



CALIFORNIA STATE UNIVERSITY, FULLERTON™

A RESOLUTION TO AMEND ASI POLICY CONCERNING ESCHEATMENT

Sponsor: Joe Morales

WHEREAS, The Associated Students, Incorporated (ASI) is a 501(c)(3) nonprofit organization that operates as an auxiliary organization of California State University, Fullerton; and

WHEREAS, ASI is governed by ASI Board of Directors, sets policy for the organization, approves all funding allocations to programs and services, and advocates on behalf of student interests on committees and boards; and

WHEREAS, ASI corporate policy provides guidance for how ASI works to achieve the mission and goals of the organization; and


WHEREAS, ASI is required by law to comply with the requirements of California's Unclaimed Property Law, which relates to various forms of abandoned property including uncashed checks; and

WHEREAS, the Policy Concerning Escheatment was reviewed and approved in 2016. A review of the policy identified the need to correct the legal name of the organization and to update the position title from the Director of Financial Services to Chief Financial Officer; therefore let it be

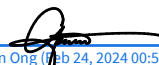
RESOLVED, ASI approves the amendments to the Policy Concerning Escheatment; and let it be finally

RESOLVED, that this resolution be distributed to the ASI Executive Director, Chief Financial Officer, and applicable ASI departments for appropriate action.

Adopted by the Board of Directors of the Associated Students Inc., California State University, Fullerton on the sixth day of February in the year two thousand and twenty-four.


ASI Board Chair (Feb 22, 2024 10:01 PST)

Ashley Zazueta
Chair, Board of Directors


Gavin Ong (Feb 24, 2024 00:58 PST)

Gavin Ong
Secretary, Board of Directors

POLICY CONCERNING ESCHEATMENT

PURPOSE

The Associated Students, ~~CSUF~~ Inc., CSUF (“ASI”) is required by law to comply with the requirements of California’s Unclaimed Property Law, which relates to various forms of abandoned property including uncashed checks. California’s Unclaimed Property Law requires corporations to annually report and deliver abandoned or unclaimed property to the State Controller’s Office. The purpose of this policy is to document regulations and procedures to ensure ASI’s compliance with the law.

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POLICY STATEMENT

It is the policy of the Associated Students, Incorporated to comply with the California Unclaimed Property Law. The ASI Accounting Office shall be responsible for ensuring that ASI is in compliance with the California Unclaimed Property Law as well as for putting processes and procedures in place to minimize escheatable property. At the ASI Board of Directors meeting immediately following the November 1 reporting deadline, the ~~Director, ASI Director of Financial Services~~ Chief Financial Officer will present an escheatment report to the Board.

WHO SHOULD KNOW THIS POLICY

- | | |
|--|--|
| <input type="checkbox"/> Budget Area Administrators | <input checked="" type="checkbox"/> Program Advisors |
| <input checked="" type="checkbox"/> Management Personnel | <input type="checkbox"/> Volunteers |
| <input checked="" type="checkbox"/> Elected/Appointed Officers | <input type="checkbox"/> Grant Recipients |
| <input type="checkbox"/> Supervisors | <input checked="" type="checkbox"/> Accounting Staff |

DEFINITIONS

For Purpose of this policy, the terms used are defined as follows:

Terms	Definitions
Dormancy Period	A period of time, as defined by state law, during which property remains unclaimed. For uncashed checks, the period is three years. For uncashed payroll checks, the period is one year.
Escheatment	The process of turning over unclaimed or abandoned property to the state.
Holder	Any person in possession of property belonging to another, for example a trustee in the case of a trust.
Owner	A depositor in case of a deposit, a beneficiary in case of a trust, or creditor, claimant, or payee in other cases, or any person having a legal or equitable interest in property, or his or her legal representative.
Unclaimed Property	Any financial asset that has been left inactive by the owner by the end of the dormancy period. The California Unclaimed Property Law does NOT include real estate.

PROCEDURES

1. ACCOUNTING CONTROLS

The ASI Accounting Office will establish appropriate accounting controls and procedures in order to limit escheatable property. This includes but is not limited to:

- a. Maintaining proper accounting systems
- b. Developing controls to prevent credits from being absorbed
- c. Creating reports that identify and age outstanding checks, open credit memos, and on-account cash
- d. Reconciling accounts and researching discrepancies on a regular basis.

2. REPORTING TO THE STATE

Funds escheated to the State of California must be reported to the State Controller pursuant to California Code of Civil Procedure Title 10, Chapter 7 §1530. The ASI Accounting Office will file the report using the form or format dictated by the State Controller and will include all information requested in Code of Civil Procedure Title 10, Chapter 7 §1530. The ASI Accounting Office will file the report before November 1 of each year for property unclaimed during the dormancy period as of the preceding fiscal year-end. The [Director, Financial Services](#) [Chief Financial Officer](#) will verify the report prior to submission.

If there is nothing to escheat, a report to the State shall not be required unless requested by the State in writing.

3. UNCASHED CHECKS

Checks drawn on ASI bank accounts that remain on the outstanding check reconciliation list after 180 days from check date shall be considered stale dated and shall not be honored by ASI's bank if presented for payment. Stale dated checks shall be voided and removed from the outstanding list. A Journal Entry shall be prepared to transfer the funds to a liability account. If unclaimed after a period of three years, the funds will escheat to the state.

a. Review Process

When checks become stale dated, the Accounting Supervisor shall generate a report detailing the payee information. This report is provided to the ~~Director of Financial Services~~ Chief Financial Officer for review. The Expenditure Technician shall verify that the payee does not owe money to ASI, and if the payee does, provide descriptive information as needed to apply the uncashed check to offset the outstanding debt.

b. Due Diligence Letters

After the review is complete, the Accounting Supervisor shall generate due diligence letters to payees and mail them not less than six months nor more than 12 months before the checks become reportable. The letter shall contain the payee's name and address on record, check number, date of check, description if available, and a contact person for related questions. The letter shall also contain a section for the payee to certify that the check was never received or was lost, and to request re-issuance.

c. Replacement Checks

If the payee signs and returns the letter to certify that the check was never received or was lost, the check shall be replaced. The replacement check will be charged to the liability account to which the stale dated check had been accrued. The associated payee information shall be entered into the unclaimed property database so that the check does not escheat to the state.

