



Colorado State Employee Advisory Committee on Charitable Giving

(Colorado Combined Campaign Advisory Committee)

Colorado Combined Campaign Bylaws

(Effective November 1, 2021)

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I. PURPOSE

- A. To encourage charitable giving by expanding the choices of qualified and approved organizations in the COLORADO COMBINED CAMPAIGN as a way to benefit the State and individual communities.
- B. To set forth guidelines for an annual fund drive, hereinafter referred to as the COLORADO COMBINED CAMPAIGN (CCC), to be coordinated by State employees in cooperation with approved organizations.

II. DEFINITIONS

Accrual Accounting System – An accounting system that recognizes revenues when earned rather than when cash is received and recognizes expenditures when incurred rather than when paid.

Administrative Costs – Any general administrative and fundraising expenses as defined by generally accepted accounting principles not used for direct services.

Advisory Committee Member – A State of Colorado employee representing a state department

or institution of higher education and is not designated as a temporary classified employee. Advisory Committee Members have oversight responsibilities regarding the CCC and actively make decisions regarding the financing and running of the annual campaign.

Annual Budget – An itemized summary of estimated expenditures and income for a one-year period.

Anti-Discrimination and Anti-Retaliation Statement – Posted notice that summarizes the discriminatory or unfair practices prohibited by the law per Colorado Civil Rights Commission Rules (3 CCR 708-1). Notice must include contact information for filing a complaint. More information and links to applicable statutes, rules, and posting requirements are on the Commission's homepages on the State's website (Colorado.gov).

At-Large Committee Member – A State of Colorado employee who is serving on the CCC Advisory Board but is not the department or institution of higher education representative. An At-Large Committee Member serves on the Advisory Committee with the same rights, responsibilities, and voting privileges as Advisory Committee Members.

Audit – An examination of books, records and financial statements to check and verify their fairness and accuracy.

Bylaws – A set of procedures or guidelines. Rules adopted by an organization chiefly for the government of its members and the regulation of its affairs.

Campaign Manager – The organization contracted with and the individual designated by that organization to manage the CCC and subject to oversight by the Colorado State Employee Advisory Committee and the Executive Director (DPA).

Campaign Plan – The detailed annual plan prepared and developed by the Campaign Manager and approved by the Colorado State Employee Advisory Committee that guides the annual CCC.

Campaign Revenue – Gross total pledges recognized as revenue at the close of the annual campaign. In the CCC, campaign revenue determines the budget for the following campaign year.

Cash Basis of Accounting – An accounting system that recognizes revenues when the cash is received rather than earned and recognizes expenditures when paid rather than incurred.

Charitable Giving – A gift for public benevolent purposes. In the CCC, a financial gift to an approved nonprofit organization that benefits the needy, suffering or other vital state or community services within the State of Colorado.

Colleges & Universities/State Service Organization (CU/SSO) – An organization that is a registered nonprofit organization in Colorado by obtaining a Certificate of Authority from the Secretary of State's office and is exempt from federal income tax under Internal Revenue Code 501(a) as described in Section 501(c). A CU/SSO is not a member of a federation or umbrella organization but is directly associated with a Colorado department or an institution of higher education and otherwise meets the criteria established in the Bylaws of the Colorado State Employee Advisory Committee.

Colorado Anti-Discrimination Act (CADA) – CADA is codified in Title 24, Article 34, parts three through eight of the Colorado Revised Statutes. The Colorado Civil Rights Division enforces CADA and the Colorado Civil Rights Commission has issued standards and guidance in their Rules and Regulations. More information and links to applicable statutes, rules, and posting requirements are on the Division and Commission's homepages on the State's website (Colorado.gov).

Colorado Combined Campaign (CCC) – The annual fund drive for charitable giving by State employees which was established by Executive Order B 011 86.

Colorado State Employee Advisory Committee on Charitable Giving – Also referred to as Advisory Committee or CCCAC. It is a committee composed of employees from the branches

and departments of the State of Colorado. The CCCAC advises the Governor and the Executive Director (DPA) regarding all aspects of the CCC and is responsible for the oversight of the annual campaign.

Contribution – Money given to the CCC.

Contribution Year – Calendar year.

