



BOARD OF REGENTS

SUMMARY OF ITEM FOR ACTION, INFORMATION OR DISCUSSION

TOPIC: Review of relevant policies

COMMITTEE: Advancement

DATE OF COMMITTEE MEETING: October 5, 2016

SUMMARY: The following policies will undergo review for FY17 as part of an ongoing effort to keep policies current and relevant.

IX-3.00 - Policy on Private Fund Raising and Stewardship
IX.-5.00 – Policy on Ethical Practices in Charitable Giving

ALTERNATIVE(S):

FISCAL IMPACT:

CHANCELLOR'S RECOMMENDATION:

COMMITTEE ACTION:

DATE: 10.5.16

BOARD ACTION:

DATE:

SUBMITTED BY: Leonard Raley, lraley@usmd.edu, 301-445-1941



UNIVERSITY SYSTEM
of MARYLAND

307.0 IX-3.00 - POLICY ON PRIVATE FUND RAISING AND STEWARDSHIP

(Approved by the Board of Regents, June 21, 1990)

The Board of Regents of the University of Maryland System recognizes the importance of voluntary private support and encourages grants and contributions for the benefit of the University System, its constituent institutions and components or for any or all of the educational and support activities that are operated by the System. Accordingly, the Board of Regents wishes to encourage a broad base of support from many sources, particularly increased levels of voluntary support.

Each institution and center of the University of Maryland System is encouraged to engage in fund raising for private support. Such activities will be coordinated Systemwide to achieve the highest possible level of private support.

Delegation of Authority

The Board of Regents delegates to the Chancellor the responsibility for overseeing and coordinating fund raising activities for the University of Maryland System.

The Chancellor shall establish procedures and standards for the solicitation of gifts; accept gifts and grants on behalf of the Board of Regents; recommend fund raising campaigns for special purposes as well as Systemwide campaigns; and report periodically to the Board on progress toward fund raising goals. The Chancellor shall establish a System Development Office to serve as a resource to all institutions and centers, by providing technical services, coordinating fund raising planning and special campaigns, and engaging in fund raising activities to achieve Systemwide objectives.

The Presidents and Directors shall be responsible for planning and implementing fund raising activities and programs at their respective institutions, and shall be accountable to the Board for the management and stewardship of funds so collected.

SOLICITATION AND ACCEPTANCE OF GIFTS AND GRANTS

No faculty member or other employee of the University of Maryland System may solicit gifts and grants on behalf of an institution, center, or the System without the prior knowledge and approval of the President or director or Chancellor, as appropriate. Informal exploratory inquiries to locate possible outside sources of support do not require such prior approval.

Gifts which conflict with policies established by the Board or Chancellor shall not be accepted. This is particularly important when gift offers might require institution or center of System expenditures or new programs and projects which would also require expenditures. Gifts and grants with a value of \$100,000 or more (including cash, securities, land,

buildings, materials and supplies, equipment, livestock, books, historical documents, art objects, etc.) from individuals, corporations, foundations, associations, etc., will require the official acceptance of the President or center director.

MEMORANDA OF UNDERSTANDING

Before establishing permanently-named restricted funds, whether through endowment or through continuing gifts for a specific purpose (e.g., lectureships, scholarships, academic achievement awards, etc.), the wishes of donors and the commitments of the institution, center or System must be set forth in writing in a Memorandum of Understanding, which will set forth the details of funding and stewardship of the gift. Each Memorandum must be signed by the donors and by appropriate institution, center, or System officers. A Memorandum for the creation of endowments for the benefit of more than one institution shall also require the signature of the Chancellor. Copies of each Memorandum shall be retained by the institution or center and by the System Development Office.

Copies of bequests, trust agreements or other planned giving devices shall also be retained by the System Development Office.

RELATIONSHIP WITH AFFILIATED FOUNDATIONS

Gifts and grants to affiliated foundations of the University of Maryland System are encouraged, as specified in Policy IX - 2.00 and Policy IX - 2.01.

REPORTING

The Chancellor shall prepare an annual report for the Board of Regents, to include detailed information on all private support to System institutions and centers, their affiliated foundations and to the System.

