

## APDU Policy/Procedures #021602

### III. (a) Formal Representation of APDU on Committees, Special Groups and Other Organizations\*

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#### *Application*

A. The policy statement and procedures outlined here apply to situations in which the Association of Public Data Users (hereafter referred to as the “Association” or “APDU”) is:

- Invited to hold formal representation on committees, task forces, commissions or other special groups sponsored by other associations and organizations or governmental agencies;
- Entitled to designate a representative(s) by virtue of its formal sponsorship of such committees, task forces, commissions or other special groups; or
- Entitled to designate a representative(s) by virtue of its affiliation with or dues-based membership in another association.

B. Eligibility for consideration under this policy and related procedures is restricted to:

- Designated representatives of APDU member organizations in good standing;
- Persons who hold individual APDU memberships in good standing.

#### *Definitions*

For purposes of this policy and procedures,

- “APDU member” will refer to either of the membership types cited in “B” above;
- “APDU Representative” will refer to the member named as representative to an entity as described in “A” above.
- “Representation opportunities” will refer to position openings in situations as described in “A” above.

#### *Background*

There are occasions when APDU is formally invited to serve on and participate in other associations’ and agencies’ committees, task forces and working groups. There also are instances in which APDU is entitled to name a person or persons to represent the Association because of its affiliation with another association or organization. Typically, such opportunities are directed to the APDU Board of Directors. However, while it is the Board’s responsibility to make and oversee these appointments, it is not always necessary that a Board member serve in these positions. When that determination is made, it becomes critical that the Board receive timely expressions of interest from eligible APDU members.

The APDU Board of Directors has adopted the following APDU Representation policy and related procedures to:

- Better and more widely inform APDU members about Representation opportunities, so that interested and diverse members may submit their names for consideration;
- Create an open identification and fair selection process with ground rules that are known to APDU members;
- Ensure that members named as APDU's Representatives are given guidance and a clear idea of what is expected of them in their formal role; and
- Afford greater opportunity for the APDU membership to benefit from the Representation and have input to the APDU Representative.

### ***Representation Policy and Related Procedures***

#### *Expectations of APDU Representatives*

Two-way communication - to the APDU membership and Board of Directors and from the membership and Board - is a condition of acceptance of the role of APDU Representative. In communicating to the membership and Board, *at minimum*, APDU Representatives are expected to:

- Prepare and submit to the Board of Directors a written report summarizing each meeting or event in which they participate. The report should include not only information received on items of specific interest to the APDU membership, but also potential implications of actions, issues or policies that might not be immediately evident to members. The report should be in a form that can be transmitted to the APDU membership via the most appropriate, available electronic and/or print communication vehicles of the Association (for example, at the time of adoption of this policy, the member listserv, the APDU web site, the APDU Newsletter).
- Summarize their past year's service as an APDU Representative in a presentation to the APDU annual conference, or if unable to attend, in a report that can be delivered in their absence.

In hearing from the membership and Board, *at minimum*, APDU Representatives are expected to:

- Actively seek input into their representation of the Association from the membership via the member listserv or other available communication vehicles of the Association.
- Be available to hear specific questions or concerns from the membership that they would like to see presented at meetings, and or to obtain or clarify specific information for members.

*Notification, Application, and Selection Process*

The following procedures will be used in the event 1) the APDU Board of Directors accepts the Association's participation in or invitation to a specific Representation opportunity or is made aware of a vacancy in a Representative position already held by the Association; and 2) there is no stipulation by the inviting agency or organization that Representation be limited to or held by a specific officer, administrator or director of the Association.

- A. *Notification.* The Board of Directors or a member of the APDU Administrative Office on behalf of the Board will submit a message to the APDU member listserv that includes the following information:
1. Description of the position/role, and any expectations of the position above and beyond what are stated in this policy;
  2. Anticipated time commitments;
  3. Any relevant reimbursement information, in the event the inviting organization or APDU is able to reimburse for relevant and necessary travel or per diem expenses associated with service;
  4. Application form or required format for applicant information;
  5. Application deadline and submission information.
- B. *Application.* Any eligible APDU member who is interested in the Representation opportunity may apply for consideration to fill the position. All information must be provided as directed in the original notification and by the deadline given in that notification. To apply, members will:
1. Complete the application form or submit information in the prescribed format. In all cases, the application will contain:
    - a. Name, organization, and contact information
    - b. Pertinent background and relevant experiential information such as job responsibilities and education.
  2. Submit a written statement of no more than one page describing specifically why they are qualified and should be selected for the Representation opportunity as described in the notification, and how they would seek input from and convey information to the APDU membership in the event of their selection.
  3. Submit a copy of their current resume.
  4. Secure the support/authorization of their employer, if applicable, and note same.
- C. *Selection.* The APDU Board of Directors will receive and review all applications, evaluate them on the criteria established in the notification, and vote on the selection.
1. Any Board member who submits his or her name for consideration must recuse him/herself from the deliberations and voting.
  2. The Board will deliberate and vote via conference call or its listserv in the event an opportunity arises that cannot be considered at an in-person meeting.

