

TEXAS ADMINISTRATIVE CODE
TITLE 34. PUBLIC FINANCE
PART 12. STATE EMPLOYEE CHARITABLE CAMPAIGN

CHAPTER 325. GENERAL STATE POLICY COMMITTEE PROVISIONS

§ 325.3. Officers

(a) The chair of the State Employee Charitable Campaign Policy Committee (SPC) will be elected by vote of SPC members.

(b) Other officers will be elected at the discretion of the chair.

Source: The provisions of this §325.3 adopted to be effective June 23, 2002, 27 TexReg 5208.

§ 325.5. Meetings

Meetings will be scheduled at the discretion of the chair of the State Employee Charitable Campaign Policy Committee.

Source: The provisions of this §325.5 adopted to be effective June 23, 2002, 27 TexReg 5208.

325.7. Travel Expenses

(a) State Employee Charitable Campaign Policy Committee (SPC) and State Employee Charitable Campaign Advisory Committee (SAC) members make their own travel arrangements and seek reimbursement from the State Employee Charitable Campaign (SECC) state campaign manager.

(b) Reimbursements are made at the State of Texas rates for per diem, airfare, car allowances, hotel and lodging expenses, cab fare, and parking with the following special provisions:

1. (1) Airfare. Airfare is reimbursed at the average coach airfare at two week advance rate unless approved by the SPC chair.

(2) Mileage. Mileage is reimbursed as provided in the Texas Mileage Guide.

(c) Original receipts are required for all reimbursements, with the exception of per diem and parking using a parking meter.

(d) Expenses will be reimbursed within 21 days of receipt of the expense reimbursement form. The reimbursement form must be received in the SECC state campaign manager's office by 30 days following the SPC or SAC meeting to which the expenses pertain.

Source: The provisions of this §325.7 adopted to be effective June 23, 2002, 27 TexReg 5208; amended to be effective March 16, 2006, 31 TexReg 1720.

CHAPTER 326. CAMPAIGN MANAGEMENT

§ 326.1. 10% Cap

The only fee a campaign manager may charge is for actual campaign expenses that are reasonable and necessary. The fee must be based on the combined expenses of the state campaign manager and each local campaign manager, and the total combined fee may not exceed 10% of the total amount collected in the state employee charitable campaign unless the State Policy Committee approves a higher amount to accommodate reasonable documented costs.

Source: The provisions of this §326.1 adopted to be effective June 23, 2002, 27 TexReg 5208.

§ 326.3. Additional Requirements

Local campaigns must comply with all applicable provisions, including the appointment of a local campaign manager and the designation of the local campaign manager or representative who shall attend a yearly training session that is provided by the State Campaign Manager (SCM).

Source: The provisions of this §326.3 adopted to be effective March 16, 2006, 31 TexReg 1721.

CHAPTER 327. LOCAL CAMPAIGN MANAGEMENT

§ 327.1. 10% Cap

The only fee a campaign manager may charge is for actual campaign expenses that are reasonable and necessary. The fee must be based on the combined expenses of the state campaign manager and each local campaign manager, and the total combined fee may not exceed 10% of the total amount collected in the state employee charitable campaign unless the State Policy Committee approves a higher amount to accommodate reasonable documented costs.

Source: The provisions of this §327.1 adopted to be effective June 23, 2002, 27 TexReg 5209.

CHAPTER 329. ELIGIBILITY CRITERIA FOR STATEWIDE FEDERATIONS/FUNDS AND AFFILIATED ORGANIZATIONS

§ 329.1. Audit and Review Requirements

(a) To be eligible to participate in the state employee charitable campaign, if the charitable organization's budget:

(1) is not more than \$100,000, the organization shall provide a completed Internal Revenue Service (IRS) Form 990 and an accountant's review that offers full and open disclosure of the organization's internal operations; or

(2) is greater than \$100,000, the organization shall be audited annually in accordance with generally accepted auditing standards of the American Institute of Certified Public Accountants. A copy of the report of such audit shall be provided with the application along with a completed Internal Revenue Service (IRS) Form 990.

