

## DF001.1 Fundraising Procedure

**Policy Type:** Administrative/Operations  
**Revision Date:** July 14, 2021

**Training Required:** No

### Procedure

#### Restricted Gifts

Acceptance of a gift imposes a legal obligation to comply with the terms established by the donor. Therefore, it is necessary that the nature and extent of this obligation is clearly understood. For this reason, the terms of each restricted gift will be reviewed with the utmost care to ensure that the gift retains its original usefulness and beneficial qualities. If a gift is deemed unacceptable because of the restrictions the donor has placed on its use, the donor will be counseled to remove or modify the restrictions or the gift may be declined.

Gifts may also be refused or returned if a change in circumstances results in any of the following:

1. The purpose of the gift is inappropriate, contrary to federal and/or state law, contrary to Board of Regents' policy, or not conducive to the best interest of the Kirk Kerkorian School of Medicine at UNLV.
2. The gift obligates the school of medicine to undertake responsibilities, financial or otherwise, which it may not be capable of meeting for the period required by the terms of the gift.

#### Gifts-in-Kind/Gifts-of-Service

The school of medicine may accept gifts-in-kind (property, equipment, securities, real estate, artwork, etc.) or gifts-of-service (e.g. CE speakers) intended by the donor to benefit the school of medicine. Such gifts are reviewed with special care to ensure that acceptance will not involve financial commitments in excess of budgeted items or commit the school of medicine to other obligations disproportionate to the gift.

1. Tax Deduction
  - a. When gifts-in-kind are given to the school of medicine with the intent for the donor to receive a tax deduction for gifts over \$5,000, it shall be the responsibility of the donor and a requirement of the IRS that the donor, not the school of medicine, obtain an independent appraisal of the gift for tax purposes. The school of medicine shall not become involved in the appraisal process.
2. Solicitation and Acceptance of Gifts-in-Kind
  - a. A department chair, faculty member or staff member interested in soliciting equipment or other gifts-in-kind should check with the Sr. Director of Development prior to approaching the contributor to ensure the Kirk Kerkorian School of Medicine at UNLV and UNLV Foundation and Board of Regents' policies are followed.
  - b. Gifts-in-kind are accepted only after it is determined by the Dean that there is a need or desire for the item or items involved.
  - c. The school of medicine may elect not to accept a gift-in-kind for any of the following reasons:
    - The equipment is obsolete

- The intended gift would involve a high level of projected installation, maintenance, and/or software license costs

3. Acceptance of in-kind-gifts

- a. All gifts will be reviewed by UNLV Foundation in coordination with the Sr. Director of Development and the Dean of the Kirk Kerkorian School of Medicine at UNLV.
- b. Gifts-in-kind transferred to the school of medicine will be recorded and labeled as part of its inventory.
- c. Appropriate paperwork, including proposals/requests and gift agreements, must be completed with the Sr. Director of Development and submitted to the UNLV Foundation for review, processing, and final approval, consistent with UNLV Foundation, UNLV and Board of Regents' policies and applicable contract signature delegations.

**Additional Guidance**

Faculty and staff are required to adhere to the rules and regulations of institutional fundraising policies. All faculty and staff are to receive prior approval for all fundraising and coordinate the intake of income with the Sr. Director of Development. Before pursuing formal discussions with any potential donor there should be conversations with the Sr. Director of Development and the Dean to outline broad goals and objectives of the prospective solicitation and to insure compliance with prospect management guidance. There should be no consultation with an assigned donor without consultation with the prospect manager/principal assigned to that donor.

1. Faculty and staff with ideas for the solicitation of funds or gifts-in-kind to benefit programs and activities at the school of medicine should review and coordinate such plans with the Sr. Director of Development before action is taken.
2. Any faculty or staff member who seeks to establish any type of fundraising program in the name of the Kirk Kerkorian School of Medicine at UNLV from individuals, businesses, industry, foundation or community organizations shall follow these procedures prior to any solicitation taking place.
  - a. Before pursuing formal discussions with any potential or existing donor there should be conversations with the Sr. Director of Development and the Dean to outline broad goals and objectives of the prospective solicitation.
  - b. All formal requests to undertake fundraising initiatives or to solicit contributions shall be reviewed and approved with the Sr. Director of Development and the Dean. Annual requests for sponsorship of events will be submitted in October/November to vendor partners for the following year through the Sr. Director of Development.
  - c. Upon review and approval from the Sr. Director of Development, it is understood that prior to submission of formal written requests to potential donor(s), all supporting materials including mailing list, letter of request, and other related documents shall be reviewed and shared with the Sr. Director of Development. The Sr. Director of Development will assist with development and coordination of fundraising/solicitation strategy, plan and related activities where necessary.