Criteria – A standard rule or test on which a judgment or decision may be based.

Designated Funds – To specify or stipulate one or more nonprofit organizations that are to receive a prescribed amount or portion of a contribution from a particular State employee.

Direct Cost – A cost for services or goods provided in direct support of a program; fundraising and administrative expenses associated with a program are not considered direct costs.

Direct Services – Services and goods provided in direct support of a program; fundraising and administrative expenses associated with a program are not considered direct services.

Direct Solicitation – Approaching, contacting, urging or influencing any State organization or employee at the work site or through office resources for contributions.

Discrimination – The unjust or prejudicial treatment of different categories of people based on a protected class (see **Protected Classes**). Employers are prohibited from such discrimination and in addition, have a duty to provide reasonable accommodations that may be necessary because of an employee or applicant's disability and/or because of an employee or applicant's pregnancy, childbirth, or a condition related to pregnancy or childbirth. The Colorado Civil Rights Division investigates allegations of employment discrimination. Prohibited employment practices are in section 24-34-402, Colorado Revised Statutes.

Discriminatory or Unfair Employment Practice – It is a discriminatory or unfair employment practice for an employer to refuse to hire, discharge, refuse to promote, demote, harass, discriminate in matters of compensation or to discriminate in the terms, conditions, or privileges of employment based on or because of a person's protected class or in retaliation for engaging in a protected activity.

Executive Director – Director of the Department of Personnel & Administration.

Executive Order – An order or directive issued by the Governor of the State of Colorado.

Federation or Umbrella Organization – An organization registered as a nonprofit organization in Colorado by obtaining a Certificate of Authority from the Secretary of State's office and exempt from federal income tax under Internal Revenue Code 501(a) as described in Section 501(c). This organization serves as the agent for a group of at least seven (7) nonprofit organizations and otherwise meets the criteria established in the Bylaws of the Colorado State Employee Advisory Committee on Charitable Giving.

Financial Statement – A signed statement from a certified public accountant indicating that an organization's financial records meet generally accepted accounting principles practices. Normally provided after a financial review or audit of an organization's financial records.

Fundraising – Any activity intended to raise funds for a nonprofit organization.

Generally Accepted Accounting Principles (GAAP) – A common set of accounting standards and procedures that have been established by the governing bodies of the accounting profession or have been accepted over time as appropriate because of their universal application.

Guideline – A statement of policy or procedure.

Lead Coordinators – Individuals from various state agencies and institutions who volunteer to coordinate the running of the CCC and collection of pledge information for their department or institution of higher education.

Lobbying – The act of trying to influence legislators or officials, especially in favor of a special interest.

Nondiscrimination Statement – An organization's affirmation that it does not discriminate against any individual on the basis of that person's protected class, which includes race, color, religion, national origin, disability, age, gender identity, sexual orientation, or any other protected class under the law. (See **Protected Classes**.) Current practice in the nonprofit world is to specify that the statement includes employees, volunteers, and clients served.

Non-Federation Nonprofit – A nonprofit organization that is not a member of a federation or umbrella organization nor a CU/SSO but can clearly document its service to the State of Colorado or its community and otherwise meets the criteria established in the Bylaws of the Colorado State Employee Advisory Committee.

Nonprofit Organization – An organization that is exempt from federal income tax under Internal Revenue Code 501(a) as described in Section 501 (c) and is registered as such in Colorado by obtaining a Certificate of Authority from the Secretary of State's office.

Pledge – A binding promise or agreement to do or forbear.

Policy – A plan or course of action designed to influence and determine decisions, actions and other matters.

Procedure – A particular way of accomplishing something. An established way of doing something.

Protected Classes – Protected classes in employment include: Disability (a mental or physical impairment which substantially limits a major life activity); Race (includes hair texture, hair type, or a protective hairstyle commonly or historically associated with race, such as braids, locs, twists, tight coils, cornrows, Bantu knots, Afros, and headwraps); Creed; Color; Sex; Sexual Orientation (which is statutorily defined as "including transgender status" – i.e. Gender Identity); Religion; Age (40+); National Origin; Ancestry; Marriage to a Co-Worker (applies in limited circumstances); and Pregnancy, Childbirth, and related conditions. Please refer to the Colorado Civil Rights Division homepage on the State's website (Colorado.gov) for the most up-to-date information regarding protected classes and prohibited practices.

