



UNIVERSITY SYSTEM OF MARYLAND

308.0 IX – 4.00 – POLICY ON ALUMNI ASSOCIATIONS

(Approved by the Board of Regents, August 27, 1993; revised: June 10, 2016)

Board of Regents Policy on Alumni Associations

The University System of Maryland Board of Regents (Board) recognizes the importance of alumni associations in fostering and maintaining close and mutually beneficial ties between alumni and the constituent institutions (Institutions) of the University System of Maryland (USM). It is the intent of the Board 1) to develop policies and procedures governing the recognition and management of alumni organizations, including the use of funds and institutional resources and, 2) to ensure cooperative and collaborative efforts between the alumni organizations and the Institutions they support.

I. Guiding Principles

- A. Alumni associations should be organized and operated for the benefit of the Institution and its alumni.
- B. Alumni associations should provide service and support to its members and to the Institution.
- C. Alumni associations may not restrict membership or benefits of membership on the basis of race, religion, national origin, gender, physical disability or sexual orientation.
- D. Alumni associations should recognize the unique role of the Responsible Official (as defined herein) in setting Institution priorities.

II. Recognition

An alumni association may use the name, facilities or resources of an Institution only if recognized by the Board pursuant to this policy, only to the extent permitted by this policy. In order to be recognized as an alumni association, an organization must have, as its sole purpose, one or more of the following:

- A. To foster or promote the general welfare of an Institution; or
- B. To advocate for public or private support of an Institution; or

- C. To provide educational, charitable or cultural activities for the benefit of the alumni or an Institution.

The procedure for recognition of a new alumni association is set forth below.

III. Association

Alumni associations may be associated with the USM, an Institution or a component thereof, all of which are herein for convenience referred to as the Institution.

IV. Responsible Official

The Responsible Official is responsible for the relationship between the Institution and the alumni association. The President of the Institution shall be the Responsible Official for an alumni association associated with his or her Institution or a component thereof. In the case of Alumni Association International or an alumni association affiliated with a regional higher education center, the Chancellor shall be the Responsible Official.

V. Organization of Alumni Association

Alumni associations must be organized in one of two alternative structures.

- A. An alumni association may be organized as a Maryland non stock corporation, tax exempt under Section 501(c)(3) of the Internal Revenue Code (Incorporated Alumni Associations). The governing body of an Incorporated Alumni Association shall be its Board of Directors, which shall include a representative from the Institution (or for an alumni association associated with the USM, a representative from the USM) as an ex-officio non-voting member.
- B. Alternatively, an alumni association or office of alumni relations may choose to conduct and finance its program under the auspices and financial and operational oversight of the Institution or the USM (Internal Alumni Associations). In this case, advisory boards may be formed to assist and support the Institution's alumni association or office of alumni relations, but the Institution (or, for an internal alumni association associated with the USM, the USM) shall maintain all of the books and records of the program.

VI. Operating Agreement/Policies and Procedures

Incorporated Alumni Associations must enter into a written operating agreement between the Institution and the alumni association (or for an incorporated alumni association associated with the USM, between the alumni association and the USM) on an annual basis authorizing the alumni association to operate and identifying the sharing of resources, facilities and employees and the costs thereof, and the consideration from the alumni association for the costs associated with the use of Institution resources, facilities

and employees. The operating agreement shall also articulate the responsibility of the alumni association to be clear in its communications, negotiations and transactions with third parties that while associated with the Institution or the USM, the alumni association is a separate and distinct entity and the obligations of the alumni association are not the obligations of the Institution, the USM or the State of Maryland.

An Internal Alumni Association shall establish, in cooperation with the Institution it serves (or, for an internal alumni association associated with the USM, the USM), written policies and procedures governing its operations.

VII. Accountability and Reporting

Within 180 days of the close of the USM's fiscal year, the following shall be submitted by each alumni association to its Responsible Official. All submissions shall be with respect to the previous fiscal year.

Incorporated Alumni Associations

- A. Certificate of Good Standing (current within 60 days of submission)
- B. List of Board of Directors as of the end of the fiscal year
- C. Statement signed by the Responsible Official affirming that the alumni association has operated in accordance with the policies of the Board of Regents of the USM and with laws and regulations of the State of Maryland and the United States and in particular the Internal Revenue Code
- D. Audited Financial Statements, if annual revenues exceed \$100,000
- E. If revenues are less than \$100,000, financial statement prepared in accordance with generally accepted accounting standards
- F. Report of the major activities of the alumni association
- G. Copy of operating agreement

Internal Alumni Associations

- A. Report of major activities of the alumni association
- B. List of Advisory Board members, if any
- C. Copy of Policies and Procedures
- D. Statement signed by the Responsible Official affirming that the alumni association has operated in accordance with the policies of the Board of Regents of the USM and with laws and regulations of the State of Maryland and the United States.