(b) When a charitable organization submits an audit or accountant's review, a copy of the organization's most recent annual audit or accountant's review must be included with the application. The audit or accountant's review must cover the fiscal year ending not more than 18 months prior to the January of the campaign year in which the organization is applying for participation. The IRS Form 990 and audit or accountant's review must cover the same fiscal period. If the revenue and expenses on these two documents differ, the reconciliation must be included in the IRS Form 990 itself or be included in a letter of reconciliation submitted by the certified public accountant who completed the audit or accountant's review.

Source: The provisions of this §329.1 adopted to be effective May 1, 2003, 28 TexReg 3517; amended to be effective November 30, 2006, 31 TexReg 9617.

§ 329.3. 25% Administrative Cost Cap

(a) To be eligible to participate in a state employee charitable campaign (SECC), a charitable organization must not spend more than 25% of its annual revenue for administrative and fund raising expenses.

(b) The calculation method used to determine administrative costs will be as follows: Administrative expenses + fund raising costs divided by total revenue = percentage of revenue for administrative costs. For purposes of listing administrative costs in the state employee charitable campaign brochure, calculation of administrative costs will be carried out two places, rounded down if under 0.50, rounded up if 0.50 or over; however, if the costs are any amount over 25%, a temporary exemption by the State Employee Charitable Campaign Policy Committee (SPC) will be required for an organization to participate in a state employee charitable campaign.

(c) The SPC may grant a charitable organization a temporary exemption from the requirement of subsection (a) of this section if the committee finds that:

1. (1) the organization participated in the SECC at least once during the years 1994--2003;

(2) the organization's administrative and fund raising expenses are reasonable under the circumstances; and

(3) the organization has a practical plan to reduce its administrative and fund raising expenses to no more than 25% of its annual revenue within the next 3 years.

(d) The SPC may grant a temporary exemption to an organization for up to 3 consecutive years.

(e) The SPC may consider factors to determine whether administrative and fund raising expenses incurred by a charitable organization are reasonable. The factors may include, but are not limited to:

(1) whether there has been a one-time, extraordinary expense and the reasons for that expense;

(2) whether there has been an unanticipated financial crisis or miscalculation and the reasons for

that situation;

(3) the number of years the organization has been operating;

(4) whether the organization has recently changed the time periods that comprise its fiscal year; and

(5) whether the organization has changed management and the reasons for that change.

(f) Factors the SPC may consider to determine whether a plan to reduce expenses is practical may include, but are not limited to:

(1) whether the plan explains which expenses are expected to be lower in the future and explains why this is expected;

(2) whether corrective measures have already been instituted; and

(3) whether progress under a previously submitted plan has been made, if organization has been previously granted a temporary exemption.

(g) An organization whose administrative and fund-raising expenses total more than 25% of the organization's annual revenue shall include in its application a document that does not exceed one page in length and that contains the following elements:

(1) an explanation of why administrative and fund-raising expenses exceed 25% that addresses some or all of the factors in subsection (e) of this section; and

(2) a plan to reduce those expenditures to less than 25% within the next 3 years that addresses some or all of the factors in subsection (f) of this section, specifying the specific steps the organization will take to accomplish that reduction, explaining how those steps will result in lowered expenses, and providing the method the organization used to come to that conclusion.

Source: The provisions of this §329.3 adopted to be effective June 23, 2002, 27 TexReg 5209; amended to be effective March 10, 2005, 30 TexReg 1452; amended to be effective March 16, 2006, 31 TexReg 1721.

§ 329.5. Re-certification Requirements

(a) To be eligible to participate in the State Employee Charitable Campaign and apply via the re-certification process:

1. (1) the statewide federation/fund and affiliates must have not spent more than 25% of their annual revenue for administrative and fund raising expenses in the prior year's campaign; and

(2) statewide federation/fund and affiliates must have participated in the prior year's State Employee Charitable Campaign.

(b) To participate in the State Employee Charitable Campaign via the re-certification process the statewide federation/fund must submit the following:

(1) letter from the State Policy Committee stating eligibility to apply to the State Employee Charitable Campaign via the re-certification process;

(2) organization information page including 3-year history of administrative expense percentages;

(3) all documentation in compliance with §329.1 of this title (relating to Audit and Review Requirements); and

(4) current operating budget.