Umbrella Organization or Federation – An organization registered as a nonprofit organization in Colorado by obtaining a Certificate of Authority from the Secretary of State's office and exempt from federal income tax under Internal Revenue Code 501(a) as described in Section 501(c). This organization serves as the agent for a group of at least seven (7) nonprofit organizations and otherwise meets the criteria established in the Bylaws of the Colorado State Employee Advisory Committee on Charitable Giving.

Uncollectible Funds – Pledges or other monies that were promised but could not be collected and are therefore unavailable for distribution to CCC nonprofit partners.

Undesignated CCC Funds – Funds donated to the CCC but not designated to a specific nonprofit, umbrella, federation, or colleges & universities/state service organization.

Volunteers – Individuals from various state agencies and institutions who assist Lead Coordinators with the running of the CCC and collection of pledge information for their office or agency within their department of institution of higher learning. Volunteers are also individuals who, without pay, help nonprofits provide services.

III. CAMPAIGN GUIDELINES

- A. The Colorado State Employee Advisory Committee on Charitable Giving (Advisory Committee), which was created by Executive Order "B 011 86", establishes the criteria and procedures for the Colorado Combined Campaign (CCC).
- B. The Campaign Manager (Manager) is responsible for the daily administration of the CCC and is nominated and approved by majority vote of the Advisory Committee with final approval by

the Executive Director (DPA) or designee, hereinafter referred to as the Executive Director (DPA).

- C. No direct costs associated with the CCC will be borne by the State. All costs, such as payment of the Manager's fees, printing of brochures, preparation of presentations and other promotional costs shall be borne by the proceeds from the campaign.
- D. Consistent with the State's policies and expectations regarding equity, diversity, and inclusion, the Advisory Committee has a policy of nondiscrimination with regard to disability, race, creed, color, sex, sexual orientation, gender identity, religion, age, national origin, ancestry, or pregnancy, childbirth and related conditions, or any other characteristic protected by law for its members, employees, volunteers, and organizations or clients served. An individual who feels discriminated against or harassed by a member of the Advisory Committee or an employee of its Campaign Manager should report the incident to the Advisory Committee Chair or Vice-Chair for investigation. The Advisory Committee prohibits retaliation against any individual who reports discrimination or harassment or participates in an investigation of such reports. Advisory Committee members and contact information is listed on the CCC website.
- E. The Advisory Committee requires all organizations accepted into its campaign to be in compliance with all applicable federal and state statutes or regulations regarding nonprofit organizations, registrations, and anti-discrimination and anti-retaliation laws. Any discrimination or harassment complaints made to the CCC regarding nonprofit partner organizations will be referred to the Colorado Civil Rights Division for investigation.
- F. All organizations participating in the CCC shall certify that they are in compliance with all applicable state and federal laws and regulations, including the USA Patriot Act. Noncompliance with applicable laws and regulations, providing inaccurate or false information or certifications, or otherwise not meeting the criteria outlined in these Bylaws or the CCC's application materials will be cause for rejection or removal from the campaign.
- G. At its discretion, the Advisory Committee can discontinue the distribution of campaign funds to any nonprofit organization that, after acceptance in the CCC, ceases to comply with the criteria and procedures as set forth in these Bylaws.
- H. The contribution year for the purpose of annual payroll deductions of charitable contributions shall be the calendar year, unless otherwise authorized by the Executive Director (DPA).
- I. The Manager shall prepare a detailed plan, hereinafter referred to as The Plan for the CCC for submission to the Advisory Committee by May 31 of each year.
- J. The Manager shall implement The Plan upon approval by the Advisory Committee. Prior authorization from the Advisory Committee is required for any significant variation from the approved plan. Noncompliance with this provision shall be cause to relieve the Manager from his/her responsibilities.
- K. The Manager has the authority to create and update the CCC application requirements and process as needed, but prior authorization from the Advisory Committee is required for any significant changes from the previous year.
- L. With an increasing number of national and international disasters vying for charitable contributions, the Advisory Committee recognizes that State employees may wish to contribute to organizations that provide services outside of the State of Colorado. The central tenet of the CCC is that the money it raises stays in Colorado to benefit Coloradans and therefore it cannot be used for donating to organizations outside of Colorado.

