



Affiliated Organizations and Advisory Councils

Purpose

The purpose of this policy is to establish requirements for the appointment and operations of advisory councils and affiliated organizations at Stephen F. Austin State University (SFA).

Persons Affected

This policy applies to members of the SFA community who recommend the establishment of advisory councils, to the councils and their membership established under this policy, and to the administrators responsible for appointment, operations, and recordkeeping functions of such councils and affiliated organizations.

Definitions

Affiliated Organization: A nonprofit corporation or association that has been approved for affiliation with SFA and exists primarily for the benefit and support of the University.

Advisory Council: A group of outside advisors who work alongside the department by providing advice and key information but have no decision-making authority.

Policy

Any affiliated organization (whether existing as a corporation or as an unincorporated association) that is formed to further the purposes and duties of the university must enter into a written agreement with the university, approved by the UTS Board of Regents. If the board declines to enter into such an agreement, the private support organization or donor is deemed not to further the purposes and duties of the university, and the board expressly forbids the use of the name, property, or employees of the university in any actions or activities on the part of the private support organization or donor. The agreement will address and govern all aspects of conduct of the university and its employees in the relationship between the private support organization or donor and the university and its employees including, but not limited to, the following:

- A. administration and investment of funds received by the organization for the benefit of the university;
- B. use of an employee or property of the university by the donor or organization;
- C. service by an officer or employee of the university as an officer or director of the donor or organization; and
- D. monetary enrichment of an officer or employee of the university by the donor or organization.

With the approval of the President and the Vice President for University Advancement, any college or department may have an advisory council dedicated to its own unique interests. The Vice President for University Advancement will report annually listings of all advisory councils and committee membership to the President and The University of Texas System.



Procedures

The Division of University Advancement has the responsibility of performing certain support functions for the Stephen F. Austin State University Foundation, Inc. and the SFA Real Estate Foundation, Inc. This includes receiving, receipting, acknowledging, and reporting gifts received by either foundation, as provided in the Agreement between Stephen F. Austin State University and the Stephen F. Austin State University Foundation, Inc. and the Agreement between Stephen F. Austin State University and the SFA Real Estate Foundation, Inc.

Gifts received by the university and made payable to any affiliated organization that has entered into a written agreement with the university must be forwarded to Advancement Services for transfer and deposit.

Affiliated Organizations:

1. Existing Affiliated Organizations - these organizations are accountable to the University and subject to periodic review and monitoring for compliance with the terms and conditions of the memorandum of understanding.
2. Establishing New Affiliated Organizations - Prior to authorizing the establishment of an affiliated organization and execution of a memorandum of understanding, the Vice President for Finance and Administration and Vice President for University Advancement must determine the necessity, purpose, cost-benefit, institutional liability and relationship between the proposed affiliated organization and the university. In the event a proposed affiliated organization indicates it intends to do private fundraising for its activities and programs or for the university, the Vice President for University Advancement shall review such proposal and give a recommendation for or against approval to the President. All affiliated organizations shall be approved by the president and shall not be authorized by the university to undertake programs or activities that are not properly part of the university's mission.
3. Each affiliated organization is required to have a fully executed memorandum of understanding (MOU) between the affiliated organization and the university. The MOU will be reviewed by the Vice President for University Advancement and General Counsel prior to the approval of the President. The MOU must clearly describe all aspects of the relationship between the affiliated organization and the university, including but not limited to the following: identifying the organization's mission and role, delineating when and how the organization may use the university's name, marks or other resources, and establishing ways for the organization to remain accountable to the university.

Advisory Councils:

1. Establishing New Advisory Councils - The establishment of an advisory council requires the advance written permission of the school, college, division, department, or other unit the council will be designated to support, and of the Vice President for University Advancement. A SFA employee is expected to follow internal unit processes or procedures for approval from direct supervisors and unit leadership.
2. The unit leadership will seek approval of the Vice President for University Advancement by providing documents stating the purpose, recommended criteria for selection of members, term limits, any conflicts of interest, and a proposed budget.
3. All changes in council structure after initial approval, such as changes to membership,



purposes, or fundraising plans, must be reported to and approved by the Vice President for University Advancement before being implemented.

Related Statutes or Regulations, Rules, Policies, or Standards

Tex. Gov't Code § 2255.001

Regents' *Rules and Regulations*, Rule 60301, Development Board of an Institution
Regents' *Rules and Regulations*, Rule 60302, Advisory Councils of an Institution

Internal Revenue Service Exemption Requirements for 501(c)(3) Organizations

Advisory Council Bylaws

Responsible Executive

Vice President for University Advancement

Forms

None

Revision History

September 1, 2023