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May 4, 2015

CHANCELLORS
PROVOST
VICE PRESIDENT--AGRICULTURE AND NATURAL RESOURCES

DA2589 - Delegation of Authority--To Approve and Conduct Fundraising Campaigns

Pursuant to The Regents' Policy 5201: Policy on Fundraising Campaigns, a copy of which is attached, approved July 16, 1993, and amended on November 19, 1993, September 22, 2005, and March 20, 2014, authority is delegated to you, subject to the conditions set forth below, to approve and conduct fundraising campaigns for support of projects within your jurisdiction with goals of less than \$250,000,000 for any purpose.

The President has retained the authority to approve all other fundraising campaigns, including the initial phases of campaigns with goals of \$250,000,000 or more.

Upon your recommendation, the President shall submit for endorsement by the Committee on Educational Policy any proposal for the public phase of a fundraising campaign with a goal of \$250,000,000 or more.

Exercise of the foregoing authority is subject to the following conditions:

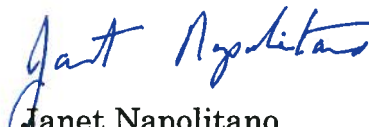
1. All fundraising activities shall conform with established University programs and policies, including The Regents' Policy on Fundraising Campaigns.
2. Campaigns shall be financed from funds under your authority that are available for such purposes; such funds may include campaign proceeds.
3. Campaigns for support of capital improvement projects shall be approved only if the project has been approved for inclusion in the Capital Improvement Program.
4. Capital improvement projects included in such campaigns are subject to subsequent approval of the site and design of the projects after completion of the environmental impact review process in accordance with the California Environmental Quality Act.

5. Records shall be maintained in accordance with established procedures and reports submitted to the President annually for all campaigns in progress.
6. Gifts and grants received as a result of fundraising campaigns shall be accepted in accordance with the President's Delegation of Authority--To Solicit and Accept Gifts, addressed to the Chancellors, Provost, Senior Vice President--Health Sciences and Services, Vice President--Agriculture and Natural Resources, and Director--Lawrence Berkeley National Laboratory (DA2588).

Fundraising campaigns are defined as organized efforts to solicit gifts and grants for any University purpose from multiple private sources such as individuals, firms, corporations, groups, and/or foundations. The Regents' Policy on Fundraising Campaigns and this delegation apply to all forms of fundraising campaigns for the benefit of the University whether conducted by the University, Campus Foundations, University Support Groups, or individuals or organizations outside the University; they do not apply to instances when family or friends of a deceased individual announce that memorial contributions may be sent to the University in lieu of other remembrances, or to the annual Fund gift campaigns.

The authority to approve fundraising campaigns may not be redelegated. This delegation is effective immediately and supersedes the May 26, 1994 delegation from President Peltason to Chancellors, Vice President--Agriculture and Natural Resources, and Vice President--University and External Relations on the same subject (DA2018).

Yours very truly,


Janet Napolitano
President

Attachments

cc: Members, President's Cabinet
Assistant Vice President O'Neill
Universitywide Policy Office



J.W. PELTASON
President

OFFICE OF THE PRESIDENT
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May 26, 1994

**CHANCELLORS
VICE PRESIDENT--AGRICULTURE AND NATURAL RESOURCES
VICE PRESIDENT--UNIVERSITY AND EXTERNAL RELATIONS**

Delegation of Authority--To Approve and Conduct Fundraising Campaigns

Pursuant to the November 19, 1993 Regents' Policy on Fundraising Campaigns (copy attached), authority is delegated to you, subject to the conditions set forth below, to approve and conduct fundraising campaigns for support of projects within your jurisdiction with goals up to and including \$5,000,000 for any purpose.

The following shall be recommended by you to the President for Regental approval:

1. the public phase of a fundraising campaign with a goal of \$50,000,000 or more;
2. a campaign at any level, which involves solicitation of real property or funds for the purchase of real property.