(c) To participate in the State Employee Charitable Campaign via the re-certification process the affiliate charitable organization must submit the following:

(1) letter from the State Policy Committee stating eligibility to apply to the State Employee Charitable Campaign via the re-certification process;

(2) affiliate information page including 3-year history of administrative expense percentages; and

- (3) Internal Revenue Service (IRS) Form 990, specifically, the first six pages of the Form 990, up to and including the signature page, which shall contain the signature and attestation of the individual preparing the form. The form must be less than 18 months old.
- (d) To participate in the State Employee Charitable Campaign via the re-certification process the affiliate charitable organization must submit a complete application to the statewide federation/fund.
- (e) A complete application with all documentation shall be maintained by the statewide federation/fund for 3 years from the date of application. The SPC may conduct a random audit of any and all documentation prior to approval of the federation/fund or affiliate for any year's State Employee Charitable campaign.
- (f) Every third year, the statewide federation/fund must submit a complete application for the federation/fund and affiliates.
- (g) Each re-certification application is subject to review by the current State Policy Committee, is subject to the current rules, and can be denied for any of the reasons that a full application can be denied.

Source: The provisions of this §329.5 adopted to be effective March 16, 2006, 31 TexReg 1721.

§ 329.7. Compliance Certification

Any charitable organization applying to participate in the State Employee Charitable Campaign must be in compliance with all statutes, executive orders, and regulations restricting or prohibiting U.S. persons from engaging in transactions and dealings with countries, entities, or individuals subject to economic sanctions administered by the U.S. Department of the Treasury's Office of Foreign Assets Control. The organization named in the application is aware that a list of countries subject to such sanctions, a list of Specifically Designated Nationals, and Blocked Persons subject to such sanctions, and overviews and guidelines for each such sanction can be found at [http:// www.treas.gov/offices/enforcement/ofac/sanctions/](http://www.treas.gov/offices/enforcement/ofac/sanctions/). If the organization named on the application becomes noncompliant at any time subsequent to completing this certification, it will notify the State Policy Committee of the State Employee Charitable Campaign immediately.

Source: The provisions of this §329.7 adopted to be effective March 16, 2006, 31 TexReg 1721.

CHAPTER 330. ELIGIBILITY CRITERIA FOR LOCAL FEDERATIONS/FUNDS, AFFILIATED ORGANIZATIONS, AND LOCAL CHARITABLE ORGANIZATIONS

§ 330.1. Audit and Review Requirements

(a) To be eligible to participate in the state employee charitable campaign, if the charitable organization's budget:

(1) is not more than \$100,000, the organization shall provide a completed Internal Revenue Service (IRS) Form 990 and an accountant's review that offers full and open disclosure of the organization's internal operations; or

(2) is greater than \$100,000, the organization shall be audited annually in accordance with generally accepted auditing standards of the American Institute of Certified Public Accountants. A copy of the report of such audit shall be provided with the application along with a completed Internal Revenue Service (IRS) Form 990.

(b) When a charitable organization submits an audit or accountant's review, a copy of the organization's most recent annual audit or accountant's review must be included with the application. The audit or accountant's review must cover the fiscal year ending not more than 18 months prior to the January of the campaign year in which the organization is applying for participation. The IRS Form 990 and audit or accountant's review must cover the same fiscal period. If the revenue and expenses on these two documents differ, the reconciliation must be included in the IRS Form 990 itself or be included in a letter of reconciliation submitted by the certified public accountant who completed the audit or accountant's review.

Source: The provisions of this §330.1 adopted to be effective May 1, 2003, 28 TexReg 3518; amended to be effective November 30, 2006, 31 TexReg 9617.

§ 330.3. 25% Administrative Cost Cap

(a) To be eligible to participate in a state employee charitable campaign (SECC), a charitable organization must not spend more than 25% of its annual revenue for administrative and fund raising expenses.

(b) The calculation method used to determine administrative costs will be as follows: Administrative expenses + fund raising costs divided by total revenue = percentage of revenue for administrative costs. For purposes of listing administrative costs in the state employee charitable campaign brochure, calculation of administrative costs will be carried out two places, rounded down if under 0.50, rounded up if 0.50 or over; however, if the costs are any amount

over 25%, a temporary exemption by the State Employee Charitable Campaign Policy Committee (SPC) will be required for an organization to participate in a state employee charitable campaign.