Any alumni association that is also an affiliated foundation must comply with Section 15-104(b)(7) of the Education Article of the Annotated Code of Maryland: "(7) No funds shall be accepted from an affiliated foundation by a public institution of postsecondary

education unless the fiscal affairs of the affiliated foundation are audited annually by an independent certified public accountant.”

VIII. Procedure to Recognize New Alumni Association

All requests to the Board of Regents for the recognition of a new alumni association should be approved by, and submitted through, the President of the requesting institution. In the event that an alumni association affiliated with a regional higher education center should be proposed, the Chancellor would be the Responsible Official and the request should be approved by and submitted through the Chancellor. Other than these instances, it is not anticipated that any new alumni associations would be affiliated with the USM.

Requests should be submitted six weeks prior to the full board meeting at which the request will be considered. Requests will be reviewed within the USM Office of the Chancellor before being submitted for review by the Board of Regents Committee on Advancement. The Committee on Advancement will then 1) decline the request, 2) request additional information or clarification, or 3) recommend recognition by the full Board.

In making requests for recognition of a new alumni association, the following information is to be submitted:

- A. Rationale for proposed establishment of the alumni association.
- B. Structure and functions of the proposed alumni association.
- C. A copy of the proposed operating agreement for an independent alumni association and a copy of the policy and procedures for an internal association.

IX. Termination of Recognition

A Responsible Official or the Board of Regents may terminate the recognition of an alumni association that does not comply with this policy or the Institution’s policy and procedures. In such case, the alumni association shall no longer hold itself out to the public as being affiliated with the USM or any of its constituent institutions.

[Appendix A – Sample Operating Agreement \(Incorporated Alumni Associations\)](#)

[Appendix B – Sample Policies and Procedures \(Internal Alumni Associations\)](#)



UNIVERSITY SYSTEM OF MARYLAND

Alumni Association Model Operating Agreement

[M] = Mandatory Provision

AGREEMENT, made this ____ day of ____, 201_ by and between the [UNIVERSITY], (hereinafter referred to as "University"), which university is a constituent institution of the University System of Maryland, (hereinafter referred to as "USM") and the _____ Alumni Association, Inc. a non-stock corporation organized and existing under the laws of the State of Maryland, having its principal place of business located at _____, Maryland, (hereinafter referred to as "Association").

WITNESSETH:

WHEREAS, University has an interest in maintaining close and mutually beneficial ties with its graduates and former students (hereinafter referred to as "Alumni"); and

WHEREAS, Association has been established for the primary purpose of promoting the best interests of the University and such other purposes set forth in its Articles of Incorporation, attached hereto and incorporated herein is *Exhibit A*, including but not limited to, serving as a liaison between University and its Alumni; and

WHEREAS, the parties desire to enter into an agreement under which the University will provide facilities, employees and such other resources as will enable the Association to carry out its purposes in support of the University.

NOW, THEREFORE, in consideration of the mutual promises and covenants contained herein, the parties hereto, agree as follows:

1. The Association will conduct its activities in accordance with the policies of the University and the USM, including the Board of Regents Policy on Alumni Associations, attached hereto and made a part hereof as *Exhibit B*. [M]
2. The Association will conduct those activities enumerated in *Exhibit C*, exclusively for the benefit of the University. Any additions to *Exhibit C* must be approved in writing as an amendment to this agreement. [M]
3. University shall make available to the Association the facilities, personnel and equipment designated in *Exhibit D*, attached hereto and made a part hereof. Any additions to or withdrawals from *Exhibit D* shall be made by written mutual consent of University and the Association. *Exhibit D* will also reflect the quantification of the cost of the facilities, personnel and equipment designated for use by the Association, as well as the consideration from the Association for such support. The Association hereby indemnifies the University, USM and the State of Maryland for any claims or damages resulting from the Association's use of facilities, employees or equipment. (M)
4. The Association shall take good care of the property set forth in *Exhibit D* and shall maintain it in a clean, sanitary and orderly condition. University shall keep such specified premises in good repair and make all necessary capital improvements in order to comply with all applicable federal, state and municipal health and safety codes. Any alteration or improvement to the premises, fixtures, or replacement equipment that may be paid for by the Association shall become the property of the University. Upon removal from the premises, the Association shall return the equipment and facilities provided hereunder in good and clean condition.
5. The Association must be in good standing in accordance with the law governing and practices of the Maryland Department of Taxation and Assessments. [M]
6. Management and control of the Association rests with its Board of Directors. [M]
7. Officers and staff members of the Association shall be bonded. [M]
8. The Bylaws of the Association shall provide that at least one University employee in a leadership role, elected by the Association, shall serve as an ex-officio member of its Board of Directors. [M]
9. If otherwise permitted in accordance with applicable law and Board of Regents Policy, University officials, including members of the Board of Regents, may serve as regularly elected voting members of the Board of Directors of the Association, provided they do not constitute a majority. [M] [Include employees from #8 in the count]