The President has retained the authority to approve all other fundraising campaigns, including the initial phases of campaigns with goals of \$50,000,000 or more.

Exercise of the foregoing authority is subject to the following conditions:

1. All fundraising activities shall conform with established University programs and policies, including The Regents' Policy on Fundraising Campaigns.
2. Campaigns shall be financed from funds under your authority that are available for such purposes. Such funds may include campaign proceeds.
3. Campaigns for support of capital improvement projects shall be approved only if the project has been approved for inclusion in the Capital Improvement Program.
4. Capital improvement projects included in such campaigns are subject to subsequent approval of the site and design of the projects after completion of the environmental impact review process in accordance with the California Environmental Quality Act.

5. Records shall be maintained in accordance with established procedures and reports submitted to the President annually for all campaigns in progress.
6. Gifts and grants received as a result of fundraising campaigns shall be accepted in accordance with the President's Delegation of Authority--To Solicit and Accept Gifts, addressed to Chancellors, Vice President-- Agriculture and Natural Resources, and Vice President--University and External Relations, March 23, 1994 (DA 2011).

Fundraising campaigns are defined as organized efforts to solicit gifts and grants for any University purpose from multiple private sources such as individuals, firms, corporations, groups, and/or foundations. The Regents' Policy on Fundraising Campaigns and this delegation apply to all forms of fundraising campaigns for the benefit of the University whether conducted by the University, Campus Foundations, University Support Groups, or individuals or organizations outside the University; they do not apply to instances when family or friends of a deceased person announce that memorial contributions may be sent to the University in lieu of other remembrances, or to the Annual Fund gift campaigns.

The authority to approve fundraising campaigns may not be redelegated.

This delegation is effective immediately and supersedes the March 24, 1986 delegation from President Gardner to Chancellors, Vice President--Agriculture and Natural Resources, and Vice President--Budget and University Relations on the same subject (DA 0895).


J. W. Peltason

Attachment (Regents' Policy on Fundraising Campaigns)

cc: Members, President's Cabinet
Assistant Vice President--University Relations
Special Assistant--Coordination & Review
Principal Officers of The Regents

POLICY ON FUNDRAISING CAMPAIGNS

Approved July 16, 1993

Technical correction, November 19, 1993

- (1) Fundraising campaigns are defined as organized efforts to solicit gifts and grants for any University purpose from multiple private sources such as individuals, firms, corporations, groups, and/or foundations. This Policy applies to all forms of fundraising campaigns for the benefit of the University whether conducted by the University, Campus Foundations, University Support Groups, or individuals or organizations outside the University. The Policy does not apply to instances when family or friends of a deceased person announce that contributions may be sent to the University in lieu of other remembrances.
- (2) The President shall submit for review and recommendation by the Committee on Educational Policy any proposal:
 - (a) for the public phase of a fundraising campaign with a goal of \$50,000,000 or more;
 - (b) for a campaign which involves the solicitation of real property or funds for the purchase of real property.
- (3) The President is authorized to approve all other fund-raising campaigns, including the initial phases of campaigns with goals of \$50,000,000 or more, provided that fundraising campaigns for support of capital improvement projects shall be approved only if the project has been approved for inclusion in the Capital Improvement Program.
- (4) The conduct of all fundraising campaigns shall be subject to the following conditions:
 - (a) All fundraising activities shall conform with established University programs and policies.
 - (b) Fundraising activities shall not obligate the University to expend funds in excess of budgeted items.
 - (c) Full consideration shall be given to existing agencies and institutions in the State which depend on funds from private sources for support.
 - (d) A capital improvement project shall be subject to completion of the environmental review process in accordance with the California Environmental Quality Act and subsequent approval of the site and design of the project.

DA 2011

March 23, 1994

**CHANCELLORS
VICE PRESIDENT--AGRICULTURE AND NATURAL RESOURCES
VICE PRESIDENT--UNIVERSITY AND EXTERNAL RELATIONS**

Delegation of Authority--To Solicit and Accept Gifts

The authority granted to the President to solicit and accept gifts, under Section 100.4(dd) of the Standing Orders of The Regents, is delegated to you within your respective jurisdictions, up to and including a value of \$5 million, effective immediately, with the exceptions noted below.