IV. CRITERIA AND PROCEDURES FOR ALL NONPROFIT ORGANIZATIONS

A. For inclusion in the CCC, ALL Nonprofit Organizations must:

- 1) Be exempt from federal income tax under Internal Revenue Code 501(a) as described in Section 501(c)(3).
- 2) Be registered on the Colorado Secretary of State's (SoS) website as a nonprofit organization and in accordance with the Colorado Charitable Solicitation Act. Organizations must obtain and provide certificate copies or Secretary of State tracking numbers for charitable solicitation and Good Standing registrations, or both. If an organization is legally exempt from SoS registration requirements, it must instead file an exemption statement on the SoS website, provide a link to the online exemption statement and a copy of the statement with its application, and supply additional financial and information as requested by the CCC or its application process.
- 3) Have a posted notice that summarizes the discriminatory or unfair practices prohibited by the law per Colorado Civil Rights Commission Rules (3 CCR 708-1). Notice must include contact information for filing a complaint. Because the CCC believes in equity, diversity, and inclusion, our preference is that agencies also have board-approved nondiscrimination policies that clearly state they are applicable to employees, volunteers, and clients served.
- 4) Use a financial accounting system that is in accordance with generally accepted accounting principles (GAAP). If an organization's annual expenditures are less than \$100,000, a cash basis of accounting is acceptable, providing the organization's books and records are sufficient to allow for review by an accountant. Organizations must provide an IRS Form 990 or a pro forma IRS Form 990. The Advisory Committee reserves the right to request additional financial information at any time and additional items may be included in the scope of an audit or financial review at the request of the Advisory Committee.
- 5) Demonstrate a history of service in or to the State or People of Colorado as a charitable organization for no less than 12 months prior to the date of application along with a description of the organization's public disclosure and transparency policies.
- 6) Use the funds contributed to the nonprofit organization by State employees for their stated purposes within the State of Colorado. **No more than 15 percent of CCC funds may be used for the organization's administrative costs.**
- 7) Not sell or permit others to make any use of the lists of contributors who donate through the CCC nor use any State employee contact information provided to it by the CCC to solicit donations directly from State employees. Any information provided to organizations is for the sole purpose of acknowledging the employee's donation.
- 8) Not submit more than one application a year to the CCC.
- 9) Provide the CCC with an Administrative Fundraising Ratio (AFR%) statement regarding the percentage of revenue not spent on direct services calculated using the most recently filed IRS Form 990 or pro forma IRS Form 990. The AFR% shall not exceed 35% of the total revenue of the nonprofit organization except as noted below:
 - a. If the administrative cost exceeds 35% of total revenue in any given year, the nonprofit organization must submit an explanation as to why it was exceeded. Upon receipt of an adequate explanation, the Advisory Committee, at its discretion, may grant a waiver of the 35% AFR maximum.
 - b. For those nonprofit organizations that do not provide direct services to clients such as an institution of higher education foundation, the Advisory Committee may waive the 35% AFR maximum.

10) **Ensure and certify that they:**

- a. Have provided complete, accurate, and truthful information to the CCC
- b. Have a posted notice that summarizes the discriminatory or unfair practices prohibited by the law per Colorado Civil Rights Commission Rules (3 CCR 708-1). Notice must include contact information for filing a complaint. If the organization has a written nondiscrimination policy it should be included with its application.
- c. Use CCC funds for their intended purposes within Colorado and that no more than 15% of these funds will be used for administration costs.
- d. Will not imply directly or indirectly that inclusion in this campaign constitutes endorsement of the organization by the State of Colorado.
- e. Will not solicit donations from State employees directly and will not sell or permit others to make use of the lists of contributors who donate through the CCC.
- f. Do not use donated State employee funds for lobbying activities.
- g. Are in compliance with all applicable federal and state statutes, rules, or regulations, including the USA Patriot Act.
- h. Will maintain application materials for four years and be willing to provide additional information if requested by the Advisory Committee or Executive Director (DPA).