Replacements for: BOR IV - 1.00, IV - 1.01
BOT XII - A, Appendix I

University System of Maryland
3300 Metzert Road
Adelphi, MD 20783-1690, USA
301.445.2740



UNIVERSITY SYSTEM
of MARYLAND

309.0 IX-5.00 -- POLICY OF THE BOARD OF REGENTS ON ETHICAL PRACTICES
IN CHARITABLE GIVING

(Approved by the Board of Regents, October 7, 1994)

The purpose of this policy is to encourage responsible gift solicitation among the institutions of The University of Maryland System.

INSTITUTIONAL RESPONSIBILITIES

The University of Maryland System and its affiliated foundations have a legal and ethical duty to act with fairness, honesty, and integrity in connection with the solicitation, planning, and receipt of private gifts for the benefit of the System and its institutions. The System and its affiliated foundations, in soliciting, planning, and receiving gifts must comply with all applicable laws, including as to affiliated foundations, provisions of Title 6 of the Business Regulation Article of the Maryland Code entitled "Charitable Organizations and Charitable Regulations," a violation of which can result in cancellation of a foundation's regulation as well as civil and/or criminal penalties. In connection with a charitable solicitation, no person acting for or on behalf of the University of Maryland System or any affiliated foundation may commit an act or engage in a practice that by affirmative representation or by omission is misleading about anything important to, or likely to affect, another person's decision to make a charitable contribution. Such an act or practice violates this policy whether or not a person has in fact been misled, deceived, or damaged as a result of such act or practice.

INDIVIDUAL RESPONSIBILITIES

Development officers represent their institution and have an obligation to:

Adhere to the spirit as well as the letter of all applicable local, state, and federal civil and criminal laws and regulations;

Act according to the highest standards and values of their institution, profession and conscience;

Embrace high ethical principles and seek to inspire others through demonstrating their own sense of dedication and high purpose;

Development officers have an individual professional obligation to:

Disclose all relationships which might constitute or appear to constitute conflicts of interest;

Have no vested interest that could result in personal gain except for compensation received for services, the terms of

which have been disclosed to the donor and the institution;

Be committed to the improvement of their own professional knowledge and skills to better serve donors, and be aware as professionals of limits of their knowledge and expertise, calling on others for specific knowledge when warranted;

Structure gifts to achieve a fair and proper balance between the interests of donor and those of the institution;

Recognize stewardship responsibilities to see that the intent of the donor is honestly fulfilled, and that privacy, freedom of choice and the interest of all involved are protected;

To the best of their ability, see that the donor gives explicit consent before the conditions of any gift are altered;

Ensure that constituent information is kept confidential;

In all dealings with donors, institutions, and other professionals, act with fairness, honesty, integrity and openness to safeguard the public trust, bringing credit to the profession by their public demeanor.

University System of Maryland
3300 Metzerott Road
Adelphi, MD 20783-1690, USA
301.445.2740

USM BOR Policy Review - Advancement

SECTION VI: GENERAL ADMINISTRATION

Policy Number	Policy Name	BOR Committee Primary	BOR Committee Secondary	Last Updated	Comments
VI-4.00	Policy on the Naming of Buildings and Academic Programs	ADV	FIN/EPSL	12.12.2014	

SECTION IX: EXTERNAL RELATIONS

Policy Number	Policy Name	BOR Committee Primary	BOR Committee Secondary	Last Updated	Comments
IX-2.00	Policy on Affiliated Foundations	ADV	FIN	10.01.1999	Coordinating with Finance for timeline of review
IX-2.01	Recognition of Affiliated Foundations	ADV		12.03.2010	Coordinating with Finance for timeline of review
IX-3.00	Policy on Private Fund Raising and Stewardship	ADV		06.21.1990	Currently under review
IX-4.00	Policy on Alumni Associations	ADV		06.10.2016	
IX-5.00	Policy of the Board of Regents on Ethical Practices in Charitable Giving	ADV		10.07.1994	Current under review
IX-6.00	Policy On Use Of Foundation And Alumni Association Funds To Provide Economic Benefits To USM Employees	ADV	FIN	07.11.2002	Coordinating with Finance for timeline of review

Advancement (ADV)

Education Policy & Student Life (EPSL)

Finance (FIN)