

**ALABAMA STATE EMPLOYEE
COMBINED CHARITABLE CAMPAIGN
POLICIES AND PROCEDURES
ADMINISTRATIVE CODE**

**CHAPTER 325-4
ELIGIBILITY CRITERIA**

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325-4-.01 Overview Of Eligibility Criteria.

The law is most specific in describing those types of organizations which may, and may not, be admitted to participation in the ASECCC. Under the law, each LARC is responsible for the certification process in its campaign community (with the Steering Committee serving as the venue to appeal the decision of a LARC). LARC members will find they have clear-cut guidelines contained within the language of the law. The law says "participation in the ASECCC shall be limited to voluntary, charitable, health and human care federations and agencies with a substantial local presence that provide or support direct health and welfare services to individuals or their families and meet the criteria set forth in this section."

Author: Charles G. Colvin.

Statutory Authority: Act 91-561.

History: Filed June 4, 1993.

325-4-.02 Definition Of Substantial Local Presence.

Having a facility, staffed by professionals or volunteers, open in the campaign community at least 15 hours weekly. Services must be available to state employees, unless rendered to needy persons overseas.

Author: Charles G. Colvin.

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325-4-.03 Definition Of Services.

Services must directly benefit human beings, whether children, youth, adults, the aged, the ill and infirm, or the mentally or physically disabled. Services must consist of care, research, or education in the fields of human health or social adjustment and rehabilitation; relief for victims of natural disasters and other emergencies; or assistance to those who are impoverished and in need of food, shelter, clothing, and basic human welfare services.

Author: Charles G. Colvin.

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325-4-.04 Exclusions.

For the purposes of the ASECCC, the following are specifically excluded by law from being considered health and human care services:

- (1) Organizations whose primary purpose is the direct or indirect support of institutions of higher education;
- (2) Organizations engaging in litigation activities on behalf of parties other than themselves;
- (3) Lobbying;
- (4) Religious activities.

Author: Charles G. Colvin.

Statutory Authority: Act 91-561.

History:

325-4-.05 Additional Requirements For ASECCC Participating Federations/Agencies.

In addition to meeting the requirements of law as set forth above, organizations that request certification by LARCs must:

- (1) Be a tax exempt charitable organization and submit a 501 (c) (3) exemption from the Internal Revenue Service;
- (2) Be legally incorporated or authorized to do business in the State of Alabama as a private, nonprofit organization;
- (3) Not be a foundation;

(4) Demonstrate to the LARC that at least 60% of the funds raised in the campaign community in each of the two fiscal years prior to its ASECCC application consisted of individual contributions from citizens of Alabama;

(5) Be directed by an active local board:

(a) Which meets at least quarterly;

(b) Whose members serve without compensation (for organizations where a paid executive director or other staff member is a member, volunteers must constitute the majority of the board);

(c) Whose members are residents of the local geographic region served.

NOTE: Agencies serving the needy overseas are exempted by law from the requirements of 325-4-.05.

(6) Adopt and employ the standards of accounting and financial reporting for voluntary health and welfare organizations, including:

(a) Preparing and making available to the general public a detailed annual budget;

(b) Providing for an annual external audit by an independent public accountant and making such audit available to the general public;

(c) Providing and making available to the general public an annual report.

(7) Provide programs of services directed at one or more of the common human needs as defined above and in Section 5(a) of law in the State of Alabama or in countries overseas;

(8) Have a stated policy of nondiscrimination and be in compliance with all requirements of laws and regulations respecting nondiscrimination and equal employment opportunity with respect to its clients, officers, employees and volunteers;

(9) Federations, with the exception of federations serving the needy overseas, must have raised at least \$60,000 at the local level, and distributed that sum among at least ten charitable agencies in each of the last two fiscal years preceding its application to participate in the ASECCC;

(10) Federations certified eligible to participate in the ASECCC may choose to assume responsibility for certifying their participating agencies to LARCs as meeting all

applicable eligibility requirements for participation in the ASECCC.

Author: Charles G. Colvin.

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325-4-.06 Provision For Automatic Inclusion Into ASECCC.

The law allows automatic eligibility for a charitable federation or agency if it was participating State of Alabama employee campaign under the provisions of Section 36-1-4.1 of the Code of Ala. 1975, as amended, at the time the law took effect. A list of those agencies or federations given automatic eligibility for the ASECCC shall be provided each LARC prior to the certification process beginning for the 1993 campaign year.

Author: Charles G. Colvin.

Statutory Authority: Act 91-561.

History: Filed June 4, 1993

325-4-.07 Application Checklist.

Application for participation in the ASECCC should be made in accordance with the checklist found in Appendix Two of this manual. Applicants must submit supporting documentation as evidence of compliance with each of the items listed in the checklist. Expanded information may be provided in a cover letter. This application will serve as the sole basis upon which the LARC will determine admission to the ASECCC and will also serve as the basic document upon which appeals are decided. Therefore, it is essential that the applicant ensure all required information is included.

Author: Charles G. Colvin.

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325-4-.08 Appeals Of LARC Eligibility Decisions.

In the event an agency or federation feels they have been incorrectly refused admission to the ASECCC, they may appeal the LARC decision to the ASECCC Steering Committee.

(1) Appeal is appropriate if the agency/federation believes the LARC has incorrectly decided its eligibility or qualification for membership based on the contents of its application package. Applicants may not introduce new material in the appeal process, but may submit documentation which further clarifies information submitted with their

application. This procedure is established specifically to preclude the use of the appeal process to expand the time available to assemble an application.

(2) The application and appeal process will occur from January through May (see ASECCC calendar, Appendix Three of this manual). The LARC has 30 days to review and approve/reject applications. Applicants will be notified in writing of the results. Agencies and federations will then have 30 days to appeal a denial to the ASECCC Steering Committee. Finally, the Steering Committee has 30 days to make their determination on the appeal.

(3) The ASECCC Steering Committee determination is final. The committee will schedule hearings for the appeals with no fewer than four committee members sitting on the hearing panel. In the event a committee member has an affiliation with an agency making an appeal, or there is any other conflict of interest or the appearance of a conflict of interest, the committee may appoint independent hearing officers to fill committee positions. Applicants appealing to the Steering Committee will be notified in writing of the results.

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