B. In addition to the requirements listed in Sections III and IV (A), Federations and Umbrella Organizations must:

- 1) Serve as the agent of a group of at least seven (7) nonprofit organizations as defined by the criteria set forth in Sections IV (A) and (B) of these Bylaws. The Advisory Committee, at its discretion, may grant a waiver of this seven-organization requirement should circumstances indicate that the waiver serves the purpose of the CCC.
- 2) **Verify and certify annually** that all nonprofit organizations listed in its application meet all the criteria set forth for nonprofit organizations in Sections III, IV (A) and (B) of these Bylaws and any additional requirements contained in the CCC application materials.
- 3) At minimum, a federation or umbrella organization must have a financial review performed annually by an independent certified public accountant. Organizations that submit financial reviews in lieu of an audit must submit an audit performed by an independent certified public accountant at least once in every three-year period. The umbrella organization must make audited financial statements available to the public. The opinion rendered on the financial statements by the accountant must be "unqualified". The Advisory Committee reserves the right to request an audit at any time. Additional items may be included in the scope of an audit or financial review at the request of the Advisory Committee.
- 4) **Verify and certify** that it will not withhold administrative fees from designated CCC funds and distributes funds as required in Section VII of these Bylaws. In addition, has provided a description of the procedures it uses to disburse CCC funds.
- 5) Submit IRS Form 990 annually to the Advisory Committee.
- 6) Provide any additional information required by the Advisory Committee or its application process or the Executive Director (DPA).
- 7) Maintain the application and distribution information required by the CCC for four years from the date the application was due. This information must be available for inspection or audit by the Advisory Committee or Executive Director (DPA) within 24 hours advance notice.

C. In addition to the requirements listed in Sections III and IV (A), a College &

Universities/State Service Organization (CU/SSO) or a Non-Federation nonprofit must:

- 1) Document its service to Colorado or demonstrate a direct association with a department of the State of Colorado Government. In order to be considered, the organization must:
 - a. Be supported by the State of Colorado by state ownership of capital improvements or equipment, or state sharing of operating or maintenance funding; or
 - b. Have a direct relationship to a state agency by providing enhanced services of that agency; or
 - c. Act as an agent of the state to operate, manage or administer a function of the state; or
 - d. Document that it serves a unique purpose or need in its community.
- 2) Annually submit requested application materials and certifications documenting that it meets the criteria set forth for nonprofit organizations in Sections III, IV (A), and (C) of these Bylaws for a CU/SSO or Non-Federation nonprofit.
- 3) Maintain the information required by the application process in the files of the organization for four years and make it available for inspection or audit by the Advisory Committee or the State Auditor within 24 hours advance notice.
- 4) Provide additional information requested by the Advisory Committee or its application process or the Executive Director (DPA).

V. ADVISORY COMMITTEE MEMBERSHIP, DUTIES, AND RESPONSIBILITIES

A. Advisory Committee Membership:

- 1) Shall consist of one primary representative serving as the "Advisory Committee Member" from each state department or institution of higher education. If possible, these primary representatives will be appointed or approved by their respective department's Executive Director or Chief Executive Officer, institution of higher education President, State Court Administrator, or Legislative Director or Designee. Primary representatives may also volunteer or be recruited by the CCC to serve, as long as any necessary supervisor approval for participation in an outside of office project has been attained.
- 2) In addition to Advisory Committee Members, departments or institutions of higher education may have "At-Large Committee Members". At-Large members provide additional outreach to departments or institutions of higher education that may be unrepresented or underrepresented as well as providing additional strength and support to the committee. To become an At-Large Member, a state employee should notify the Advisory Committee of his or her interest and obtain any necessary supervisor approval for participation in an outside of office project.
- 3) Limitations on At-Large Committee Membership:
 - a. The number of At-Large Members allowed on the Advisory Committee shall not exceed 15 percent of the number of potential primary members. For example: if there is the potential for 27 Advisory Committee Members to be appointed by the departments and institutions of higher education then the number of permitted At-Large members would be 4 (i.e. 15% of 27 = 4.05).