- a. There will be one vote cast by each Board member for each vacant position.
  - b. The applicant with the most votes will be selected for the position.
  - c. Vote tallies will only be shared within the Board.
3. After the successful applicant has been notified, the Board will notify the APDU membership via the member listserv of whom the applicants were and who was selected.
  4. Given the type of Representation position, the Board may use its discretion to name as “alternate” the member receiving the second highest vote for the position.

### *Tenure*

Unless otherwise limited or stipulated by the inviting agency or organization or the guidelines of the association to which representation is sought, the tenure as an APDU Representative will be limited to two (2) years.

- A. If the opportunity for APDU Representation is continued, the Board of Directors will reopen the application process.
- B. The current APDU Representative will be eligible to re-apply for the same position, except in the event of removal as described in the “Removal” section of this policy.
- C. An APDU member may serve as an APDU Representative on more than one body. However, in the interest of diversity and opening opportunities to the membership, the APDU Board may weigh the benefit of multiple representations in its selection criteria.

### *Substitutions*

In the event APDU Representatives cannot attend a meeting or participate in another event of the body on which they sit, it is the responsibility of the APDU Board of Directors and not the Representative to identify and secure a substitute.

- A. An APDU Representative unable to attend a meeting or other event should immediately notify the APDU Board President:
  1. By telephone, or
  2. If unable to reach the Board President by phone, should email the President and copy the Board Vice-President and APDU Administrative Office ([apdu@apdu.org](mailto:apdu@apdu.org)).
- B. All information from the membership, meeting agendas and other pertinent information, should be forwarded from the Representative to the APDU Board President or APDU Administrative Office under a predetermined plan so that this information may be shared with the person substituting at the meeting.
- C. If time is available and logistics will allow, the APDU Board will ask the alternate Representative, if one was named, to substitute, or in the event one was not named at the time of selection, will attempt to request the applicant who received the next highest number of votes in the selection process. If there is insufficient time, the APDU Board may request an APDU member in the meeting vicinity to substitute.

- D. The substitute must report to the Board on the meeting/event in the same manner as described in *Expectations of APDU Representatives*.

*Removal*

Under certain circumstances, the APDU Board of Directors may end the Representative's term of service before his or her formal tenure was expected to end.

- A. These circumstances may include:
  - 1. The Representative not fulfilling his or her requirements of reporting to or seeking input from the APDU membership.
  - 2. The Representative's persistent inability to attend meetings.
  - 3. The Representative's binding or incurring other obligations on behalf of APDU.
  - 4. Other extenuating circumstances.
  - 5. Request of the organization providing the Representation opportunity.
- B. Removal will be deliberated by the Board and voted upon by the Board.
- C. In the event of the removal of an APDU Representative and if circumstances allow, the Board will name the alternate as the new Representative, or if none was named in the selection process, utilize the original voting tally and ask the person who received the next highest number of votes to fill the vacancy.

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**\*Policy/procedures history: Content of policy and procedures developed and approved at APDU Board of Directors' Winter Board Meeting, February 16, 2002. Final language approved by the Board on February 26, 2002.**

See also, **"Board Procedure for Receiving Materials, Reviewing and Voting on Applicants for APDU Representation Opportunities"**

**Addendum to #021602**

***(a) i. Board Procedure for Receiving Materials, Reviewing and Voting on Applicants for APDU Representation Opportunities — Email-Based a***

The APDU Board consists of 11 members, and the bylaws define a *quorum* for conducting Board business as six members, including at least two officers. To maintain a quorum for decision-making on the matter of representation, no more than five Board members (and of these, no more than three officers) can be considered for a representation opportunity.<sup>b</sup> Ideally, there should be a sense beforehand of Board members’ interest and an informal resolution prior to the application process. But if that is not the case, and it happens that the number of Board applicants exceeds these maximums, the Board President will ask the Board applicants to discuss the matter among themselves and determine which will keep their names in consideration.

1. **Notifying the Board of eligible applicants.** Teresa Allen (or her designee in the APDU Office) will notify the entire Board via email of:
  - a. The names of all persons who submitted application materials by the deadline.
  - b. Any question(s) or problems that the Board might need to be aware of or resolve (e.g., application arriving after deadline; incomplete application; etc.)
  - c. The method (email, fax or combination) that will be used to distribute applicants’ materials so that Board members can watch for those items or request receipt another way.
  - d. The list of board members eligible to vote and a note as to whether APDUBOD will be used for the discussion and vote (see section 3).

*Board members must acknowledge receipt of the notification.*

2. **Providing submission materials to the Board.** Teresa (or designee) will provide all of the applicants’ submission materials to all Board members who did not apply for consideration. These materials will be distributed in whatever format will expedite receipt and review (typically, the format in which applications were received).

*Board members must acknowledge receipt of the applicants’ materials.*

3. **Use of Board list for discussion and voting.**
  - a. If any Board member(s) applied, APDUBOD will not be used to distribute applicant materials or to discuss and vote on applicants. Instead, an email group made up solely of Board members eligible to vote will be used.
  - b. If no Board member(s) applied for consideration, then APDUBOD may be used to discuss and vote on the matter.