(c) The SPC may grant a charitable organization a temporary exemption from the requirement of subsection (a) of this section if the committee finds that:

1. (1) the organization participated in the SECC at least once during the years 1994-2003;

(2) the organization's administrative and fund raising expenses are reasonable under the circumstances; and

(3) the organization has a practical plan to reduce its administrative and fund raising expenses to no more than 25% of its annual revenue within the next 3 years.

(d) The SPC may grant a temporary exemption to an organization for up to 3 consecutive years.

(e) The SPC may consider factors to determine whether administrative and fund raising expenses incurred by a charitable organization are reasonable. The factors may include, but are not limited to:

(1) whether there has been a one-time, extraordinary expense and the reasons for that expense;

(2) whether there has been an unanticipated financial crisis or miscalculation and the reasons for that situation;

(3) the number of years the organization has been operating;

(4) whether the organization has recently changed the time periods that comprise its fiscal year; and

(5) whether the organization has changed management and the reasons for that change.

(f) Factors the SPC may consider to determine whether a plan to reduce expenses is practical may include, but are not limited to:

(1) whether the plan explains which expenses are expected to be lower in the future and explains why this is expected;

(2) whether corrective measures have already been instituted; and

(3) whether progress under a previously submitted plan has been made, if organization has been previously granted a temporary exemption.

(g) An organization whose administrative and fund-raising expenses total more than 25% of the organization's annual revenue shall include in its application a document that does not exceed one page in length and that contains the following elements:

(1) an explanation of why administrative and fund-raising expenses exceed 25% that addresses some or all of the factors in subsection (e) of this section; and

(2) a plan to reduce those expenditures to less than 25% within the next 3 years that addresses some or all of the factors in subsection (f) of this section, specifying the specific steps the organization will take to accomplish that reduction, explaining how those steps will result in lowered expenses, and providing the method the organization used to come to that conclusion.

Source: The provisions of this §330.3 adopted to be effective June 23, 2002, 27 TexReg 5210; amended to be effective March 10, 2005, 30 TexReg 1453; amended to be effective March 16, 2006, 31 TexReg 1723.

§ 330.5. Local Presence

(a) A charitable organization must maintain local presence, as described in this section, to be eligible to participate in a local campaign.

(b) A local charitable organization maintains local presence if it:

1. (1) provides direct or indirect health and human services; and

(2) is accessible to state employees in the local campaign area by maintaining:

(A) a publicly identified office with a professional or volunteer staff within the local campaign area that is open with staff available at least 20 hours a week during normal working hours; and

(B) a locally listed telephone number which is listed in the name of the organization. If the office is closed, a message shall state local business hours and may offer another number for callers to obtain more information.

(c) An office is deemed to be open under subsection (b)(2)(A) of this section if telephone callers to the office can speak to a live person and if visitors to the office can enter the office and speak to a member of the staff. Staff is deemed to be available under subsection (b)(2)(A) of this section if at least one staff member is answering phones and providing information as requested and is present in the office to assist visitors.

(d) An office is publicly identified if there is external signage and the local address is listed in the local phone book.

(e) The local employee committee (LEC) shall have the discretion to verify local presence.

Source: The provisions of this §330.5 adopted to be effective June 23, 2002, 27 TexReg 5210

§ 330.7. Re-certification Requirements

(a) To be eligible to participate in the State Employee Charitable Campaign and apply via the recertification process:

1. (1) the local federation/fund and affiliates must have participated in the previous year's campaign; and

(2) the local federation/fund and affiliates must have not spent more than 25% of its annual revenue for administrative and fund raising expenses in the prior year's campaign;

(b) To participate in the State Employee Charitable Campaign via the re-certification process the local federation/fund must submit the following:

(1) letter from the State Policy Committee stating eligibility to apply to the state employee charitable campaign via the re-certification process;

(2) organization information page including 3-year history of administrative expense percentages;

(3) all documentation in compliance with §330.1 of this title (relating to Audit and Review

Requirements); and

(4) current operating budget.

