

**POLICY AND PROCEDURE FOR COORDINATING SOLICITATIONS FOR PRIVATE
DONATIONS AND
CLASSIFYING GIFTS AND SPONSORED PROJECTS
AT UNIVERSITY OF NEVADA, LAS VEGAS**

PURPOSE:

To communicate guidelines for university-wide solicitation of gifts and to identify the distinguishing characteristics associated with gifts and sponsored projects so they can be correctly classified and administered by the appropriate office.

POLICY:

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

In order to avoid jeopardizing the UNLV Foundation's 501(c)(3) tax exempt status and to meet requirements of state law, the UNLV Foundation will not authorize any games of chance or gaming including but not limited to bingo, card games and raffles.

This policy is not intended to curb initiative or interfere with long-standing relationships with prospective donors, but to enhance our organization.

PROCEDURE:

1. The importance of coordinating all solicitations is critical and in the best interest of the University for positive and continued support from donors. College or unit development officers will function as the focal point for their area and coordinate all solicitations within the area and with the UNLV Foundation.
 - a. Faculty and staff seeking a gift must check with their development officer or in absence of such a position, with the AVP for Development at the UNLV Foundation prior to making contact with a donor to determine if the prospective

donor is already the designee of a current solicitation, planned solicitation or has communicated a special consideration to the Foundation.

- b. The attached Prospect Proposal Clearance Form must be submitted to the UNLV Foundation. If approved, the prospect will be placed on the Prospect Coordination List and written notice via email to proceed with the solicitation will be provided.
 - c. Prospect lists will be reviewed regularly in order to maintain appropriate unit designation.
 - d. Some prospects will be given reserved status termed “Principal Prospect.” Solicitation of these prospects will require prior approval of the President. Such requests must be forwarded through the Executive Director of the UNLV Foundation to the Vice President for Advancement.
2. Multiple Solicitations/Conflict Resolution
- a. If a unit desires to contact a prospect currently on the reserved list, the unit will be told of the reservation and the request will be placed on a waiting list.
 - b. If more than one unit desires to solicit the same prospect at the same time, representatives of these units and their development officer will meet with the AVP for Development at the UNLV Foundation to arrive at a decision on priorities and sequences. If the parties cannot agree, a written request for a decision will be forwarded to the Executive Director of the UNLV Foundation.
3. Donor Letter/Documentation
- a. A proposal of \$1,000,000 or more require presidential approval and in most cases a cover letter from the President. Solicitations of this size must be forwarded through the Executive Director of the UNLV Foundation before any discussion with the donor.
 - b. All gifts of \$5,000 or more or to establish a named program, scholarship, position, or facilities project or that has any special recognition or requirement by the donor, should have a memorandum of understanding (MOU) or letter of agreement signed by the donor, UNLV administrators, and the UNLV Foundation Executive Director

GIFT AND SPONSORED PROJECT DETERMINATION:

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

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, 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 non-governmental 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.

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 either for the intent to carry out a public purpose or to 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 sub-award 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 (x52810) or the Office of Sponsored Programs (x51357) with any questions.