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a This internal Board procedure is meant to expedite and guide an as-yet untested process. It is written for an email-based discussion as opposed to a conference call or in-person discussion, although fundamental aspects would be the same no matter what the format. It is in keeping with the bylaws provisions for conducting interim Board business and the provisions of Policy/Procedure #021602. This procedure will be in effect for evaluating and voting on applicants for the Decennial Census Advisory Committee (3/02); will be reviewed upon completion of this case; and, as necessary, modified for future use.

b This guidance was suggested by Elliott Smith on 2/26/02 as part of the discussion on provisions of the Policy/Procedures #021602 and a specific question posed by Lisa Neidert.

4. **Review and evaluation of applicants.** Each Board member eligible to vote (i.e., each member who did not apply), will independently review and evaluate each applicant based on the specific criteria established in the notification of the representation opportunity (see Policy/Procedure #021602, *Notification, Application, and Selection Process*, section C). Each Board member should rank order each of the applicants based on their evaluation (1=highest rank) and make notes as to the reasons for their selections. *c*
5. **Discussion and voting on applicants.**

Important: A quorum of the Board must be maintained, both for the discussion/posting and voting periods.

- a. *Initial Discussion and Posting.* The initial discussion period will begin the day after applicant materials are distributed and continue for *no more than six business days*. The discussion will be conducted either on APDUBOD or using the email group as described in section 3. During this period, each Board member eligible to vote will:
  - i. Post his/her rank ordering of applicants and note the reasons for the ranking (especially regarding the number one applicant) or, if none of the applicants is acceptable, to express that assessment; and
  - ii. Be free to direct questions to other Board members, make comments, raise concerns, or request that more information be gathered from an applicant(s).

The Board President (or if the President is unavailable or one of the applicants, the Vice President or another officer designee) will preside over the discussion.

- b. *Voting.* At the end of the Initial Discussion Period, the Board President (or if unavailable or one of the applicants, the Vice President or other officer designee) will summarize the results of the discussion period. On that basis, the President will define the nature of the vote and the time period over which the vote will take place (*not to exceed three business days*). *As examples:*
  - i. If one applicant emerges as the clear favorite, having received a majority of top rankings, the President may ask if any Board member wants to put forth a motion for approval of that applicant (with opportunity for discussion on the motion, and a final vote).
  - ii. If no clear “favorite” emerges from the rankings, but the field of applicants has been narrowed to the top two or three finalists (depending on initial number), the President may ask each Board member to cast his/her vote for one of the finalists. Per the Policy/Procedures #021602, the applicant with the most votes will be selected. If there is a tie, the President may ask if the Board wishes to name one as primary representative and the other as alternate.

The Board President (or if the President is unavailable or is one of the applicants, the Vice President or other officer designee) reserves the right to call for an emergency conference call among Board members in the event there are issues that cannot be effectively and satisfactorily resolved via email discussion and voting.

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*c* In the first case, the Decennial Census Advisory Committee, a simple rank ordering will be used. There may be cases in the future where the Board will choose to develop a special scoring system or weighting tied to the criteria.

**APDU Policy/Procedures #021502**

**(b) Conference Registration Cancellation/Refund/Substitution Policy\***

(As it relates to the upcoming registration timeframe)

- Early registration ends four (4) weeks prior to conference date.
- Full refunds for cancellations faxed, emailed, or postmarked on or before the third week prior to conference date.
- All cancellations faxed, emailed, or postmarked on or after [date that is 15 days in advance of conference start date], will be subject to a \$100 administrative fee.
- **Full** registration substitutions will be allowed (notification is encouraged).
- No full-conference registration may be split among multiple individuals from the same organization.
- All refunds will be made after November 15<sup>th</sup> of that year.

**APDU Policy/Procedures #11951  
Status – to be updated 2004**

**(c) Review of Proposed APDU Projects and Working/Special Interest Groups\***

***Application***

The policy statement and procedures outlined here apply to *proposals for new projects and for continuations or expansions of existing projects to be carried out under the auspices of the Association of Public Data Users (APDU)*.

***Definitions***

“*Project*” means any new initiative proposed to be carried out under the auspices of APDU, including projects of APDU standing committees and the development and creation of any APDU-sponsored or co-sponsored working or special interest groups.

“*Initiator*” means any APDU member, member or officer of the APDU Board of Directors, member or chair of an APDU standing committee, the APDU Executive Director or any other APDU staff member.

“*Board*” means the APDU Board of Directors.

“*Working Group*” or “*Special Interest Group*” means any ad hoc group created under the auspices of APDU to carry out project assignments and produce the deliverables associated with a contractual or other funding arrangement entered into between APDU and an external funding source.

***Statement of Policy***

The purpose of this review process is to allow the APDU Board of Directors to consider the objectives of a proposed project for consistency with the mission and priorities of APDU, to determine the project’s feasibility, and to contribute to strengthening the project through constructive evaluation and comment.

All new, proposed projects are subject to review through this process. Moreover, since APDU priorities will change over time, proposed continuations or expansions of existing activities must be submitted to this process to determine if continued participation is in accord with current priorities.

To judge the appropriateness of proposed projects and avoid unnecessary expenditures of resources, the APDU Board of Directors’ review should occur at the earliest stages of proposal development. However, the Board’s review and approval *must occur* prior to the external distribution or official communication of the proposal in any form, including concept papers and letters to current or potential funding sources that discuss specific work to be carried out by or on behalf of APDU. In the case of competitive submissions, the Board's review of the basic features of the proposed project should determine if a full proposal will be prepared.