3. For events such as merchandise sales, 5K runs, vendor fairs, bake sales and the like (including all events where outside solicitation is not required or necessary) the hosting department or student group is asked to notify the Sr. Director of Development as a courtesy at least 30 days prior to the event. Hosting group for such activities shall follow already established school of medicine policies and procedures. Monies raised from such events will be handled expeditiously in accordance with established Kirk Kerkorian School of Medicine at UNLV and UNLV Foundation policies and procedures.
4. Faculty and staff can plan and execute "Lunch and Learns" and corporate-sponsored courses (e.g. Continuing Education) without prior approval from the Sr. Director of Development. However, immediately prior to or following the event, faculty/staff must collect a copy of receipts for any gift of service (e.g. speakers' fees covered by corporation) or gift-in-kind (e.g. food) purchased for the event or instruct the corporate representative to contact the Sr. Director of Development to collect all appropriate documentation to process charitable gifts.
5. Requests involving the planning, construction or expansion of a building to be funded by private sector gifts shall be submitted to the Dean and the Sr. Director of Development for collaboration with UNLV Foundation, UNLV leadership, and appropriate approval, in accordance with UNLV Foundation, UNLV and Board of Regents' policies.
6. All Memorandum of Understanding (MOU) for gift agreements should be written by the Sr. Director of Development, approved by the Dean, and approved by the UNLV Foundation (which will include legal review) prior to presentation to the prospective donor. Signatures will be needed from all parties involved and process will be facilitated and finalized by the Sr. Director of Development and the UNLV Foundation.
7. All naming opportunity levels will be set by the Sr. Director of Development, the Dean and the UNLV Foundation in accordance with UNLV Foundation, UNLV and Board of Regents' policies. Naming opportunities will not be offered to prospective donors until reviewed with the Sr. Director of Development, approved by the Dean, and approved by the UNLV Foundation (which will include legal review).

### **Gift Acknowledgement and Receipt**

- A. Formal acknowledgement and thank you notes are to be coordinated by the Sr. Director of Development for all gifts and pledges. A thank you letter from the Dean or appropriate department director should be produced after every gift to the school of medicine. Only the UNLV Foundation can issue an official gift receipt.
- B. Gifts and pledges include cash, securities, trusts, insurance policies, real estate and in-kind donations. In-kind gifts (non-cash) with a value of \$5,000 or more require an itemized list of items donated and the name and address of the donor. Donated in-kind services e.g. lunch and learns, speaker underwriting, etc., shall require an itemized invoice indicating their fair market value for services provided. Again, a thank you/acknowledgement note will be issued. The school of medicine will not assign a monetary value to gifts in kind donated. That responsibility will fall to the donor.
- C. Programs and initiatives tied to the generation of monetary gifts/awards which may require some upfront expenditures by the school of medicine (e.g. building signage for naming opportunities) shall be processed in a manner whereby monies expended by the school shall first be deducted from gift amount before final processing.
- D. Primary responsibility for maintaining complete and accurate records and final approval of Memorandum of Understanding (MOU) for gifts and donations shall rest with the UNLV Foundation.

- E. Gifts will be refused when the purpose is:
- Deemed inappropriate or not conducive to the best interest of the school of medicine.
  - Deemed to be a venture that might obligate the school of medicine to assume risk and responsibilities financial or otherwise, which it may not be capable of meeting for the defined period of the gift.
  - Obligates the school of medicine, its leadership or programs to unrealistic expectations or demands.
  - Deemed contrary to federal and/or state law, or contrary to Board of Regents' policy.
- F. Faculty and Staff are not authorized to issue tax receipts to donors. Funds must be processed through the UNLV Foundation and the Sr. Director of Development to qualify as charitable gifts and to receive proper IRS recognized documentation.