

# Institutional Engagement - Compliance Requirements

Updated:	12/11/2016	initials of Completer: GF				
Compliance Requirement	Compliance Organization	Description of Requirement	Responsible Department	Responsible Party	Frequency	Last Date Completed
Controlling the Assault of Non-Solicited Pornography and Marketing Act of 2003 (CAN-SPAM Act)	Federal Trade Commission	Prohibits the inclusion of deceptive or misleading information and subject headings, requires identifying information such as a return address in email messages, and prohibits sending emails to a recipient after an explicit response that the recipient does not want to continue receiving the messages. Resources: Higher Education Compliance Alliance ( <a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a> ) and the Legal Information Institute ( <a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a> )	IE	Vice President for IE	Ongoing	N/A
Freedom of Information Act	Department of Justice	Provides a process by which every person may request access to a public college or university's records or information. Resources: Higher Education Compliance Alliance ( <a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a> ) and the Legal Information Institute ( <a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a> )	IE	Vice President for IE	Ongoing	N/A

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<p>Gramm Leach Bliley Act (GLBA)</p>	<p>Federal Trade Commission</p>	<p>Governs the collection, disclosure, and protection of consumers' personal information and personally identifiable information (defined as names, addresses and phone numbers; bank and credit card account numbers; income and credit histories; and Social Security numbers). Requires institutions that offer consumers financial products or services like loans, financial or investment advice, or insurance to explain their information-sharing practices to their customers and to safeguard sensitive data. Resources: Federal Trade Commission website <a href="https://www.ftc.gov/tips-advice/business-center/guidance/safeguarding-customers-personal-information-requirement">https://www.ftc.gov/tips-advice/business-center/guidance/safeguarding-customers-personal-information-requirement</a>; Higher Education Compliance Alliance (<a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a>); and the Legal Information Institute (<a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a>)</p>	<p>All of RISD's Departments; IE related to constituent engagement (individual and corporate/foundation), online giving and e-commerce.</p>	<p>Vice President for IE</p>	<p>Ongoing</p>	<p>N/A</p>

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<p>Higher Education Opportunity Act (HEA)</p>	<p>Department of Education</p>	<p>Institutions of higher education are required to submit a disclosure report for gifts and contracts of \$250,000 or more with a foreign source to the Department of Education. Resources: Higher Education Compliance Alliance (<a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a>) and the Legal Information Institute (<a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a>)</p>	<p>IE</p>	<p>Vice President for IE</p>	<p>July 31 and January 31 annually when qualifying gifts are received</p>	<p>RISD received on qualifying gift to be reported by January 31, 2017.</p>

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<p>Internal Revenue Code: Substantiation and Disclosure Provisions</p>	<p>Internal Revenue Service</p>	<p>Substantiation and disclosure provisions apply to contributions made to tax-exempt organizations after December 31, 1993. For charitable contributions of \$250 or more, the donor must receive a contemporaneous written acknowledgment from the organization of the gift and indicate whether goods or services were received in exchange for the gift. The acknowledgment should note the amount of any cash contribution and, if the donation is in the form of property, the acknowledgment must describe, but need not value, the property. Valuation of the property is the responsibility of the donor. Institutions must also provide a written disclosure statement to the donor(s) who make payments described as quid pro quo contributions in excess of \$75. Resources: Higher Education Compliance Alliance (<a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a>) and the Legal Information Institute (<a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a>)</p>	<p>IE</p>	<p>Vice President for IE</p>	<p>Ongoing</p>	<p>Daily</p>

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<p>Payment Card Industry (PCI) Data Security Standards</p>	<p>No federal legislation. Governed by State law and guided by the PCI Security Standards Council, a global organization.</p>	<p>The PCI Security Standards Council (SSC) defines "cardholder data" as the full Primary Account Number (PAN) or the full PAN along with any of the following elements: Cardholder Name, Expirations Date or Service Code. Resources: PCI Security Council <a href="http://www.pcisecuritystandards.org">www.pcisecuritystandards.org</a> and State of Rhode Island <a href="http://www.ri.gov/policies/security">www.ri.gov/policies/security</a></p>	<p>IE</p>	<p>Vice President for IE</p>	<p>Ongoing</p>	<p>N/A</p>
<p>Philanthropy Protection Act of 1995</p>	<p>Federal Trade Commission</p>	<p>Requires institutions of higher education to provide a disclosure statement to all annuitants in a Gift Annuity Fund and <b>also to provide the same to all prospective donors at the time of solicitation</b>, using a letter or pamphlet format. Resources: Higher Education Compliance Alliance (<a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a>) and the Legal Information Institute (<a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a>)</p>	<p>IE</p>	<p>Vice President for IE and Controller</p>	<p>Ongoing</p>	<p></p>

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<p>Telemarketing and Consumer Fraud and Abuse Prevention Act</p>	<p>Federal Trade Commission and guided by the National Committee on Planned Giving (NCPG) and the American Council on Gift Annuities (ACGA)</p>	<p>As tax-exempt nonprofits, institutions of higher education are exempt from the Do-Not-Call-Registry, but may not call any residential telephone subscriber before 8 a.m. or after 9 p.m., local time at the called party's location. Resources: Higher Education Compliance Alliance (<a href="http://www.higheredcompliance.org">http://www.higheredcompliance.org</a>) and the Legal Information Institute (<a href="https://www.law.cornell.edu/uscode">https://www.law.cornell.edu/uscode</a>)</p>	<p>IE</p>	<p>Vice President for IE</p>	<p>Ongoing</p>	<p>N/A</p>