10. If otherwise permitted in accordance with applicable law and Board of Regents Policy, and with the consent of the Responsible Official, an officer or employee of the USM or the University may serve as an officer or employee of the Association. [M]

11. The Association may not engage in any activity that conflicts with any federal or State laws, rules and regulations, applicable policies or the role and mission of the University or the USM, including those provisions of the Internal Revenue Code governing corporations exempt from taxation under Section 501 (c) (3). [M]

12. No substantial part of the activities of the Association shall be the carrying on of propaganda, or otherwise attempting to influence legislation. The Association shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. In particular, the Association may not make any contribution, whether in money or in kind, to any candidate for public office or purchase tickets to an event intended to raise money for use by a candidate for public office. [M]

13. The Association hereby releases the University, the USM and the State of Maryland and their respective officers and employees from liability for loss or damage to the Association's property or injury to the Association's employees, business invitees, licensees, and guests on University or USM property. [M]

14. All correspondence, solicitations, activities, and advertisements on behalf of the Association shall use the name of the Association and shall be clearly identified as an activity of the Association to ensure that the public is aware the activities undertaken by the Association are separate and distinct from the University or USM. Letterhead should carry the name of the Association and any trademarks, service marks, logos, seals or the name of the University or USM may only be used with specific approval from the University and in accordance with USM and University policies and procedures. [M]

15. All negotiations and transactions with third parties should be done by the Association in a manner that makes it clear that the Association is a separate and distinct legal entity and not part of the University, USM or the State of Maryland, and no obligation of the Association shall be an obligation of the University, USM or the State of Maryland. [M]

16. Financial activities of the Association shall be administered in accordance with prudent business practices. [M]

17. If the Association's revenues for the year are \$100,000 or more, the Association shall be audited by an independent certified public accountant who is not a director or officer of the Association. If an audit is not required, the Association shall submit to the Responsible Official its compiled financial statement, including balance sheet and income statement. The Association shall prepare its financial statements in accordance with generally accepted accounting principles. Any audit should be a full scope review performed in accordance with generally accepted auditing

standards. As part of the audit, the auditor shall verify a summary annual report of transfers of funds to the University or the USM. A copy of the completed audit, with all attachments thereto, will be provided to the University's Vice President for Administration and Finance (or the equivalent) within 180 days of the end of the audited period. [M]

18. The Responsible Official may inspect the books and records of the Association at any time. [M]

19. In order to comply with 11 and 12 herein, the Association shall provide a separate audit of any funds held for the use of the University President or the USM Chancellor. [M]

20. At the request of the Responsible Official, the Association shall permit the internal auditors of the Board of Regents access to all books and records concerning funds held for the use of any officers or USM. [M]

IN WITNESS WHEREOF, the parties hereto have caused their duly authorized representatives to execute this Agreement as of the date first written above.

The XYZ Alumni Association

The XYZ University

By: _____

By: _____

(Name and Title)

President

Alumni Association Articles of Incorporation

Board of Regents Policy on Alumni Associations

Activities of the Alumni Association

**Alumni Association
Facilities, Personnel, and Equipment Provided by the Campus**

I. Facilities, personnel and equipment to be used by Association

A. Description of space utilized for each service provided:

Building Name	Square Footage	Space Description	Annual Valuation
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B. Personnel assigned (with % of employment):

Annual valuation (salary plus benefits)

C. Description of equipment provided:

Annual valuation

II. Consideration for institutional facilities, personnel and equipment used by Association



UNIVERSITY SYSTEM OF MARYLAND

Policies and Procedures for Internal Alumni Associations (Sample)

The XYZ Alumni Association is recognized by the USM Board of Regents and by the University in accordance with the USM Board of Regents Policy on Alumni Associations.

The Alumni Association is a program of the university and as such is operated and controlled by the University.

The Alumni Association may have an Advisory Board and University officials or employees may participate on the Advisory Board.

The Alumni Association shall meet at least annually with University Officials to develop a written list of Alumni Association activities for the year.

Alumni Association activities shall comply with applicable policies of the University, the USM and federal, state and local laws.