If a response is not received from the payee, the funds shall be held by ASI until turned over to the state in accordance with escheatment laws.

4. UNCASHED PAYROLL CHECKS

Payroll checks drawn on ASI bank accounts that remain on the outstanding check reconciliation list after 180 days from check date shall be considered stale dated and shall not be honored by ASI's bank if presented for payment. Stale dated payroll checks shall be voided and removed from the outstanding list. A Journal Entry shall be prepared to transfer the funds to a liability account. If unclaimed after a period of one year, the funds will escheat to the State.

a. Review Process

When checks become stale dated, the Accounting Supervisor shall generate a report detailing the payee information. This report is provided to the Human Resources Technician for review.

b. Due Diligence Letters

After the review is complete, the Accounting Supervisor shall generate due diligence letters and mail them not less than six months nor more than 12 months before the checks become reportable. The letter shall contain the payee's name and address on record, check number, date of check, description if

available, and a contact person for related questions. The letter shall also contain a section for the payee to certify that the check was never received or was lost, and to request re-issuance.

c. Replacement Payroll Checks

If the payee signs and returns the letter to certify that the payroll check was never received or was lost, the check shall be replaced. The replacement check will be charged to the liability account to which the stale dated check had been accrued. The associated payee information shall be entered into the unclaimed property database so that the check does not escheat to the state.

If a response is not received from the payee, the funds shall be held by ASI until turned over to the state in accordance with escheatment laws.

5. CREDIT BALANCES

Customer credit balances on the Accounts Receivable subsidiary ledger shall be analyzed on a quarterly basis to determine the underlying cause. The Staff Accountant will review this analysis with the Accounting Manager and attempt to clear the credit balances accordingly, either through customer refunds or offsetting debit memos where warranted (i.e. errors in billing). Credit balances that remain on the accounts receivable ageing report after 180 days shall be considered stale dated. Stale dated credit balances shall be voided and removed from the outstanding list. A Journal Entry shall be prepared to transfer the funds to a liability account. If unclaimed after a period of three years, the funds will escheat to the State.

a. Review Process

When credit balances become stale dated, the Staff Accountant shall generate a report detailing the payee information. This report shall be provided to the Accounting Manager for review. The Staff Accountant shall verify that the customer does not owe money elsewhere to ASI, and if the customer does, provide descriptive information as needed to apply the account balance to offset the outstanding debt.

b. Due Diligence Letters

After the review is complete, the Accounting Manager shall generate due diligence letters to customers and mail them not less than six months nor more than 12 months before the balances become reportable. The letter shall contain the payee's name and address on record, credit amount, date of credit, description if available, and a contact person for related questions. The letter shall also contain a section for the payee to request issuance of a check to refund the credit balance.

c. Refund Checks

If the payee signs and returns the letter, a check shall be issued in the amount of the credit balance. The check will be charged to the liability account to which the credit balance had been accrued. The associated customer information shall be entered into the unclaimed property database so that the check does not escheat to the state.

If a response is not received from the payee, the funds shall be held by ASI until turned over to the state in accordance with escheatment laws.

6. RECORDS

The ASI Accounting Office will keep records pertaining to escheated funds or property for seven (7) years after such funds or property is reported to the State Controller, pursuant to California Administrative Code Title 2 – Subchapter 8 §1174.

7. ANNUAL REPORT TO THE ASI BOARD OF DIRECTORS

At the first Board of Directors meeting that occurs after the November 1st reporting deadline, the ~~Director, ASI Financial Services~~ Chief Financial Officer will present a report on what, if anything was escheated to the State under this policy. This report shall also include the results of quarterly searches for outstanding property owed to ASI or any of its departments or programs.

8. REVIEW

Barring any significant changes in California law with regard to escheatment, this Escheatment Policy will remain in effect without Board review. Accounting Office staff, however, will review this policy at least annually to ensure its appropriateness. Any proposed amendments or variations of this policy would require a majority approval by the Board of Directors.

FORMS

Forms to be used in the execution of the policy:

Form Name	Purpose	Responsible Office	Approved By	Timeline for Submission
Due Diligence Letter	To notify payees, customers, and account holders of unclaimed property held by the ASI Accounting Office that is subject to transfer to the State Controller's Office under state escheatment law.	ASI Accounting Office	Chief Financial Officer Director, Financial Services	Letters must be sent no later than six months before the property becomes reportable on November 1.
Journal Entry	To record the transfer of outstanding stale-dated checks to the proper liability account in preparation for possible escheatment to the State Controller's Office	ASI Accounting Office	Director, Financial Services <u>Chief Financial Officer</u>	Within thirty days of the date on which a check remains uncashed for a period of six months

<u>Date Approved:</u>	<u>10/11/2016</u>
<u>Reviewed:</u>	<u>02/XX/2024</u>










A Resolution Amending Policy Concerning Escheatment


Final Audit Report

2024-02-24


Created:	2024-02-22
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-  Gavin Ong (asboardsecretary@fullerton.edu) has agreed to the terms of use and to do business electronically with California State University, Fullerton
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 Document e-signed by Gavin Ong (asboardsecretary@fullerton.edu)

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 Agreement completed.

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