



Campus Administrative Policy

Policy Title: Accounting for and Deposit of Gifts, 4-14

Policy Number: 2037 Functional Area: Finance

Effective: October 1, 2005
Date Last Amended/Reviewed: October 1, 2005
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Supersedes: N/A

Approved by: Director of the Office of Grants and Contracts

Prepared by: Office of Grants and Contracts
Reviewing Office: Office of Grants and Contracts
Responsible Officer: Office of Grants and Contracts

Applies to: CU Denver Campus
CU Anschutz Medical Campus

A. INTRODUCTION

The purpose of this policy is to establish guidelines for the acceptance of gift monies through the University of Colorado Foundation for subsequent use by the University of Colorado Denver and the University of Colorado Anschutz Medical Campus (“the university”) departments/schools. It shall be the responsibility of the university departments receiving monies from donors and the university CU Foundation Development Office to ensure that no violation of this policy occurs. It shall be the responsibility of the Departmental Chair or Director to ensure that gifts are properly identified and processed according to this policy.

B. DEFINITIONS

1. CU Foundation is a 501(C) (3) organization and its sole purpose is to raise and manage private funds for the University of Colorado.
2. Gifts are charitable contributions for use by the institution exclusively to fulfill its exempt purpose(s). There can be no expectation of economic benefit on the part of the donor. A gift should not include any of the issues identified below as a sponsored project.

3. Sponsored Projects are research, instructional, or public service activities that are sponsored by external agencies or entities and meet one or more of the criteria in “a.” through “f.” below. Facilities and Administrative cost recovery is not a factor in determining whether funding is a sponsored project. Application/award issues that require administration by Grants and Contracts include any one of the following:
 - a. the award is a grant or contract from a governmental entity;
 - b. sponsor support is directed to satisfy specific, programmatic objectives that are to be accomplished within a specific time and budget framework;
 - c. the sponsor is entitled to receive some deliverable, such as a detailed technical report of research results or a report of expenditures;
 - d. there is a provision for audits by or on behalf of the sponsor;
 - e. the funding is for a project with compliance issues including, but not limited to: human subjects, animal use, biohazards, and biosafety;
 - f. publication restrictions, patent, or licensing rights are requested by the grantor.
4. The University CU Foundation Development Office is established to raise and manage private funds for the University of Colorado.

C. **POLICY STATEMENT**

1. **General**

Receipts meeting the definition of “gift” will be deposited directly with the CU Foundation. All other receipts will be construed to be a sponsored project and will be processed through the university Grants and Contracts. Campus Departments should contact the Office of Grants and Contracts Pre-award section if they are unable to determine if the receipt is a gift or a sponsored project.
2. **Exception to Gift Policy**

A donor may specifically request that the gift be processed through the University rather than the CU Foundation. In this instance, the gift will be recorded on the university records and the funds will be deposited in the university financial system. If there is any doubt in the university department’s review of the gift and the intent of the donor regarding the use of the funds, the appropriate documents are to be referred to the university Grants and Contracts for a final decision. Donors should be encouraged to make their gift payments directly to the CU Foundation, as they are the official fund entity of the University.
3. **The University CU Foundation Development Office’s Restriction on the Use of Funds**

The University CU Foundation Development Office, upon receipt of the gift will establish, in compliance with the donor's requirements, limitations on the use of the

funds. By so establishing the limitations on the use of the funds, the CU Foundation has restricted the use of the funds by the university; even if the restriction is only that a department, school, etc. may use the funds.

The university department will comply with these restrictions when expending the funds transferred from the CU Foundation to the university (see Fiscal Policy 4-3, CU Foundation Draw Down). The university will record these funds in the restricted fund.

4. Gift Transmittal to CU Foundation

The university department will prepare the appropriate Gift Transmittal Form based upon the nature of the gift (check, credit card, gift in kind, or securities) and forward to the CU Foundation as appropriate for processing and/or deposit to the CU Foundation bank account. The CU Foundation will prepare the Gift Transmittal Form for gifts mailed directly to their office.

5. Positive Cash Balance Requirement

Departments must maintain a positive cash balance in their gift programs at all times. A department will need to request monies be transferred from the CU Foundation in sufficient quantity so the department can initiate appropriate expenditures to undertake the program. Departments may incur expenditures against the program provided the program maintains a positive cash balance. Expenditures will not be allowed on programs that are in a negative cash balance status and departments will resolve negative cash balance programs as soon as possible. Resolution generally includes additional cash transfers initiated by the university department from the CU Foundation to the appropriate the university PeopleSoft program.

Departments are generally allowed to create program encumbrances that are in excess of the cash balance. For example, staff who are receiving a portion of their salary from the program for a period of time may create an encumbrance total in excess of existing cash. It is not practical to process payroll documents extending a person's salary support month-by-month solely on the basis that an extended appointment of several months or longer would create an encumbrance in excess of current cash. Nevertheless, departments must ensure that cash will be available to pay the encumbrance when it becomes payable.

All clinical trials shall be performed in conformance with generally accepted standards of good clinical practice with the Protocol, and with all applicable local, state and federal laws and regulations governing the performance of clinical investigations including but not limited to the Federal Food, Drug, and Cosmetic Act and regulations of the Food and Drug Administration.

Performed by:	Action:
The university department/school	<ol style="list-style-type: none"> <li data-bbox="706 241 1435 378">1. If department has gift monies to be deposited please proceed to step 2. If foundation account already exists and department wants to access the funds using a new gift program, please proceed to step 5. <li data-bbox="706 420 1435 703">2. Receives gift receipt from donor and prepares and signs the “Gift Transmittal Form” and the “University of Colorado Foundation Checklist for Gift Acceptance”. Form only required if gift is over \$1,000, (see Exhibit A). If review of documents or completion of the checklist indicates that the monies should be processed as a grant or contract, contact the university Grants and Contracts.
The university Development Office Representative	<ol style="list-style-type: none"> <li data-bbox="706 735 1435 892">2. Submits CU Foundation checklist form along with Gift Transmittal Form to the university CU Foundation Development Office for further review and processing. <li data-bbox="706 913 1435 1081">3. Reviews documents for departmental information and verifies supplied documents support deposit of monies into CU foundation bank account, including specific restrictions on the monies, and certifies that monies meet the criteria of a gift. <li data-bbox="706 1123 1435 1407">4. Deposits monies into CU Foundation bank account using the CU Foundation’s Gift Transmittal Form, (see spreadsheet “tabs” to choose the appropriate form to use based upon the nature of the gift). Note: If donor specifically requests gift to be for the university then Development office will forward funds and paperwork to Grants and Contracts to deposit the funds.
The university department/school	<ol style="list-style-type: none"> <li data-bbox="706 1428 1435 1596">5. When the department is ready to access funds at the CU Foundation, submit Citrix program setup forms according to FP 1-9, along with the Statement of Responsibility Form for Gifts to Grants and Contracts for setup.

Notes

1. Dates of official enactment and amendments:
October 1, 2005: Adopted Director of Grants and Contracts
April 4, 2019: Formatting Updated
2. History:
April 4, 2019: Modified to reflect a 2018 Campus-wide effort to recast and revitalize Campus policy sites into a standardized and more coherent set of chaptered policy statements organized around the several operational divisions of the university. Article links, University branding, and formatting updated by the Provost's office.
3. Initial Policy Effective Date: October 1, 2005
4. Cross References/Appendix:
 - Exhibit A, CU Foundation Checklist for Gift Acceptance