

Affiliated Organizations

Subject: Governance and Organization
Policy: Affiliated Organizations
Effective Date: March 2, 2016
Revised: March 2, 2016
Review date: March 2, 2019
Reviewer: Vice President for Administration and Finance

TABLE OF CONTENTS

100.00	Introduction and Purpose
200.00	Definitions
300.00	Recognition Required
400.00	Application for Recognition
500.00	Approval
600.00	Financial Requirements
700.00	Use of Facilities and Equipment
800.00	Formal Agreement Requirements
900.00	Use of Name
1000.00	Use of Funds Raised On Behalf of University
1100.00	Any Payment To, Or Expense Reimbursement For, University Departments And/Or Employees By Affiliated Organizations
1200.00	Accounts Held By Affiliated Organization
1300.00	Limitations On The Establishment Of Affiliated Organizations

100.00 Introduction and Purpose:

This policy specifies how an organization may apply to be affiliated with the University and the procedures by which it is authorized to use Montana State University's name, facilities, or to raise funds for the university or a university program. This policy does not apply to Registered Student Organizations who have applied and been approved by the Office of Activities and Engagement.

Montana State University recognizes the value of affiliations with volunteer groups and nonprofit organizations and encourages their support on behalf of the University. These entities have provided and continue to provide valuable assistance in fundraising, public outreach and other support for the University's mission. To create a valuable relationship for both the group and the University, the University will require that groups seeking to be affiliated with or working on behalf of the University are formally recognized by the University as an Affiliated Organization.

Official recognition establishes the privileges and responsibilities of the relationship between these entities and the University, including use of the University's name, facilities, and resources for University related activities.

Without such recognition, no group may (a) represent itself as raising funds or otherwise providing support on behalf of or for the benefit of the University, a campus, or any institutional unit thereof; (b) use the name of the University or any of its campuses, facilities, or programs either expressly or by implication in connection with such activities; or (c) use University facilities, equipment, or personnel in connection with such activities.

Montana State University adopts these guiding principles and policies as the framework within which it will work with Affiliated Organizations to attain the following objectives:

1. To preserve the independent operation of any affiliated organization associated with Montana State University, and
2. To clarify that the activities conducted on MSU's behalf must be conducted in a manner that is consistent with the university's goals and mission its responsibility for stewardship of its resources, management of its risks and institution appropriate financial and accounting controls; and

200.00 Definitions:

A. Affiliated Organizations means an entity that provides activities, services, programs and/or funding for the university's programs. These entities

are usually legally distinct from the university as separate non-profit organizations. The University works cooperatively with these organizations but the organization may be governed according to its Articles of Incorporation and By-Laws.

The definition of affiliated organization excludes the following:

- University-recognized student, faculty, or staff groups or organizations
- Advisory councils established under the auspices and direction of an academic or administrative official for the benefit of the unit
- Research sponsors
- Donors
- Licensees that do not otherwise have affiliate status
- University auxiliary enterprises
- Commercial contractors and vendors
- Organizations whose relationship with the University is limited to the rental of facilities or space are excluded from this policy.
- Consultants
- Lessors and lessees
- Individuals, such as University retirees and alumni
- Institutions with which the University has programmatic affiliation agreements designed principally for student clinical program placements or scholar exchanges

B. Ad Hoc Fundraising Events: Ad Hoc Fundraising events are events conducted by volunteers and designed to raise funds for a university program that are occasional, one-time events and are not part of the regular activities of the Affiliated Organization.

300.00 Recognition Required:

If any of the following conditions exists, an organization must apply for recognition as an Affiliated Organization:

1. The organization raises money for the purpose of supporting a Montana State University program.
2. Montana State University's name, letterhead, logos, servicemarks, trademarks or other indicia of relationship are used by the organization in connection with its activities. The organization implies or conveys the impression that the organization is sponsored by, affiliated with or related to Montana State University.
3. The organization proposes to use Montana State University facilities in connection with the program or fundraising activities of the organization. Organizations whose relationship with the University is limited to the rental of facilities or space are excluded from this policy.

Ad Hoc Fundraising Events may be approved on a case by case basis by the Vice President who supervises the college, department or program which will receive the benefit of the fundraising event if the sponsoring organization is not an Affiliated Organization.

400.00 Application for Recognition:

All organizations covered under this policy must file an [application for recognition as an Affiliated Organization](#). The application must be submitted to the Vice President who supervises the college, department or program which will receive the benefit of the fundraising activities of the organization. The Vice President will forward a copy of the application to the Vice President for Administration and Finance. The application must be approved before the organization engages in activities or fundraising outlined in section 300.00 in support of the University or its programs.

500.00 Approval:

Upon receiving a completed application, Vice President for Administration and Finance will recognize the organization or submit a statement denying recognition. This recognition is valid for the period established in the agreement

600.00 Financial Requirements:

- A. Affiliated Organizations must use sound fiscal and accounting procedures. All revenues, donations or gifts obtained and all disbursements must be properly documented and comply with local, state and federal laws.
- B. Any University payments to an Affiliated Organization must be made in accordance with an existing agreement that complies with all applicable state law and University and Board of Regents' policies.

700.00 Use of Facilities and Equipment:

Arrangements between the University and an Affiliated Organization concerning the use office space, storage space, office furniture and equipment, utilities, telephones, photocopying services, computer systems, or similar items shall comply with the [Facility Use Policy](#) and be memorialized in a Facility Use Agreement.

800.00 Formal Agreement Requirements:

All agreements between the University and an Affiliated Organization shall include, at a minimum, the following provisions:

- A. A requirement that the organization will comply with federal, state and local laws applicable to such organization.
- B. A provision that protects both parties against conflicts of interest in the performance of the activities of the parties.
- C. A provision that binds the organization to fiscal and accounting practices that are sound, prudent, administered, and reported in accordance with law.

- D. A provision that outlines how gifts and grants are accepted and accounted for by the affiliated organization.
- E. A requirement that the university will be consulted before defining any major needs or priorities for fundraising.
- F. Such audit requirements as are deemed appropriate.
- G. Reporting requirements, including submission of such financial statements as may be appropriate to allow the university to monitor the fundraising activities and comply with applicable laws and policies.
- H. Such other provisions as may be necessary to protect the interests of the university.

900.00 Use of Name:

No organization has the right to use the University's name unless it has complied with this policy. Once approved as an Affiliated Organization, the use of the University's name and trademarks must comply with the [Trademark and Licensing Policy and the Graphic Identification Policy](#). The organization is barred from using the University's name if the University's relationship with the organization is discontinued or terminated.

1000.00 Use of Funds Raised on Behalf of University:

Funds raised or received by an Affiliated Organization for the benefit of the University, or through the use of the University's name or trademarks, shall be expended for the benefit of the University or the Affiliated Organization as outlined in the agreement.

1100.00

Any payment to, or expense reimbursement for, University departments and/or employees by the Affiliated Organization must be compliant with the requirements of the [university policy on that subject](#).

1200.00 Accounts held by Affiliated Organization:

Accounts for the benefit of individual University departments or faculty members shall not be established with an Affiliated Organization or other non-University entity unless agreed upon as part of the agreement.

No Affiliated Organization should establish any banking relationship using the name or tax identification number of Montana State University, unless approved as part of the agreement. Only the Vice President for Administration and Finance may authorize banking relationships for the university and such accounts will not be authorized unless there is a significant benefit to the university to do so.

1300.00 Limitations on the Establishment of Affiliated Organizations:

No University entity, department, program or employee shall establish a foundation or other University Affiliated Organization or initiate any fundraising program or activity except as set forth in this policy.