In addition, the Vice President--University and External Relations is authorized:

1.
to approve solicitation or acceptance of any gift over \$5 million, an authority which shall not be redelegated; and
2.
to accept gifts to the University which have not been designated for a specific campus or which have been designated for use by more than one campus or on a Universitywide basis.

Regental authorization is required for solicitation or acceptance of any gift that involves:

1.
exceptions to approved University programs or policies [Standing Order 100.4(dd)(1)];
2.
obligations on the part of the University to expenditures or costs for which there is no established fund source [Standing Order 100.4(dd)(1)];
3.
construction of facilities not previously approved [Standing Order 100.4(dd)(1)];

Regental or Presidential authorization, as appropriate, is required for solicitation or acceptance of any gift that involves an interest in real property [Bylaw 21.3(f)(2)(aa)].

Your authority to act is subject to the following conditions:

1.
Whenever there is any ambiguity in the terms of a gift proposal or other question as to its legal effect, the matter shall be referred to the General Counsel and Vice President for

Legal Affairs for interpretation and advice. A copy of the proposal and the General Counsel's opinion shall be provided to the Vice President--University and External Relations. If there is any doubt whether gift terms comply with the policies of the University, including those set forth in the Development Policy and Administration Manual, the questions shall be referred to the Vice President--University and External Relations for interpretation and advice prior to acceptance.

2.

Gifts to The Regents shall be accepted, administered, documented, and reported in accordance with established University policies, guidelines, and procedures.

3.

Gifts to Campus Foundations shall be accepted, administered, documented, and reported in accordance with the September 15, 1989 Policy on Campus Foundations and the October 13, 1989 Administrative Guidelines for Campus Foundations.

4.

Gifts to University Support Groups shall be accepted, administered, documented, and reported in accordance with the November 16, 1990 Policy on University Support Groups and the April 24, 1991 Administrative Guidelines for University Support Groups.

5.

Gifts to The Regents shall be accepted in the name and become the property of The Regents of the University of California.

6.

Gifts of \$1 million and more to The Regents, the Campus Foundations, and the University Support Groups shall be reported quarterly to the President by the Chancellor; this responsibility shall not be redelegated.

For purposes of this delegation the dollar amount of a gift shall be the amount of cash actually received; or, if in the form of a pledge, the full amount pledged; or shall be equivalent to the fair market value of securities or personal property.

Any redelegation of this authority shall be limited to the solicitation or acceptance of gifts which do not exceed \$1 million. Redelegation by the Chancellors and the Vice President-- Agriculture and Natural Resources shall be in writing with copies to the Vice President-- University and External Relations, the Special Assistant--Coordination & Review, and the General Counsel and Vice President for Legal Affairs. Any redelegation by the Vice President- -University and External Relations shall be in writing with copies to the Special Assistant--Coordination & Review and the General Counsel and Vice President for Legal Affairs.

This delegation supersedes the March 24, 1986 delegation of authority to Chancellors, the Vice President--Agriculture and Natural Resources, and the Vice President--Budget and University Relations on this same subject (DA 0894).

J. W. Peltason

cc:

Members, President's Cabinet
Special Assistant--Coordination & Review
Principal Officers of The Regents

Office of the President

TO MEMBERS OF THE COMMITTEE ON EDUCATIONAL POLICY:

ACTION ITEM

For Meeting of March 19, 2014

AMENDMENT OF REGENTS POLICY 5201: POLICY ON FUNDRAISING CAMPAIGNS

EXECUTIVE SUMMARY

This item proposes amending Regents Policy 5201 to: (1) require endorsement by the Regents of certain fundraising campaigns instead of review and recommendation; (2) raise the threshold from \$50 million to \$250 million for the Regents' endorsement of any public phase of a fundraising campaign; and (3) rescind the provision requiring Regents' review and recommendation for any campaign involving the solicitation of real property or funds for the purchase of real property. The President of the University would continue to approve fundraising campaigns in accordance with Standing Order 100.4(k). The Regents would retain oversight of any capital projects associated with a fundraising campaign and would continue to receive the Annual Report on University Private Support. The proposed amendments would update the threshold in accordance with current economic and campaign norms, and would provide campuses with flexibility in the timing of public announcements of fundraising campaigns.

