

POLICY GOVERNING PRIVATE SUPPORT ORGANIZATIONS
University Advancement Division

1. PURPOSE

The Board of Regents recognizes the benefits of legally constituted private support organizations whose primary purpose is to benefit the university. It sets forth provisions for the existence, purpose, and operations of such organizations in *The Texas State University System Rules and Regulations*, "Chapter IX. Private Support Organizations," as required by Texas Government Code Chapter 2255.01 et seq. This document sets the policy for private support organizations at Sam Houston State University (SHSU) in compliance with the Board's policy.

2. APPLICABILITY

2.1. The provisions of this policy apply to the following organizations that generate, receive and maintain funds outside of the university:

- a. Development foundations
- b. Alumni associations
- c. Parent associations
- d. Athletic booster organizations
- e. Other private support organizations approved by SHSU

2.2. This policy does not apply to the following activities that are SHSU programs and whose staffing and financial affairs are under the umbrella of the university:

- a. Sam Houston State University Alumni Association
- b. SH Association (Lettermen's Association and Women's Letter Association)
- c. Bearkat Partners
- d. College, school, and department advisory boards
- e. Other similar groups involving volunteers and whose oversight and financial affairs are managed and reported by university personnel

3. WRITTEN AGREEMENT

3.1. All support organizations must have a written agreement with SHSU. These agreements shall be negotiated by the Vice President for University Advancement, reviewed by TSUS Legal Counsel, and approved by the President.

3.2. All such agreements must address:

- a. Administration and investment of funds received by the organization for the benefit of the university
- b. Appropriate use of university's name, logos and marks by the organization
- c. Use of SHSU facilities, equipment, utilities, and employees by the organization
- d. Service by SHSU officers or employees as an officer or director of the organization
- e. Monetary enrichment of officers and employees of the university by the organization.

3.3. Request for new and amended support organization agreements shall be submitted to the Vice President for University Advancement.

3.4. All agreements shall be reviewed annually by the Vice President for University Advancement.

4. REPORTING REQUIREMENTS

4.1. Support organizations must submit the following information to the Vice President for University Advancement:

- a. Articles of Incorporation and Bylaws at the time the agreement is established and whenever amendments are made to either document.
- b. Officers and Board Members roster, including names, addresses, and telephone numbers at the time the agreement is established and whenever there is a change to membership.
- c. Audited Financial Reports within 120 days of the close of the support organization's fiscal year.
- d. Copy of IRS Form 990 (and Form 990T where applicable) within 30 days after its filing.
- e. Gift information for each donor as specified by the Office of Development on a monthly basis or as directed otherwise by the Development Office.
- f. Annual report of expenses of the support organization on behalf of the university within 120 day of the close of the support organization's fiscal year in a format to be specified by the Office of Development.

4.2. The Vice President for University Advancement will maintain a complete set of submitted documents from support organizations and provide information as requested to the Vice President for Finance and Operations.

4.3. Costs associated with financial audits and other reporting requirements are the sole responsibility of the support organizations.

5. COMPLIANCE AND REVIEW RESPONSIBILITIES

5.1. The Vice President for University Advancement is responsible for conducting an annual review to ensure that support organizations are in compliance with the written agreements. The results of the reviews are reported to the President.

5.2. When a support organization is found to be in violation of this policy, the Vice President for University Advancement shall notify the organization's chief-elected officer, so that the issue can be resolved on an effective and timely basis.

5.3. Support organizations remaining in non-compliance are subject to losing their recognition as a support organization.

5.4. Organizations that are not recognized by SHSU as a support organization shall not be entitled to use the university's name, logos and marks, and solicit funds for its direct or in direct benefit.

6. POLICY REVIEW AND RESPONSIBILITIES

6.1. The Vice President for University Advancement is responsible for this policy.

6.2. The Vice President for University Advancement will review this policy in even numbered years on or before August 31.

Adopted: September 2008
Reviewed: August 2010
December 2011
July 2012
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May 2016
June 2018