- b. No department or institution of higher education shall have more than two At-Large Members on the Advisory Committee.

B. Advisory Committee duties and responsibilities:

- 1) Oversee the annual charitable giving campaign for Colorado State Employees, which includes but is not limited to, assisting with training and other campaign coordinator activities, supporting department or institution of higher education campaign activities, and, when needed, assisting the committee in recruiting Lead Coordinator or Advisory Committee member replacements.
- 2) Be responsible for developing and amending Bylaws as necessary, including the method for selecting officers.
- 3) Participate in the State procurement and application process for the selection of a Campaign Manager who will serve for up to five (5) years at the discretion of the Advisory Committee.
- 4) Review and approve The Plan and budget prepared by the Manager as described in Sections III and VI of these Bylaws.
- 5) Review CU/SSO, non-federation nonprofit, and federation or umbrella organization applications to determine which applicants meet the criteria set forth in Sections III and IV and approve or disapprove the applications for inclusion in the CCC.
- 6) At its discretion, discontinue distribution of funds to any nonprofit organization that, after approval by the Advisory Committee, ceases to comply with the criteria and procedures as set forth in these Bylaws.
- 7) Conduct business only when quorums of one-third of the Advisory Committee membership, including an elected officer or a designee, are present.
- 8) Other duties and responsibilities as outlined in committee-approved Advisory Committee job descriptions.

C. The Executive Committee of the Advisory Committee consists of a Chairperson, Vice-Chairperson and Committee Administrator.

- 1) The election of officers shall be held during the November or December meeting with newly elected officers taking office the following January 1.
- 2) The term of officers shall be from January 1 to December 31.
- 3) Unless the Advisory Committee decides otherwise, upon completion of a term as Vice-Chairperson, the Vice-Chairperson will become the Chairperson for the following term and a new Vice-Chairperson shall be elected.
- 4) If the Chairperson is not able to serve the full term, the Vice-Chairperson will assume the duties of the Chairperson and a new Vice-Chairperson shall be elected.
 - a. If the Vice-Chairperson is not able to serve the full term as Vice-Chairperson or Chairperson, a new Vice-Chairperson or Chairperson, who has served at least one year on the Advisory Committee, shall be elected from the Advisory Committee to fill the vacancy.
 - b. If the Chairperson and the Vice-Chairperson resign or cannot fulfill their full term, a new Chairperson and Vice-Chairperson shall be elected from the Advisory Committee.
 - i. In the event the Chairperson, Vice-Chairperson, or Administrator resign from their position(s) within six months of the end of their elected term of office, the incoming person(s) resuming their terms will not be considered as having served a full one-year term and will be eligible to continue serving for another term in that position.

- ii. In addition, Executive Committee members may choose to serve another term in their positions.
 - iii. The Advisory Committee must vote to approve any officer or slate of officers wishing to continue serving for another term.
- 5) The Committee Administrator shall chair the committee meetings in the absence of both the Chairperson and Vice-Chairperson. Additionally, the Administrator may oversee the preparation and review of the Advisory Committee meeting minutes prior to distribution to Advisory Committee members. CCC Campaign Manager Staff will be responsible for taking the minutes at meetings unless some other arrangement is agreed upon.
- 6) Executive Committee is responsible for the following:
- a. Reviewing and approving monthly invoices from the Campaign Manager and sharing information or concerns with the Advisory Committee when appropriate. Each invoice must have two Executive Committee signatures.
 - b. Maintaining the history of the Advisory Committee and the annual Campaign by working with the Manager to provide storage and access to an annual electronic record that includes, but is not limited to, meeting agendas, minutes, budgets, special event plans, and other materials deemed necessary to document the annual history of the committee.
 - c. Recruiting Advisory Committee members and Lead Coordinators when needed. One of the three Executive Committee members or another Advisory Committee member may be selected to act as an Outreach Coordinator when the Advisory Committee is actively seeking new members, recruiting campaign coordinators, or working on other special projects.
 - d. Arranging regular Executive Committee meetings to plan Advisory Committee agendas and to remain informed on other committee business.
 - e. Keeping Advisory Committee members informed and involved in making CCC decisions.