Project proposals will be reviewed by all members of the APDU Board of Directors. If the project in its initial form (or with suggested modifications) receives the approval of the Board under the voting requirements stated in the section of this policy titled ***Review/Approval Process***, the initiator<sup>d</sup> may proceed with the project or grant/contract proposal development (in cases where external funding is being sought) and — in conjunction with the APDU Board President, and with the full knowledge of the APDU Board Treasurer and APDU Executive Director — engage in further negotiations with the designated representative(s) of collaborating organization(s) and/or the designated representative(s) of the funding source, as applicable.

If the project proposal receives the qualified approval of the Board, but needs further work such that the final terms of the project are significantly different from those initially reviewed by the Board, the proposal must be resubmitted to the Board. If resubmission to the entire Board is not feasible because of time constraints, the project proposal still must be reviewed and approved by two Board officers (one of whom must be the Board Treasurer) **and** a minimum of two other Board members (who are not officers) prior to the project's initiation or its submission to an external funding source.

#### ***Standards/Criteria for Proposed Projects***

The following standards will guide the development and review of proposed projects:

1. The project must be consistent with APDU's mission.
2. The project should address a priority area defined by the Board.
3. The project's method(s) must be appropriate and adequate for implementation.
4. Any products resulting from the project must be initially defined, must be produced within the specified timetable, and must be tied to broader APDU goals.
5. The project must be realistic, given Board and member volunteers' and staff capabilities, and given financial resources (from whatever source).
6. The project must be proposed, negotiated and conducted in a manner that is in accordance with APDU's bylaws and related rules, policies, regulations or ethical standards of conduct.

In submitting a proposed project for review by the APDU Board, the initiator must address the following questions related to the project's background, its objectives, method(s) to be employed, products to be generated, and estimates of required resources.

#### ***Project Background/Relationship to Mission***

1. What relationship does the proposed project have to APDU's overall mission and goals and the priorities identified by the Board?
2. Is the proposed project a new undertaking or an expansion of a past or current project?
3. What, if any, relationship does the proposed project have to other completed, continuing or anticipated programs or projects within APDU?
4. What is the relationship of the proposed project to the programs or projects of other organizations? Will other organizations contribute to or benefit from this project?

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<sup>d</sup>If the initiator is a Board officer or the Board President, the negotiations must include one other Board officer and a Board member who is not an officer.

*Objectives*

1. What is the purpose of the proposed project?
2. What are the specific goals and objectives of the proposed project?
3. What specific impacts are anticipated in undertaking the proposed project?
4. Who are the specific APDU constituencies that will be served by the proposed project?

*Methods*

1. What activities or tasks must be carried out to conduct the proposed project?
2. What methodology(ies) will be applied?
3. Who, specifically, will take the lead in coordinating and conducting the proposed project?

*Products*

1. What product(s) or other deliverable(s) will be completed during the conduct of this project?
2. What pricing, if any, will be associated with the product(s)?
2. To what parties (e.g., the funding source, APDU membership, etc.) will the product(s) be made available on a complimentary and on a fee basis?

*Resources*

1. What personnel resources (paid staff and unpaid volunteers) will be required to conduct the proposed project?
2. What are the anticipated costs of the proposed project?
3. What source(s) of funds will be used to conduct the proposed project?
4. What, if any, level of involvement or contribution will other organizations have to the proposed project?

***Format for Presentation***

The project initiator must submit to the Board a summary (maximum three pages) of the proposed project which fulfills the criteria outlined above. Backup material(s), such as correspondence, project outlines, concept papers, etc., may be included as appendices.

***Review/Approval Process***

While the most appropriate time for considering and approving new initiatives is during the annual workplan and budget/planning and approval process, the procedures associated with this review policy recognize and allow for Board consideration and approval of opportunities that may arise during the course of the fiscal year, in the interim period between regularly-scheduled meetings of the APDU Board of Directors.

***Submission for Consideration and Approval at Scheduled Board Meeting***

At least three weeks prior to the date of the next scheduled meeting of the full Board, the project initiator should submit the project summary (and backup materials, as applicable) to the APDU Executive Director who will distribute the items to all Board members.

If the initiator is a Board member or officer, APDU Executive Director or other staff, or an APDU member located in the general vicinity in which the Board meeting is scheduled to occur, the initiator should be available to attend the meeting, make a brief oral presentation and respond to questions, as necessary. If the initiator is an APDU member who is not located in the vicinity

of the meeting site or is otherwise unable to attend in person, arrangements will be made to allow the initiator to participate via conference call or other electronic communications. At any time prior to the meeting date, a Board member may contact the initiator for the purpose of asking questions about the proposal's content.

Upon the Board's review and discussion of the proposed project at the meeting, the Board President will call for a voice vote of the Board members. Any member not in attendance may submit comments and cast a vote in writing to the Board Secretary. The project is considered approved *only* if an affirmative vote is cast by a majority of the Board members voting *and* at least three of the affirmative votes are cast by members who are not Board officers. In its approval, the Board may call for specific, minor modifications of the project proposal.