(c) To participate in the State Employee Charitable Campaign via the re-certification process, the affiliate charitable organization must submit the following:

(1) letter from the State Policy Committee stating eligibility to apply to the state employee charitable campaign via the re-certification process;

(2) affiliate information page including 3-year history of administrative expense percentages; and

(3) Internal Revenue Service (IRS) Form 990, specifically, the first six pages of the Form 990, up to and including the signature pages, which shall contain the signature and attestation of the individual preparing the form. The form must be less than 18 months old.

(d) To participate in the State Employee Charitable Campaign via the re-certification process the affiliate charitable organization must submit a full application to the local federation/fund.

(e) A complete application with all documentation shall be maintained by the local federation/fund for 3 years after the date of application. The LEC or the SPC may conduct a random audit of any and all documentation prior to approval of the federation/fund or affiliate for any year's state employee charitable campaign.

(f) Every third-year, the local federation/fund will be required to submit a complete application for the federation/fund and affiliates.

(g) A local unaffiliated charitable organization is not eligible to apply to the State Employee Charitable Campaign via the re-certification process at any time. A full application with all required documentation must be submitted each year.

(h) Each re-certification application is subject to review by the current State Policy Committee or Local Employee Committee, is subject to the current rules, and can be denied for any of the reasons that a full application can be denied.

Source: The provisions of this §330.7 adopted to be effective March 16, 2006, 31 TexReg 1723.

§ 330.9. Compliance Certification

Any charitable organization applying to participate in the State Employee Charitable Campaign must be in compliance with all statutes, executive orders, and regulations restricting or prohibiting U.S. persons from engaging in transactions and dealings with countries, entities, or individuals subject to economic sanctions administered by the U.S. Department of the Treasury's Office of Foreign Assets Control. The organization named in the application is aware that a list of countries subject to such sanctions, a list of Specifically Designated Nationals, and Blocked Persons subject to such sanctions, and overviews and guidelines for each such sanction can be found at [http:// www.treas.gov/offices/enforcement/ofac/sanctions/](http://www.treas.gov/offices/enforcement/ofac/sanctions/). If the organization named on the application becomes noncompliant at any time subsequent to completing this certification, it will notify the State Policy Committee of the State Employee Charitable Campaign immediately.

Source: The provisions of this §330.9 adopted to be effective March 16, 2006, 31 TexReg 1723.

CHAPTER 331. REVIEW AND APPEAL PROCEDURES FOR STATEWIDE FEDERATIONS/FUNDS AND AFFILIATED ORGANIZATIONS

§ 331.1. Administrative Review

The State Campaign Manager (SCM) will perform an administrative review of statewide applications. This is an administrative review only to determine whether applications are complete and contain the required documentation. The SCM will not decide whether an application is eligible for approval. Statewide federations that submit incomplete applications or missing documentation will be notified and provided a deadline within which to provide missing or corrected information. Only complete applications with all required documentation received by the deadline will be submitted to the State Policy Committee (SPC) for eligibility approval. Deadlines will be enforced. The SCM shall prepare a report of all applications that were not submitted to SPC for approval because of incomplete application or missing documentation. The report shall be provided to the SPC prior to the meeting during which other applications will be considered for approval.

Source: The provisions of this §331.1 adopted to be effective May 1, 2003, 28 TexReg 3518; amended to be effective March 10, 2005, 30 TexReg 1453.

§ 331.3. Eligibility Review by the State Policy Committee

For purposes of the 25-word description, each part of a hyphenated term will count as a separate

word. Applications that contain a description of more than 25 words will be denied approval by the SPC.

Source: The provisions of this §331.3 adopted to be effective March 10, 2005, 30 TexReg 1453.

§ 331.5. Appeal Process

No statewide federation or affiliate whose application was not complete will be considered for appeal by the State Employee Charitable Campaign Policy Committee (SPC). All appeals must be in writing and must be received in the state campaign manager's office at least 10 business days prior to the SPC meeting scheduled to consider appeals. Appeals shall include the complete application originally submitted to the SPC and the letter of denial from the SPC. Faxed appeals will not be accepted.

Source: The provisions of this §331.5 adopted to be effective June 23, 2002, 27 TexReg 5211.

