



ALBUQUERQUE
COMMUNITY
FOUNDATION
trust • equity • integrity • accountability

MEMO

To: ACF Board of Trustees
From: Randy Royster, President & CEO, Nick Williams, CFO, Marisa Magallanez, COO
Date: February 4, 2025
Re: Sussman Miller Educational Assistance Fund

On January 17th, the Foundation received a letter from Andras Kosaras regarding the Sussman-Miller Educational Assistance Fund (“SMEAF”). This letter was in response to the Foundation’s notification to Mr. Kosaras and Jan Randall, SMEAF committee member, about the Governance Committee decision to retain the SMEAF fund at the Foundation, as disclosed to the Board of Trustees in the December 10, 2024 meeting.

The January 17th letter was addressed to Kathleen Enright, President & CEO of the Council Foundations, and serves as a “report of unethical conduct”. Copied on this communication were Jan Randall, Trustees José Viramontes and Emily Allen, and Staff members Randy Royster, Nick Williams, Marisa Magallanez, Khia Griffis and Dominic Garcia.

The report of unethical conduct will initiate an investigation by the Community Foundation National Standards (“CFNS”) Staff. Randy and Nick have been in contact with CFNS to clarify the timeline and process. As that information is available, it will be shared with the Governance and Executive Committees and the full Board of Trustees. At this time, we have been made aware by CFNS Staff that the process will take some time to complete.

Foundation staff are confident in our management of the fund and adherence to donor intent. Staff have prepared an initial point-by-point rebuttal of the allegations set forth, which have been reviewed by the Governance and Executive Committees. As we know more about the investigation process, we will respond expediently and with full transparency around our management of this fund.

If any concern remains with ACF Staff, it is only regarding the public relations component of this matter, and the continued drain on resources for the Foundation this situation continues to consume.

Enclosed are some prepared talking points should you receive questions about this matter in the community.

Staff are available to address any questions and provide the full set of materials upon request.



ALBUQUERQUE
COMMUNITY
FOUNDATION
trust • equity • integrity • accountability

TALKING POINTS

The Albuquerque Community Foundation is aware of recent claims regarding the Sussman Miller Education Assistance Fund. First and foremost, we want to assure our community, partners, and supporters that the Foundation is committed to the highest standards of integrity, transparency, ethical conduct and honoring donor intent. These values are fundamental to our work, and we take any allegations or concerns about our operations seriously. The Foundation is confident in our management of this fund and will participate willingly and transparently in any review of our practices.