*Submission for Consideration and Approval during Interim*

If a project opportunity arises during the course of the APDU fiscal year and it is not feasible to wait until the next regularly-scheduled Board meeting for the Board's in-person consideration of the proposal, the project initiator — after conferring with the APDU Board President — may submit the project summary to the APDU Executive Director for distribution to all Board members. The Board members will be given a specific period of time to review the proposal, contact the initiator for clarification if necessary, deliberate on the Board listserv or other electronic communication, and then cast their votes by a prescribed method (mail, fax or e-mail ballot) to the Board Secretary on or before the stated deadline. The voting requirements are the same as outlined above.

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\* ***Policy history:*** First draft of proposal was presented to APDU Board members at Winter Meeting, March 16-17, 1995. On October 18, 1995, revised proposal was placed in electronic format on Board listserv (hard copies also made available to Board at meeting on October 29, 1995). On November 7, 1995, 10-day comment period commenced on Board listserv, and on November 20, 1995, proposal, with modifications resulting from comment period, was issued for final vote on the Board listserv. On November 30, 1995, the voting deadline, policy was approved by Board with an **effective date of December 1, 1995.**

**APDU Policy/Procedures #11952  
Status – to be updated 2004**

**(d) Expense Reimbursement\***

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**A. Definitions.** For the purposes of this policy:

1. “*Reimbursement*” means the repayment of direct and eligible expenses incurred by an individual as a result of conducting official APDU business.
2. “*Official APDU business*” means an official or scheduled activity resulting from or in conjunction with an individual’s service to the Association as an elected officer or other member of the Board of Directors, a member of the Association staff, an appointed member of a Board-sanctioned governing or program body, or as a coordinator or director of a Board-sanctioned project or program (see *F. Activities Covered Under this Policy*, below).
3. “*Coordinating official*” means the individual elected or appointed to coordinate or direct a governance or program activity (e.g., the Board President; the chairperson of a standing committee or Board-sanctioned working/special interest group; etc.).
4. “*Compensation*” means payment for the time spent by an individual (other than a member of the Association staff) conducting or participating in official APDU business, and is not permitted under this policy.

**B. Parties Eligible for Reimbursement.** The policy and procedures outlined here apply to the Association’s reimbursement for expenses incurred by members of the APDU Board of Directors; the APDU Executive Director and any other Association staff; appointed chairpersons and members of APDU standing or ad hoc committees or authorized working/special interest groups; and other members of the Association who have been assigned specific roles or tasks by the Board of Directors or the Board President on behalf of APDU.

**C. Notification of Eligibility for Reimbursement.** All parties assigned to such APDU activities — whether funded by the Association or by external sources — will be notified by the coordinating official *before* the commencement of an assignment or project as to their general eligibility for reimbursement, the nature of reimbursable expenses, and documentation required for reimbursement. **In all cases, the expectation is that individuals will first seek support from their agencies of employment before seeking reimbursement from APDU.**

**D. Capacity of Association to Reimburse.** APDU’s ability to use its general operating funds to reimburse any of the otherwise eligible parties for full or partial expenses incurred in conducting official APDU business will depend on the Association’s fiscal situation and will be subject to review as part of the annual budgeting process. In the event the Association receives external funding for specific projects, the budget developed for and presented to the funding agency will incorporate, as appropriate, reimbursement of the eligible parties for full or partial expenses incurred in completing the project.

**E. Mediation of Issues Regarding Eligibility.** The Board Treasurer and the APDU Executive Director will review and determine an individual's eligibility for reimbursement under this policy. Clearance for reimbursement must be obtained *before* expenses are incurred (see **H. The Reimbursement Process**, below).

If issues arise that require intervention by a third party, the Board Vice President will assist, and if necessary, bring the matter before the Board's Executive Committee for final interpretation and Adjudication. APDU's Executive Director is authorized to communicate all determinations to individuals seeking reimbursement.

**F. Activities Covered Under This Policy.** The categories of Association activities that are *potentially* eligible for reimbursement under this policy include: meetings and operations of the Board of Directors (including pre- and post-meeting tasks and official assignments); meetings, operations and activities associated with APDU standing committees; meetings, operations and activities associated with Board-sanctioned working/special interest groups; the annual conference of the Association; and meetings or annual conferences of associations or organizations with which APDU is affiliated. The full Board of Directors must approve changes to this list of activities.

Since the Association's capacity to use general operating funds or external/restricted funding to reimburse incurred expenses will vary from year to year, *full or partial coverage of activities is subject to available resources.*

**G. Priorities for Reimbursement.** To guide the annual budgeting process and allocation of resources, priority activities for reimbursement are as follows. Changes in priorities must be approved by the full Board of Directors.

*1. Meetings of the APDU Board of Directors*

Assuring the participation of all Board members and the Executive Director in APDU Board meetings is the top priority. Board members are expected to first seek support for travel, lodging and meal expenses from their agency of employment; however, all Board member requests for full or partial reimbursement of expenses will be considered in this process. Board members are expected to provide the Board Treasurer with an estimate of expenses before any are incurred (see **H. The Reimbursement Process**). The Executive Director will provide the Board Treasurer with an estimate of staff travel and other meeting-related expenses as part of the annual budgeting process.