VI. THE CAMPAIGN MANAGER

- A. The Manager shall hire sufficient staff to support the activities of the CCC as required and approved by the Advisory Committee.
- B. The Manager shall prepare and submit to the Advisory Committee annually, no later than the March meeting of the Advisory Committee, a budget for all expenses associated with the CCC specifying all funding sources that will be used to pay such expenses. The annual goal of the Advisory Committee and the Manager is to keep administrative expenses as low as possible.
 - 1) The annual budget proposed for Advisory Committee approval should total no more than 15 percent of the prior year campaign revenue or otherwise fit within contract specifications regarding maximum amounts. At its discretion, the Advisory Committee may approve a budget exceeding the 15 percent limit to meet the financial needs of the campaign, providing the budget is less than the maximum dollar amount listed in the contract.
 - 2) The Advisory Committee must be specifically informed when a budget proposal is more than the 15 percent administrative costs cap or of cash receipts. Noncompliance with this provision may be cause to relieve the Manager from its responsibilities.
 - 3) The Manager is responsible for informing the Advisory Committee of financial variations projected to move the expense ratio over or under the approved budget amount. Noncompliance with this provision may be cause to relieve the Manager from its

responsibilities.

- 4) The Manager may generate funds from external sponsorship sources. Funds from external sponsorship sources will not apply to the 15 percent or maximum dollar amount limits on administrative costs.
- C. The Manager shall prepare and submit to the Advisory Committee annually, no later than May 31, a proposed Plan for the CCC. Noncompliance with this provision may be cause to relieve the Manager from its responsibilities.
- 1) This plan should include, but is not limited to:
 - a. Draft design or suggested changes to CCC pledge forms and online giving site that reflects any requirements set forth by the Executive Director (DPA) to allow State employees the option of specifying that contributions be distributed to individual nonprofit organizations, participating federation or umbrella organizations, CU/SSOs, and Non-Federation nonprofits included in the approved campaign brochure.
 - b. Draft designs or preliminary outlines of all promotional and publicity materials to be used in the next campaign, including but not limited to, approved posters, brochures, slide shows, tapes, emails, and website and other electronic media designs or changes.
 - c. Method and timetable for recruiting Lead Coordinators from state agencies and offices.
 - d. Method and timetable for training Lead Coordinators and other volunteers.
 - e. Method and timetable for organizing and conducting agency fairs, kick-offs or other presentations.
 - f. Method and timetable for distributing and collecting pledges and contributions.
 - g. Method, timetable and a description of the procedures used to distribute funds that fulfill the policy and procedural requirements set forth in Section VII of these Bylaws.
- D. The Manager shall be guided by the approved Plan and the distribution requirements of Section VII of these bylaws in the handling of all funds pertaining to the CCC and shall:
- 1) Deposit in an interest-bearing account at each payroll period the total amounts deducted from the employees paychecks for charitable contributions;
 - 2) Use a financial accounting system that is in accordance with generally accepted accounting principles;
 - 3) Conduct fiscal operations in accordance with a detailed annual budget and not vary significantly from the approved budget unless prior authorization is obtained from the Advisory Committee;
 - 4) Be audited annually by an independent certified public accountant and submit an annual audit report to the Executive Director (DPA). The Executive Director (DPA) may require that the scope of such audit include reasonable tests for compliance by any nonprofit organizations with the criteria set forth in Sections III and IV of these Bylaws. The opinion rendered on the financial statements of the CCC by the accountant must be "unqualified";
 - 5) Maintain adequate funds in CCC accounts to cover approved administrative expenses of the annual campaign;
 - 6) Submit periodic detailed invoices to the Executive Committee for signed approval for reimbursement of campaign expenses; and
 - 7) Provide, if the annual audit does not clearly do so, the Advisory Committee with an annual statement breaking down pledged revenue, actual revenue, uncollected pledges, and final administrative expenses and their percentage of actual revenue.
- E. The Manager shall be the custodian of applications and other relevant documents related to the CCC and the Advisory Committee. The Manager shall work with the Executive Committee

to provide an electronic annual record of Advisory Committee activities and other storage as needed.

