscal Responsibilities

1. UCSF Foundation serves as the fiscal agent for UCSF-approved fundraising events sponsored by campus departments and non-501(c)(3) support groups. The department or non-501(c)(3) support group shall instruct donors to make checks payable to the UCSF Foundation.

2. 501(c)(3) support groups and external organizations are responsible for all fiscal activities relating to their fundraising events, including providing receipts to donors. 501(c)(3) support groups and external organizations shall instruct donors to make checks payable to the support group or organization, rather than to the UCSF Foundation.

E. Publicity and Printed Materials

1. Publicity and printed materials for all fundraising events must adhere to UCSF and University of California policies, and comply with Internal Revenue Service regulations. For this reason, solicitations, receipts, and other printed materials must be reviewed as part of the UCSF approval process.

2. All fundraising event publicity through UCSF media shall be coordinated with the UDAR Events department, and/or Public Affairs Office.

F. Risk Management

1. The Office of Risk Management shall review all fundraising event agreements to ensure compliance with University and campus policies relative to indemnification and insurance.

2. If so required, the University shall provide certification of liability insurance for UCSF-approved events sponsored by UCSF departments or support groups.

G. Legal Review

Legal Affairs can review all special event agreements to ensure compliance with University and campus policies, including policies governing the use of the University name and logo and the confidentiality of donor records. Public Affairs ?University Publications can also review agreements for compliance regarding those issues.

H. Compliance with Health Insurance Portability and Accountability Act (HIPAA) and Confidentiality of Medical Information Act (CMIA)

UCSF's solicitation practices must comply with HIPAA, CMIA and the related UCOP policies.

See Policy 450-10 [4]

Responsibilities

Contact Office of Origin (see above) with questions.

Related Policies

- 050-13 - Use of University Name, Seal, Logo and Brand Identity [5]
- 050-14 - Use of Campus Public Spaces and Special Use Areas [6]
- 200-21 - Publications [7]
- 500-10 - University Support Groups [8]
- 600-17 - Reservation of Conference and Meeting Space [9]
- 650-16 - Information Security and Confidentiality [10]

References

- *Delegation of Authority--To Approve and Conduct Fundraising Campaigns* [11], Office of the President
- Development Policy Manual, Office of the President Fundraising Campaigns (Section I.C.) [12]
- Policy on Fundraising Campaigns [13], Board of Regents
- HIPAA 101 [14]
- UCSF Privacy and Confidentiality Handbook [15]
- Advanced HIPAA for Fundraising Training Module on UC Learning Center [16]

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Links
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[2] mailto:policies-UDAR@support.ucsf.edu
[3] mailto:HIPAAOptOut@support.ucsf.edu
[4] http://policies.ucsf.edu/450/45010.htm
[5] https://policies.ucsf.edu/policy/050-13
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[11] http://www.ucop.edu/ucophome/coordrev/da/da2018.html
[12] http://www.ucop.edu/ucophome/policies/devpol/dpa1toc.html
[13] http://www.universityofcalifornia.edu/regents/policies/6070.html
[14] http://hipaa.ucsf.edu/education/downloads/HIPAA101Training.ppt
[15] http://hipaa.ucsf.edu/Privacy%20Handbook.pdf
[16] https://learningcenter.ucsfmedicalcenter.org/