RECOMMENDATION

The President of the University recommends that the Committee on Educational Policy recommend to the Regents that Regents Policy 5201: Policy on Fundraising Campaigns be amended, as shown in Attachment 1 below.

BACKGROUND

Regents Policy 5201: Policy on Fundraising Campaigns (Policy) currently requires the Board of Regents to approve, upon recommendation of the Committee on Educational Policy, (1) any public phase of a fundraising campaign with a goal of \$50 million dollars or more and (2) any gift campaign that involves the solicitation of real property or funds for the purchase of real property.

In 1993, the Policy was amended to authorize the President of the University to approve the private or quiet phase of a fundraising campaign, e.g., those steps undertaken before the public announcement of a campaign, and reserved to the Regents approval for the public phase of campaigns over \$50 million. While the \$50 million trigger was appropriate at the time of

approval in 1993, today it is low and requires campuses and schools to come to the Board of Regents for fundraising campaigns that it would be appropriate for the President of the University to authorize. The proposed amendment would raise the threshold to \$250 million, thus ensuring that the Board is involved only with major campus fundraising campaigns but would not be responsible for the smaller campaigns conducted for narrowly defined purposes, such as endowments for faculty, graduate support, or renovation of facilities. The proposed amendment also would provide campuses with greater flexibility in the conduct of campaigns, including the timing and venue of the public launch of a campaign. A campus may opt to publicly reveal the details of its fundraising campaign at a campus event and seek endorsement by the Board of Regents at a later date. The Regents' endorsement would thus serve as clear, concise, and compelling support of campus fundraising efforts.

The President of the University would continue to ensure that fundraising campaigns for support of capital improvement projects shall be approved only if the project has been approved for inclusion in the Capital Improvement Program and the Regents would retain approval and oversight of any capital projects in accordance with Bylaw 12.4.

ATTACHMENT 1

Additions shown by underscoring; deletions shown by strikethrough

REGENTS POLICY 5201: POLICY ON FUNDRAISING CAMPAIGNS

1. Fundraising campaigns are defined as organized efforts to solicit gifts and grants for any University purpose from multiple private sources such as individuals, firms, corporations, groups, and/or foundations. This Policy applies to all forms of fundraising campaigns for the benefit of the University whether conducted by the University, Campus Foundations, University Support Groups, or individuals or organizations outside the University. The Policy does not apply to instances when family or friends of a deceased person announce that contributions may be sent to the University in lieu of other remembrances.
2. The President shall submit for ~~review and recommendation~~ endorsement by the Committee on Educational Policy any proposal:
 - a. for the public phase of a fundraising campaign with a goal of ~~\$50,000,000~~ (\$250,000,000) or more;
 - b. ~~for a campaign which involves the solicitation of real property or funds for the purchase of real property.~~
3. The President is authorized to approve all other fund-raising campaigns, including the initial phases of campaigns with goals of ~~\$50,000,000~~ \$250,000,000 or more, provided that fundraising campaigns for support of capital improvement projects shall be approved only if the project has been approved for inclusion in the Capital Improvement Program.
4. The conduct of all fundraising campaigns shall be subject to the following conditions:
 - a. All fundraising activities shall conform with established University programs and policies.
 - b. Fundraising activities shall not obligate the University to expend funds in excess of budgeted items.
 - c. A capital improvement project shall be subject to completion of the environmental review process in accordance with the California Environmental Quality Act and subsequent approval of the site and design of the project.