- F. The Manager shall ensure the use of only approved, authorized campaign materials.
- G. The Manager shall maintain lists of the nonprofit organizations participating in each annual campaign.
- H. The Manager shall ensure that all materials regarding the CCC and the Advisory Committee and its operations remain the property of the CCC and the Advisory Committee as specified in the state contract.
- I. Other reasonable duties and responsibilities requested by the Advisory Committee in order improve the success of the campaign each year within the scope of the contract.
- J. In the event of any conflicts or inconsistencies between these Bylaws and the State contract regarding the Manager's duties and responsibilities it shall be resolved by following the Order of Precedence listed within the contract.

VII. DISTRIBUTION OF FUNDS

- A. Contributions to the CCC designated to approved nonprofits are disbursed electronically on a monthly basis. If the disbursement is to be by check, it will be sent out on a prearranged basis, as determined by the Manager. Federations and umbrella organizations shall disburse these funds, at least quarterly, to their participating nonprofit organizations.
- B. CCC funds shall not be disbursed to any nonprofit organization that has not been accepted by the Advisory Committee as an approved nonprofit organization for the CCC, was later disqualified by the Advisory Committee, or ceases to exist during the disbursement period.
- C. Funds shall be distributed by the Manager from the account cited in Section VI (D) (1) of these Bylaws to eligible federations and umbrella organizations in proportion to the total amount designated to each organization and its nonprofit partners, less Advisory Committee-approved administrative campaign costs and any uncollectible funds pledged to those organizations.
- D. There are three categories of funds that a federation or umbrella organization may receive from the CCC; i.e., funds designated to a specific nonprofit organization within a federation or umbrella organization, funds designated specifically to the federation or umbrella organization, and undesignated CCC funds. The following guidelines apply:
 - 1) 100 percent of contributions designated to specific CCC member charities and any undesignated CCC funds subsequently designated to them must be disbursed by the federation or umbrella organization as directed by the CCC. **No administrative costs may be withheld from designated funds by the federation or umbrella organization.**
 - 2) Contributions designated to a federation or umbrella organization must be allocated in the same manner and proportion as the funds designated to the specific charities within the federation or umbrella organization.
 - 3) The Manager will disburse undesignated CCC funds based upon actual receipts.
 - 4) No more than 15 percent of CCC funds may be used for a nonprofit organization's administrative costs.
- E. In the event a federation or umbrella organization becomes defunct or out of compliance with applicable Colorado Statutes or regulations, the Manager will distribute all funds, on a regular basis, to member charities of said federation or umbrella organization based upon specified donor designations.

- F. In the event a nonprofit organization becomes defunct or out of compliance with applicable Colorado Statutes or regulations, the Manager will hold any funds designated to that organization until affected donors are notified in writing and given the opportunity to redirect their contributions to new nonprofit organizations. Any funds not redirected within 120 days of this written notice will revert to the CCC undesignated fund.
- G. There are two categories of funds which a CU/SSO or Non-Federation nonprofit may receive from the CCC; i.e., funds designated specifically to that organization and any undesignated CCC funds subsequently designated to it. The following guidelines apply:
 - 1) The organization will receive 100 percent of contributions designated specifically to it, less Advisory Committee-approved campaign costs and any uncollectible funds that were pledged to it.
 - 2) The Manager will disburse undesignated CCC funds based upon actual receipts.
 - 3) No more than 15 percent of CCC funds may be used for the organization's administrative costs.

VIII. THE EXECUTIVE DIRECTOR (DPA)

- A. Shall forward payroll deductions at each payroll period to the Manager.
- B. Whenever the Executive Director (DPA) chooses to appoint a designee to fulfill responsibilities under this Section VIII, and said designee is to be other than the Executive Director (DPA)'s staff, the appointment of the designee shall be in writing and accepted in writing by the designee.

IX. APPEALS

An organization that disagrees with decisions rendered by the Advisory Committee can submit a written request for reconsideration to the Committee within 10 calendar days of receipt of such decisions.

X. WAIVERS

The Advisory Committee believes that it may be necessary to waive certain provisions of the Bylaws under special circumstances and considers that such waivers should be the exception rather than the rule.

Document updated and approved by the Advisory Committee:

October 2021

September 2019

November 2017

October 2014

June 2013

November 2012