*2. Meetings of APDU Standing Committees & Board-Sanctioned Working/Special Interest Groups*

Facilitating participation on standing committees and other sanctioned working/special interest groups is the next priority.

When funding is made available to the committee or working/special interest group, either through the association's operating funds or through external sources, reimbursements for expenses associated with specific activities will be subject to the budget developed and approved for the group. The coordinating official will work with the Board Treasurer to develop a budget and priorities for reimbursable expenses specific to the group.

Only the coordinating official of each committee or working/special interest group will work directly with the Board Treasurer on issues involving the committee or group budget and reimbursement. The coordinating official will communicate to all members of the committee or group information as to their general eligibility for reimbursement, the nature of reimbursable expenses, and documentation required for reimbursement. However, in cases where there is a dispute requiring intervention, the Board Treasurer may consult with members of the committee or working/special interest group.

The Executive Director will provide the Board Treasurer with an estimate of any staff travel and other committee meeting-related expenses as part of the annual budgeting process or the budget development for the granting agency in the case of externally-funded activities.

### *3. The APDU Annual Conference*

APDU support to member volunteers for travel, lodging, meal or registration expenses associated with the APDU annual conference will be considered in the event sufficient funding is available. In determining eligibility for full or partial reimbursement of the expenses shown in parentheses below, priority will be given to the following parties and will be subject to budgetary constraints:

1. Officers of the Association (full expenses)
2. Chair of the Conference Program Committee (registration fee waiver)
3. Other Board members (registration fee waiver)
4. Two or three APDU members, each selected on a one-time basis through application for special consideration based upon merit and who otherwise would not be able to attend the meeting (registration fee waiver). This application process will occur under the auspices of the Conference Program Committee and is subject to budgetary constraints.

The Executive Director will provide the Board Treasurer with an estimate of staff travel and other conference-related expenses as part of the annual conference budgeting process.

In preparing the annual operating budget proposal, the Board Treasurer, in consultation with the Executive Director, will estimate the travel, lodging and other expenses associated with the Board meetings and will make further recommendations to the Board on the availability of funds for reimbursing Board and Association member volunteers for committee meetings, the APDU annual conference and other eligible activities under this policy. The full Board is responsible for reviewing and voting on these recommendations as part of the annual budget process.

### ***H. The Reimbursement Process.***

#### *Obtaining prior approval*

For regularly-scheduled meetings and other activities covered under this policy, participants will provide the Board Treasurer with estimates of their anticipated expenses as part of the annual budget-making process for the Association or as part of the budget submission to external funding agencies. For other activities not anticipated in the normal budgeting process, prior approval must be obtained by the individual expecting to incur travel, lodging, meal or other expenditures.

Requests for approval are submitted to the Executive Director on the "Request for Approval of Reimbursement" form. The Executive Director will forward a copy of the form to the

Treasurer for examination and the two parties, in consultation, will determine eligibility. Under normal circumstances, requests for approval should be submitted at least five (5) weeks prior to an activity.

*Submission of expense reports*

Requests for reimbursement of incurred expenses must be submitted to the Executive Director on the “APDU Expense Report” form. Expense reports should be submitted within 45 days of the incurrence of the expense, and must be accompanied by copies of paid receipts, charge tickets, transportation stubs and other relevant documentation. The Executive Director will submit the request to the Board Treasurer, who will distribute the reimbursement check to the eligible party.

***I. Reimbursement Categories and Allowances***

1. *Transportation* — includes travel to and from site of meeting and/or activity. APDU will only reimburse fares representing the lowest class or category (e.g., coach fare on airlines). Local transportation, defined as transportation to and/or from primary transportation via secondary modes (e.g., subway, bus, taxi), will be limited to \$50. This ceiling will be reviewed by the Board Treasurer periodically and may be changed upon approval by the full Board of Directors.

2. *Lodging* — hotel/motel expenses will be reimbursed up to the allowable maximum per diem level established by the federal government, plus 15 percent.

3. *Meals* — the ceiling on meal allowances will be set at the level established by the federal government, plus 15 percent.

4. *Communications* — long-distance phone calls/faxes/modem connections. Reimbursement for long distance calls, fax transmissions or modem connections will be limited to two per trip for any purpose; requests to exceed this ceiling (e.g., emergency situations, special arrangements, etc.) may be submitted, with explanation, on the expense form, and will be considered and authorized by the Board Treasurer.

5. *Other Expenses* — expenses associated with conducting APDU business that are not covered by an individual’s agency of employment. These include, but are not limited to: rental of meeting space or other facilities; photocopying; postage; printing costs; and office or meeting supplies.

***J. Disallowable Expenses.*** APDU will *not* reimburse individuals for expenses that are not specified in the above categories or have not otherwise been approved by the Board of Directors. Disallowable travel-related expenses include, but are not limited to: laundry, dry cleaning, in-room movies, recreation or site-seeing activities, or use of exercise facilities.

Further, APDU will not cover expenses incurred by an individual *outside* of the period of time during which an activity is occurring, a project is being conducted or an assignment is in force, unless the individual receives prior approval (see ***H. The Reimbursement Process: Obtaining***

*prior approval*). Particular consideration will be given to cases in which an extension of the coverage period for an individual ultimately results in a lesser expense to the Association (e.g., extending coverage of lodging expenses to take advantage of lower transportation fares associated with travel on specific days).