CHAPTER 332. REVIEW AND APPEAL PROCEDURES FOR LOCAL FEDERATIONS/FUNDS, AFFILIATED ORGANIZATIONS, AND LOCAL CHARITABLE ORGANIZATIONS

§ 332.1. Administrative Review

The Local Employee Committee shall perform an administrative review of local applications and give local federations and organizations time to provide missing documentation prior to the Local Employee Committee eligibility review process. This is an administrative review only to determine the submission of all documentation. This review will make no determinations regarding eligibility. Local federations and organizations with missing documentation will be allowed time to provide needed documents. Only complete applications with all required documentation will be submitted to the Local Employee Committee for eligibility approval. Deadlines will be enforced.

Source: The provisions of this §332.1 adopted to be effective June 23, 2002, 27 TexReg 5211; amended to be effective March 10, 2005, 30 TexReg 1454.

§ 332.3. Eligibility Review by the Local Employee Committee

For purposes of the 25-word description, each part of a hyphenated term will count as a separate word. Applications that contain a description of more than 25 words will be denied approval by the LEC.

Source: The provisions of this §332.3 adopted to be effective March 10, 2005, 30 TexReg 1454.

§ 332.5. Appeal Process

All appeals from a Local Employee Committee regarding eligibility shall be made to the State Employee Charitable Campaign Policy Committee (SPC). No local federation, affiliate or local organization whose applications was denied by the Local Employee Committee for incomplete documentation will be considered for appeal by the SPC. All appeals must be in writing and must be received in the state campaign manager's office at least 10 business days prior to the SPC meeting scheduled to consider appeals. Appeals shall include the complete application originally submitted to the Local Employee Committee and the letter of denial from the Local Employee Committee. Faxed appeals will not be accepted.

Source: The provisions of this §332.5 adopted to be effective June 23, 2002, 27 TexReg 5211.

CHAPTER 333. CAMPAIGN MATERIALS

333.1. Logo

The only approved logo for the State Employee Charitable Campaign is the small State of Texas flag along with the words "Together We Care."

Source: The provisions of this §333.1 adopted to be effective June 23, 2002, 27 TexReg 5212.

§ 333.3. Campaign Theme Submission

(a) Campaign managers may submit theme nominations every even numbered year on or before 10 business days prior to the annual State Employee Charitable Campaign (SECC) Workshop/Conference.

(b) SECC Conference attendees, by vote, may choose no more than three themes to be forwarded to the State Advisory Committee (SAC) and State Employee Charitable Campaign Policy Committee (SPC) for consideration and approval. The SPC, after considering any SAC recommendation, may approve or reject some or all of the themes submitted. The SPC may approve up to three themes for use in the same campaign year. After considering any SAC

recommendation, the SPC shall vote and choose one theme to be used for a central purchasing process, if such a process is provided by the state campaign manager (SCM).

Source: The provisions of this §333.3 adopted to be effective June 23, 2002, 27 TexReg 5212; amended to be effective May 1, 2003, 28 TexReg 3519.

§ 333.5. Use of Campaign Materials

(a) If a central purchasing process is used, the state campaign manager (SCM) will order materials depicting only one of the themes approved by the State Employee Charitable Campaign Policy Committee (SPC).

(b) Local campaign areas will have the option of using the campaign materials ordered through the central purchasing process or ordering their own campaign materials incorporating any one of the other approved themes, if any other themes are approved by the SPC.

(c) Neither the State Advisory Committee (SAC) nor the SPC shall consider themes that are submitted after the deadline set forth in §333.3(a), regarding campaign theme submission.

Source: The provisions of this §333.5 adopted to be effective June 23, 2002, 27 TexReg 5212; amended to be effective May 1, 2003, 28 TexReg 3519.

§ 333.7. Campaign Materials Guidelines

(a) Local materials not ordered through the state campaign manager must be submitted each year to the State Advisory Committee (SAC) for recommendation to the State Policy Committee (SPC) for approval.

(b) The following are guidelines for the creation and production of any materials used for the State Employee Charitable Campaign (SECC).

1. (1) Campaign managers will submit possible themes every second year in January prior to the SECC Workshop/Conference.

