

NEVADA DEPARTMENT OF CORRECTIONS

ADMINISTRATIVE REGULATION

223

FUNDRAISERS

Supersedes: AR 223 (01/20/03)

Effective Date: 5/08/08

AUTHORITY

NRS 209.131

RESPONSIBILITY

The appointing authorities are responsible to ensure that their employees and inmates comply with this administrative regulation.

POLICIES

223.01 GENERAL

1. Approval to hold a fundraiser must be requested from the Appointing Authority and approved by the Deputy Director North or South and Support Services.
2. The organization to benefit from the fundraiser must have a 501(c)(3) designation from the Internal Revenue Service or be a Nevada elementary or secondary school.
3. A checking account must be established for the receipt and disbursement of funds in the name of the organization holding the fundraiser.
4. Upon completion of the fundraiser, the employee/inmate group sponsoring the fundraiser must prepare a report to the Deputy Director of Support Services regarding the event.
5. Financial records for the fundraiser are open to inspection/audit by the Office of the Inspector General.
6. Fifteen percent (15%) may be deducted from the net profit of the fundraiser and deposited into the Inmate Welfare Fund for the benefit of all inmates.

223.02 INMATE DEDUCTIONS

1. Monies may be deducted from the inmate's Trust Account in the Prisoners' Personal Property Fund.
2. Deductions from the inmate's savings account will only occur as authorized in writing by the Director.

- A. The maximum savings withdrawal is \$25.00.
- B. If an inmate has adequate funds in his Trust or Trust 2 account, a deduction from savings will not be allowed.

223.03 PROCEDURES

1. FUND RAISER APPLICATION – DOC-017

- A. Applications shall include a copy of the IRS tax status notice or the charity must be listed in the Internal Revenue Service (IRS) publication 78, Search for Exempt Organizations and a copy of the State of Nevada business license, issued by the Department of Taxation. Nevada elementary or secondary schools are exempt from this requirement.
- B. The vendor/payee shall be listed in the application. State employees, free staff, contract staff and volunteers are not permitted to be the vendor/payee.
- C. If the appointing authorities approve the application, it must be forwarded to the Deputy Director of Support Services for review.
- D. Incomplete applications will be returned to the appointing authority that originally approved the application.
- E. Upon completed review, the Deputy Director of Support Services will forward the application to the Deputy Director North or South for approval, who will forward to the Director/Designee for approval.
 - a. The Director/designee will approve or disapprove the application.
 - b. If the application is not approved, it will be returned to the appointing authority that originally approved the application.
- F. If the application is approved, the Director/designee will forward the application to the Chief of Inmate Services.

2. COMPLIANCE

- A. Inmate Services will forward a copy of the approved application to the appointing authority and will contact the staff sponsor to advise them of the approval.
- B. Each institution/facility may conduct a maximum of two (2) fund raisers per organization per calendar year.

3. INMATE ACCOUNT TRANSACTION REQUEST (BRASS SLIP) APPROVAL

- A. No fund raisers will be operated or conducted through any of the State's funds or accounts.
- B. Monies will be deducted from the inmate's trust account via brass slip.
- C. The amount withdrawn from the inmate's trust account shall be limited to purchase a reasonable quantity for the inmate's own personal use and not to purchase for other inmates unless approved, in writing, by the Director/Designee.
- D. Authorization to deduct from inmate's savings account must be approved, in writing, by the Director/designee and will override the normal savings account procedure outlined in Administrative Regulation (AR) 258.
- E. The maximum savings withdrawal should be \$25.00, as long as the balance of the savings account does not drop below \$150 after withdrawal.
- F. If an inmate has adequate funds in his Trust and/or Trust 2, to cover his request, then a deduction from savings should not be made.