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\* ***Policy history***: First draft of proposal was presented to APDU Board members at Winter Meeting, March 16-17, 1995. On October 18, 1995, revised proposal was placed in electronic format on Board listserv (hard copies also made available to Board at meeting on October 29, 1995). On November 7, 1995, 10-day comment period commenced on Board listserv, and on November 20, 1995, proposal, with modifications resulting from comment period, was issued for final vote on the Board listserv. On November 30, 1995, the voting deadline, policy was approved by Board with an **effective date of December 1, 1995**.

APDU Policy/Procedures #071503

**(f) APDU Event / Product Sponsorship and Gifts Guidelines<sup>a</sup>**

***Application***

The policy statement outlined here applies to the Association of Public Data Users' (APDU) solicitation and acceptance of unrestricted gifts and of sponsorships for events and activities conducted or products produced under its auspices.

***Definitions***

For purposes of this policy:

“Association” means Association of Public Data Users or APDU.

“Gift,” means any monetary or in-kind donation from an organization or individual to another organization. It does not mean membership dues, conference or other event registration fees, or direct purchases of products or services. It may be “unrestricted” or “restricted” in purpose. Restricted gifts will fall under the category of “sponsorship” defined below.

“Sponsorship” means affording either the name of an organization or a gift in the form of a monetary or in-kind donation in formal and direct support of a specific event, activity or product.

“Donor” means the organization or individual making the gift. In the case of an unrestricted gift, the donor will be referred to as such. In the case of a gift in the form of a sponsorship, the donor shall be referred to as a “sponsor.”

“Board” means the APDU Board of Directors.

***Background***

APDU, through its Board and administrative office, has conducted Association activities using two primary sources of income: membership dues and conference registration fees. Income derived from publication sales and interest paid on organizational investments has been minor. Income derived from contractual agreements has been used to conduct special projects and offset administrative costs of doing business.

The Board has begun exploring other sources of income and in-kind donations in order for the organization to improve its level of programming and membership and information services without creating undue or excessive burden on its members. Moreover, the Board is mindful that beyond the potential for financial support, sponsorship opportunities could result in other positive outcomes, such as engaging additional organizational partners in APDU activities, allowing APDU to reach out to more segments of the data community, and even building operational and strategic capacity for the Association over the long-term.

There already is policy guidance in place regarding the review of projects and working groups that might create partnerships, generate income and incur expenses (APDU Policy/Procedures #11951); however, while there have been inquiries from members regarding the potential sponsorship of activities such as conference meal events, the Board — having no policy guidance in the area of gifts and sponsorships — has not been able to act. This policy statement is intended to provide guidance to the Board and administrative office in such cases.

## ***Statement of Policy***

### **Tax treatment of gifts and sponsorships.**

In accordance with the Internal Revenue Service guidelines as stated in IRS Publication 557, revised 7/2001, gifts, sponsorships or other contributions to APDU as a 501(c)(6) organization are not deductible as charitable contributions on the donor/sponsor's federal income tax return. However, they may be deductible as trade or business expenses if ordinary and necessary in the conduct of the taxpayer's business.<sup>b</sup>

As a result, in APDU's solicitations for gifts or sponsorships and in its formal acceptance and recognition of such donations it must disclose this non-deductibility for charitable purposes in "an express statement (in a conspicuous and easily recognizable format)," per IRS policy.<sup>c</sup>

### **Gifts to the Association.**

APDU may accept gifts from any organization or individual who indicates understanding of the Association's mission and goals. Such gifts may be used to supplement or improve Association activities already supported by income derived from membership dues, conference registration fees, and product sales. However, no donor will be permitted to advertise any monetary or in-kind donation as if to imply that APDU endorses that organization, even if the organization is a member of the Association. APDU will return a gift to any donor who does so.

The APDU Board will determine the acceptance and use of gifts as part of its ongoing fiscal oversight functions. Acceptance or rejection of any gift will be by motion passed by a simple majority of the sitting Board. All gifts must be accepted in accord with IRS guidelines.

### **Sponsorships in support of APDU activities.**

An organization or individual may become a sponsor in support of specific APDU events, activities or products, including but not limited to conference meal or program events, Association publications, and Internet web-based products.

Such sponsorships may consist of monetary or in-kind donations, but in any case, will be restricted to use in the specific activity for which the sponsorship was sought and received.

The APDU Board will determine which activities will be eligible for sponsorship as part of its ongoing fiscal oversight functions. Such determinations will be made by motion passed by a simple majority of the sitting Board. All sponsorships must be solicited and accepted in accord with IRS guidelines.

For each activity in which the APDU Board has determined it will seek and advertise sponsorships, a subcommittee consisting of the Board Treasurer, Board Past President, one at-large Board member and the APDU Administrator will develop specific financial or in-kind donation levels. These levels will be stated to prospective sponsors through announcement on the Association website and in written letters inviting sponsorship. All sponsors will be asked to complete and submit a form to the APDU administrative office.

