

Distinguishing Between Gifts to the University and Sponsored Projects

The following information provides guidance on distinguishing between gifts to the university and sponsored projects so that they can be correctly classified and administered by the appropriate offices.

Gifts and sponsored projects are the principal forms of awards made by both governmental and private sources. The correct classification and processing of awards is sometimes complex and will require the exercise of informed judgment, particularly in cases where the nature of an award is not immediately clear. Rather than focusing on any single characteristic, each award must be considered in its totality.

Colleges and other university fundraising units must coordinate the cultivation and solicitation of donors with their respective development officers and/or the UNLV Foundation. This coordination is required for fundraising from individuals, corporations, and private foundations, as well as for fundraising events such as dinners, sponsorship events, auctions, golf tournaments, etc. Sponsored projects should be coordinated with the Office of Sponsored Programs.

The UNLV Foundation and the Office of Sponsored Programs have jointly developed the following guidelines to assist individuals seeking external support in correctly classifying awards and determining if any funds deriving from their particular proposal should be routed through the UNLV Foundation or the Office of Sponsored Programs.

Determining the Difference Between Gifts and Sponsored Projects

Private-sector entities (individuals, private agencies, professional associations, businesses, private foundations, corporate foundations, and corporations) may be perceived as either donors or sponsors depending on the award instrument. There are also several shared characteristics, such as signatures from authorized officials binding the university to the terms and conditions of a gift or grant. A gift or grant can also contain terms on the use of the funds. The following indicators have been developed to help direct specific awards to the proper university office.

Definition of a Gift

A gift or donation is a voluntary transfer of money, services, or property (e.g., equipment, property, personnel time, etc.) from a donor without any expectation of or receipt of direct economic benefit or provision of goods or services. Gifts to UNLV are made through the UNLV Foundation in order to provide the donor with appropriate donor recognition and IRS tax documentation. Donations to UNLV for the university's ownership and benefit are generally considered to be gifts if the donor does not benefit by the donation outside of normal recognition benefits, such as stewardship reports, events to interact with beneficiaries of their donations, and/or plaques or other recognition items. All gift solicitation and receipting should be coordinated with the UNLV Foundation.

General characteristics of gifts requiring administration by the UNLV Foundation:

- The award is from a nongovernmental source.
- The donor intends the award to be a charitable gift as reflected by the absence of a quid pro quo.
- The donor makes the charitable gift to UNLV without expectation of direct economic or other tangible benefit commensurate with the value of the gift. Indirect benefits such as tax advantages, business or personal goodwill derived from close association with the university, and miscellaneous benefits derived from donor club status do not negate gift intent.
- The conditions or stipulations placed on the use of the award are reasonable and serve to direct the funds to areas such as infrastructure, scholarships, or general research support of interest to the donor.
- Depending on the size of the gift or award, it may require a signature on a memorandum of understanding or donor agreement letter from an authorized official binding the university to the terms and condition of the gift.
- The gift or award may contain terms on the use of the funds and may contain language regarding return of the gift if the gift agreement is violated.
- Reports to the donor are reasonable and do not require extensive detailed expenditure auditing.

For more information on fundraising procedures or on the cultivation and solicitation of donors, please see the [UNLV Foundation website](#)

Definition of a Sponsored Project

Sponsored projects can come in various forms, including, but not limited to, grants, contracts, and cooperative agreements. A sponsored project is an agreement formalizing the transfer of money or property from a sponsor and can be for the intent to either carry out a public purpose or provide a direct benefit for the sponsor. Sponsored projects are enforceable by law, and specified objectives are usually accomplished within a specified time frame, with payment being subject to revocation. Most sponsored projects also include indirect costs. Sponsored projects must be signed by an authorized signatory for the University of Nevada, Las Vegas.

Sponsored projects are funded by sponsors based on the technical expertise of the principal investigators submitting outcome-driven proposals. However, the formal award is made in the name of University of Nevada, Las Vegas. When the award is accepted, the principal investigator assumes responsibility for conducting and completing the technical work and for administering the project in accordance with federal, state, university, and sponsor requirements. While the principal investigator is responsible and accountable for the sponsored project, the university provides infrastructure to support the investigator and promote an environment of compliance. The principal investigator and the university have a mutual interest in carrying out the project for which the funds are awarded.

General characteristics of sponsored projects requiring administration by the Office of Sponsored Programs:

- Sponsor is a federal, state, or local government OR a subaward includes flow-through funds from a federal, state, or local government source.
- Proposal or award requires a signature from an authorized official binding the university to the terms and conditions of the proposed project.
- Award contains terms on the use of funds, such as budgetary restrictions; states programmatic objectives to be achieved; defines responsible individuals and a period of performance; and details ownership rights.
- Award is typically the result of an outcome-driven proposal.
- Detailed programmatic and/or fiscal reporting with sponsor approval is required during the life of the project and at the end of the project.
- Payment is contingent upon programmatic accomplishments or detailed fiscal reporting.
- Prior sponsor approval is required for significant programmatic and/or fiscal deviations.
- Award contains language regarding the right to revoke funding, and unused funds may need to be returned to the sponsor.
- Award includes a provision for audit.
- Award addresses intellectual property, patent, publication, and/or data rights.
- Award requires protection of confidential information.
- Studies are to be conducted on substances/products/processes that are owned by the sponsor or similar quid pro quo arrangements.
- Project involves the use of human subjects, vertebrate animals, radioisotopes on humans, radioactive materials, recombinant DNA, human body substances, etiologic agents, or proprietary materials.
- The sponsor hopes to gain economic benefits as a result of the activity to be conducted.

Please contact the UNLV Foundation (ext. 52810) or the Office of Sponsored Programs (ext. 51357) with any questions.