4. BRASS SLIP TRANSMITTAL

- A. Inmates should only submit one brass slip for each fund raiser.
- B. Brass slips authorizing deductions from the savings account must be noted with the word "savings" at the top of each brass slip. An indication of savings on the brass slip is not a guarantee the funds will be withdrawn from savings. It is only permission from the inmate to use the savings account **IF** the inmate is NSF in his trust or trust 2 account, provided the fund raiser has been approved to allow a savings withdrawal.
- C. The institution shall sort all brass slips by inmate number and regardless of which fund is indicated at the top.
- D. All brass slips for the fund raiser must be sent at one time and received at Inmate Services at least two weeks prior to the event or when the check(s) and participation lists are required. Brass slips will not be accepted after the event has occurred.
- E. Up to two (2) checks may be issued: one to the organization and one to the vendor supplying the items used for the fund raiser. Checks will not be made to anyone other than these two payees. A list of participating and non-participating (NSF) inmates along with the check(s) will be forwarded to or picked up by the institution/facility staff sponsor. The staff sponsor will be responsible for notifying inmates of their participation status.

- F. A fifteen percent (15%) administration fee will be charged on the Net Profits of the fund raiser.
- a. Initially, 15% will be deducted from the Net Revenue (gross proceeds) prior to issuing the check(s), which will be held pending receipt of a financial report outlining the allocation of funds, including Net Revenue, Expenses and Net Profits.
 - b. The financial report will be sent to Inmate Services within 30 days and shall have copies of receipts and checks attached for all expenses incurred that are directly related to the fund raiser.
 - c. Upon review of the report and related receipts/checks, the 15% administrative fee will be re-calculated from the Net Profits and the difference between the amount withheld and the re-calculated amount will be forwarded to the organization.
 - d. Inmate Services may retain the initial 15% deduction if financial reports are not received within 30 days of the date the fund raiser event is held.

EXAMPLE:	
100 participants at \$10.00 each = Net Revenue	\$1,000.00
15% initial Admin Fee withheld from Net Revenue	(\$150.00)
Initial check issued	\$850.00
<u>Financial Report:</u>	
Net Revenue	\$1,000.00
Fund Raiser Expenses (food, supplies, etc. Do <u>not</u> include payment to charities)	(\$200.00)
Net Profits	\$800.00
15% Admin Fee from <u>Net Profits</u>	\$120.00
Initial Admin Fee withheld from Net Revenue	\$150.00
Less Admin Fee from Net Profits	(\$120.00)
Difference owed to organization	\$30.00

- G. The Director/designee may, in writing, designate a statewide fund raiser and exempt the 15% deduction.
- H. All donations are final. Refunds will **NOT** be granted unless the organization must cancel the event at no fault of the inmates.

223.04 APPLICABILITY

1. This regulation requires an Operational Procedure for the Support Services Division.

2. This regulation requires an audit as part of the annual review of internal controls pursuant to SAM 2418.0.

REFERENCES

None

ATTACHMENTS

DOC-017 – Fundraiser Application

Howard Skolnik, Director

Date

**DEPARTMENT OF CORRECTIONS
FUNDRAISER APPLICATION**

DATE: _____

FROM (Institution/Facility): _____

FUNDRAISER CONTACT: _____

FUNDRAISER REQUESTED: _____

1. Purpose of Fundraiser: _____

2. Date of Fundraiser: _____

3. Item(s) to be Sold: _____

4. Maximum Dollar Amount Allowed per Inmate: _____

5. Vendor/Payee: _____

6. Savings Account Withdrawal: Yes No

ATTACHMENTS REQUIRED FOR SUBMISSION OF FUNDRAISER

1. Copy of the IRS tax status notice of the charity must be listed in the IRS Publication 78, search for Exempt Organizations.

DEPUTY DIRECTOR OF SUPPORT SERVICES: Approved _____ Denied _____

SIGNATURE: _____ DATE: _____

RECOMMENDATION: _____

TO BE COMPLETED BY DIRECTOR

APPROVED: _____ DENIED: _____

SIGNATURE: _____ DATE: _____

FOR INMATE SERVICES USE ONLY: Gross Revenue _____

15% for IWF: _____

03/10/04

DOC (017)