### **Preference for sponsorships.**

Sponsorships for APDU activities will be advertised first to APDU member organizations (and representatives), individual members of the Association, and friends of the Association. In the event that other organizations or individuals express an interest in sponsoring an activity, the Board will decide whether to accept their sponsorship based on the compatibility of that

organization's mission, values, and goals with those of APDU (or in the case of an individual, the intent of the sponsorship), and whether or not the offer is in accordance with APDU's bylaws and ethical standards of conduct and IRS guidelines.

While it might not be possible to achieve in all cases, APDU will seek multiple sponsors for events or products, both to keep levels of sponsorship achievable for its member organizations and as a precaution against undue influence by any single sponsor.

**Sponsor recognition.**

At minimum, the sponsor organization or individual will be named in print or on the Association website or will be named on signage and program materials in the case of a conference event. Other recognition or perquisites will be in accord with and appropriate to the activity sponsored and the level of sponsorship and will be stated in any solicitation for sponsors.

**Sponsorship restrictions.**

The Board's acceptance of a sponsorship will not imply endorsement of the organization or individual or their products or viewpoints.

Unless the sponsor is a partner in creating and implementing an APDU product or event by virtue of mutual, written agreement at the outset, a financial or in-kind sponsorship will not afford the sponsor influence over or input to the content of the activity.

**Gifts from or sponsorships by the Association.**

APDU also can make gifts to or participate in sponsorships for any organization or fund that is supportive of and adheres to similar values and goals as the Association. The APDU Board will determine the amount and type of gift or the level of sponsorship by motion passed by a simple majority of the sitting Board, and all such gifts and sponsorships will be in accord with IRS guidelines.<sup>d</sup>

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<sup>a</sup> Approved by the APDU Board of Directors in July 15, 2003, conference call.

<sup>b</sup> As an Association organized under section 501(c)(6), APDU may work for the enactment of laws to advance the common interests of its members. However, a taxpayer cannot deduct the part of membership dues or other payments to a 501(c)(6) that are used for any of the following activities: 1) Influencing legislation; 2) Participating or intervening in a political campaign for, or against, any candidate for public office; 3) Trying to influence the general public, or part of the general public, with respect to elections, legislative matters, or referendums; 4) Communicating directly with certain executive branch officials to try to influence their official actions or positions. In-house expenditures of \$2,000 or less for the year for activities (1) - (4) listed does not prevent a deduction, if the dues or other payments meet all other tests to be deductible as a business expense. Note too, that a tax-exempt 501(c)(6) is considered to be engaging in grassroots lobbying if it contacts prospective members or calls upon its own members to contact their employees and customers for the purpose of urging such persons to communicate with their elected state or Congressional representatives to support the promotion, defeat, or repeal of legislation that is of direct interest to the organization. Any dues or assessments directly related to such activities are not deductible by the taxpayer, since the individuals being contacted, who are not members of the organization, are a segment of the general public.

Finally, while contributions to APDU are not deductible as charitable contributions, the Association could establish a charitable fund, contributions to which would be tax deductible under current IRS provisions. Such a fund would have to meet the requirements of section 501(c)(3) and the related requirements of 501(c)(8).

<sup>c</sup> Section 6113 of the IRS code provides that tax-exempt organizations ineligible to receive tax-deductible charitable contributions must disclose in "an express statement (in a conspicuous and easily recognizable format)" that contributions to the organization are not deductible for Federal income tax purposes as charitable contributions. The IRS has issued [Notice 88-120](#) to provide safe harbors for meeting the requirements of § 6113. A fundraising solicitation will be considered to include "an express statement (in a conspicuous and easily recognizable format) that contributions or gifts to such organization are not deductible as charitable contributions for Federal income tax purposes" if it satisfies the following requirements:

In the case of a solicitation by mail, leaflet, or advertisement in a newspaper, magazine or other print medium, the following four requirements are met:

1. The solicitation includes whichever of the following statements the organization deems appropriate: "Contributions or gifts to [name of organization] are not deductible as charitable contributions for Federal income tax purposes," "Contributions or gifts to [name of organization] are not tax deductible," or "Contributions or gifts to [name of organization] are not tax deductible as charitable contributions;"
2. The statement is in at least the same size type as the primary message stated in the body of the letter, leaflet or ad;
3. The statement is included on the message side of any card or tear off section that the contributor returns with the contribution; and
4. The statement is either the first sentence in a paragraph or itself constitutes a paragraph.

As an additional "safe harbor" for membership dues of Section 501(c)(6) organizations such as APDU, any of the following language may be substituted:

1. "Contributions or gifts to [name of organization] are not tax deductible as charitable contributions. However, they may be tax deductible as ordinary and necessary business expenses."
2. "Contributions or gifts to [name of organization] are not tax deductible as charitable contributions for Federal income tax purposes. However, they may be tax deductible under other provisions of the Internal Revenue Code."
3. "While contributions or gifts to [name of organization] are not tax deductible as charitable contributions for Federal income tax purposes, they may be tax deductible under other provisions of the Internal Revenue Code."

<sup>d</sup> An example of a fund to which APDU might wish to contribute is a scholarship fund established in memoriam in the name of an individual who was a member of the Association or otherwise held a valued place in its history or in the data community.