(2) Attendees will chose up to three themes, which will be submitted to the State Advisory Committee (SAC) and State Employee Charitable Campaign Policy Committee (SPC) for approval.

(3) Based upon SAC recommendation and SPC approval, if central purchasing is available, the SCM will order materials depicting one of the approved themes, as decided upon by the SPC.

(4) Local areas may use centrally purchased materials, or local areas may order their own materials incorporating any of the approved themes, if the local area submits samples, pictures, or adequate descriptions of those materials to the SAC, and if those materials are approved by the SPC.

(5) All materials must include the SECC flag logo, as well as the approved theme.

(c) The following are guidelines to be used for the creation and production of directories for the State Employee Charitable Campaign.

(1) The cover of the directory must include one of the SPC approved themes.

(2) The cover or back cover of the directory must include the SECC flag logo.

(3) There are no restrictions on paper quality.

(4) The directory may be printed in color or in black and white.

(5) The general directory information and statewide federation listings that are available on-line must be used in the original format.

(6) The directory listings must include a six-digit code, the name of charity (federations and affiliates must be included), a phone number, a description of the organization not to exceed 25 words in length, and administrative costs; a web address is optional, but is encouraged. The name of the charity that shall appear on the directory is the legal name of the charity as it is filed with the Secretary of State. However, the d/b/a/ name may appear on the directory instead, if the charity has a d/b/a/ name and if that d/b/a/ name appears in the appropriate place on the application that was approved by the SPC or the LEC. For purposes of the 25-word description, each part of a hyphenated term will count as a separate word. Materials that contain a description of more than 25 words will be denied approval by the SPC.

(7) The font size and type must be consistent throughout the directory with no differentiation made between statewide and local charities.

(8) The directory may be printed on paper that is 8-1/2 inches by 11 inches or 11 inches by 17 inches.

(9) A suggested distribution ratio is one directory for each five state employees.

(10) The list of statewide organizations will alternate with the list of local organizations in appearing first on the directory. If in one year the list of statewide organizations appears before the list of local organizations, the following year the list of local organizations will appear before the statewide organizations. Similarly, the list of local federations will alternate with the list of unaffiliated local organizations each year. Federations will be listed in alphabetical order within their respective sections in the directory.

(d) If a mini-directory is used, the following guidelines will apply.

(1) The cover of the mini-directory must include one of the SPC approved themes.

(2) The cover or back cover of the mini-directory must include the SECC flag logo.

(3) There are no restrictions on paper quality.

(4) The mini-directory may be printed in color or in black and white.

(5) General directory information is not required.

(6) Listings must include a six-digit code and the name of the charity (federation and affiliates must be included). The name of the charity that shall appear on the directory is the legal name of the charity as it is filed with the Secretary of State. However, the d/b/a/ name may appear on the directory instead, if the charity has a d/b/a/ name and if that d/b/a/ name appears in the appropriate place on the application that was approved by the SPC or the LEC.

(7) Font size and type must be consistent throughout directory with no differentiation made between statewide and local charities.

(8) There are no size restrictions.

(9) A suggested distribution ratio is one mini-directory for each state employee.

(10) The list of statewide organizations will alternate with the list of local organizations in

appearing first on the directory. If in one year the list of statewide organizations appears before the list of local organizations, the following year the list of local organizations will appear before the statewide organizations. Similarly, the list of local federations will alternate with the list of unaffiliated local organizations each year. Federations will be listed in alphabetical order within their respective sections in the directory.

(e) The following are guidelines to be used for the creation and production of authorization forms (pledge form).

(1) Only forms approved by the SPC and the comptroller may be used.

(2) Any locally printed forms, such as scannable forms, on-line forms, and forms created or printed by institutions of higher education, must be submitted annually for recommendation by the SAC and approval by the SPC prior to their use. The SPC will not approve any forms that are not in compliance with the forms approved by the comptroller and the SPC.

(f) The following are guidelines to be used for the creation of other campaign materials.

(1) All items must include one of the SPC approved themes.

(2) All items must include the SECC flag logo.

(3) Any campaign materials not ordered through the state campaign manager central purchasing process, if such process is provided, must be submitted to the SAC for recommendation and to the SPC for approval.

