



BOB TAFT
GOVERNOR
STATE OF OHIO

318

O.D.M.P.
LEGAL SECTION

Cabinet Advisory # 99-27
RE: Charitable Fundraising Policy

cc: Legal
Deputies
Moody
Sutherland

MEMORANDUM

TO: All Directors and Chief Legal Counsel

FROM: Brian K. Hicks, Chief of Staff *BKH*
Scott Borgemenke, Chief Policy Advisor and Director of Cabinet Affairs *SB*
Bill Klatt, Chief Legal Counsel *Beel*

DATE: August 11, 1999

RE: , -Charitable Fundraising Policy

This policy provides guidance for fundraising activities occurring on state property during normal business hours or fundraising activities that are state sponsored but occur off state property. This policy covers: (1) state-sanctioned charities; (2) activities that are permitted for the purpose of raising funds for these charities; and (3) fundraising for other charities and other purposes that occurs on state property during normal business hours.

State-sanctioned Charities:

The Combined Charitable Campaign (CCC) is the primary state-sanctioned charity for which funds are raised by state employees. The state has selected CCC due to the large number of charities that benefit from this single, unified fundraising drive. Any individual charities that belong to CCC should not be allowed to conduct separate fundraising activities within a department or agency.

Operation Feed, OhioReads and Adopt-a-School are not members of the CCC, but are state-sanctioned organizations. Therefore, these organizations are permitted to sponsor fundraising activities and other events within departments and agencies. However, cash donations are not the primary focus of these three charities.

Participation in these state-sanctioned charities is strictly voluntary.

Fundraising Activities:

Although state employees may raise money for a state sponsored charity, some fundraising activities are prohibited. For example, forms of gambling to raise money for charity are strictly forbidden. Examples of prohibited gambling activity include raffles, door prizes, cake walks or any other method of obtaining a monetary award or prize by luck or chance for the price of a donation. Fundraising activities involving the sale of

Charitable Fundraising Policy
August 6, 1999
Page 2 of 2

alcohol are also prohibited even if they do not occur on state property. If you are unsure whether a particular activity is appropriate, please contact the Governor's Chief of Staff or Chief Legal Counsel.

Examples of permissible activities are dress-down days, bake sales, auctions and games of skill. Games of skill include activities such as pie-eating contests, putting contests and basketball games.

Sales of hot dogs and other food items that are prepared on-premises or need to be kept warm are discouraged because a permit is required by most local health departments.

No state employee should ever solicit donations of food, cash or other items from a vendor, retail store, restaurant or other private person or entity with whom your department or agency does business with or regulates in any way.

Other Charities and Other Purposes:

State employees may engage in limited fundraising activities' for other organizations on state property with the Director's permission. For example, a Director might reasonably approve activities associated with the annual Girl Scout cookie sale, sales of candy or gift wrap for a child's school, various walk-a-thons and/or marathons in which individual employees are participating. With the Director's permission, fundraising may also occur to benefit individual employees. Examples include the purchasing of retirement gifts, funeral flowers or collecting donations to assist a fellow employee with a family or medical hardship.

Any Director who permits such discretionary charitable activity should take precautions to ensure that all money collected for a stated purpose actually goes to that purpose. Money collected on behalf of individual state employees (i.e., retirement gifts) should be reasonably accounted for and secured within the work place. Money collected by employees as part of their individual efforts to support a charity (i.e., a child's school candy sale) should not be left in the workplace.

Fundraising activity within this category cannot be disruptive of the work environment, must be strictly voluntary, and should be conducted during the lunch hour or other break times.

Again, any questions regarding the propriety of a particular fundraising activity should be addressed to the Governor's Chief of Staff or the Chief Legal Counsel.