(4) any campaign materials not approved by the SPC are not eligible for campaign reimbursement.

Source: The provisions of this §333.7 adopted to be effective June 23, 2002, 27 TexReg 5212; amended to be effective May 1, 2003, 28 TexReg 3519; amended to be effective March 10, 2005, 30 TexReg 1455; amended to be effective March 16, 2006, 31 TexReg 1725.

CHAPTER 334. GRIEVANCE PROCEDURES

§ 334.1. Procedures for Grievances Involving Local Campaign Issues

The State Employee Charitable Campaign (SECC) is conducted in accordance with state law, the

comptroller's rules and State Employee Charitable Campaign Policy Committee (SPC) rules. While the SPC is responsible for oversight of the SECC and insuring compliance by all parties, the day-to-day oversight of the SECC rests with the Local Employee Committees. The Local Employee Committee (LEC), composed of 5 to 10 local state employees and the local chair, is responsible for oversight of the local SECC to ensure that all campaign activities are conducted in accordance with state law and that they fairly and equitably promote unified solicitation on behalf of all participants. In order to expedite the handling of complaints and grievances pertaining to SECC and to ensure the input of all concerned parties, the grievance policy detailed in paragraphs (1)--(6) of this section, shall be followed.

(1) A state employee or charitable organization, including a federation/affiliate charity representative, may lodge a grievance pertaining to the conduct of the SECC at the local level or regarding an LEC, local campaign manager (LCM), or local charitable organization or local federation or fund. The grievance shall be submitted in writing to the LEC chair in whose area the grievance originates.

(2) The chair of the LEC shall provide a written response to the grievance within 10 business days.

(3) If the aggrieved party has received no response within the specified time frame or is not satisfied with the response provided by the LEC, the aggrieved party may submit the grievance to the State Policy Committee by delivery to the address of the State Campaign Manager.

(4) The grievance shall contain a copy of the original grievance submitted to the LEC and the LEC response. If the LEC failed to respond to the original grievance within the specified time frame, the failure to respond should be stated in the submission to the SPC.

(5) Any grievance submitted to the SPC without first being submitted to the LEC will not be acted upon but will be returned to the appropriate LEC for action.

(6) A grievance properly received by the SPC will be reviewed and may be acted upon at the next scheduled SPC meeting, if possible.

Source: The provisions of this §334.1 adopted to be effective June 23, 2002, 27 TexReg 5215; amended to be effective March 16, 2006, 31 TexReg 1725.

§ 334.3. Procedures for Grievances Involving Statewide Campaign Issues

State Employee Charitable Campaign (SECC) is conducted in accordance with state law, the comptroller's rules and SPC rules. While the State Employee Charitable Campaign Policy Committee (SPC) is responsible for oversight of the SECC and insuring compliance by all parties, the day-to-day oversight of the SECC rests with the Local Employee Committees. The

Local Employee Committee (LEC), composed of 5 to 10 local state employees and the local chair, is responsible for oversight of the local SECC to ensure that all campaign activities are conducted in accordance with state law and that they fairly and equitably promote unified solicitation on behalf of all participants. In order to expedite the handling of complaints and grievances pertaining to SECC and to ensure in put of all concerned parties, the grievance policy detailed in paragraphs (1)-(4) of this section, shall be followed.

(1) A state employee or charitable organization, including a federation/affiliate charity representative may lodge a grievance pertaining to the conduct of the State Employee Charitable Campaign at the statewide level, regarding any SECC matter occurring at the statewide level, or regarding the SPC, the state campaign manager (SCM), or a statewide charitable organization, including a statewide federation or fund. Grievances shall be sent to the State Policy Committee by delivery to the address of the State Campaign Manager.

(2) The aggrieved party shall cooperate with the SPC to investigate the grievance. The decision of the SPC shall be final.

(3) Any grievance submitted to the SPC may be referred to the appropriate LEC for review and action if the grievance concerns local issues.

(4) A grievance properly received by the SPC will be reviewed and may be acted upon at the next scheduled SPC meeting, if possible.

Source: The provisions of this §334.3 adopted to be effective June 23, 2002, 27 TexReg 5215; amended to be effective March 16, 2006, 31 TexReg 1725.