



UTAH VALLEY UNIVERSITY

Policies and Procedures

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| POLICY TITLE | Fundraising Authority, Responsibility, and Coordination | Policy Number | 231 |
| Section | Financial Affairs and Development | Approval Date | June 18, 2019 |
| Subsection | Development | Effective Date | June 18, 2019 |
| Responsible Office | Office of the Vice President of Institutional Advancement | | |

1.0 PURPOSE

1.1 Charitable giving is critical to the mission and growth of Utah Valley University. This policy recognizes Institutional Advancement as the sole university entity with authority to procure charitable gifts to the University. As such, Institutional Advancement directs how and when UVU employees, students, and volunteers may engage in activities intended to secure charitable gifts. This coordination of efforts increases efficiency, ensures efforts are aligned with university mission and priorities, optimizes contact with donors, and ensures all relevant laws and regulations are followed.

2.0 REFERENCES

- 2.1 26 U.S.C. § 501 *Internal Revenue Code*
- 2.2 CASE *Reporting Standards and Management Guidelines*
- 2.3 Utah Code 16-6a *Utah Revised Nonprofit Corporation Act*
- 2.4 Utah Code 53B-20-105 *Institutional right to receive and convert grants, gifts, devises, or bequests*
- 2.5 Utah Board of Regents' Policy R530 *Acceptance of Conditional Gifts*
- 2.6 UVU Policy 234 *Coordination of Sponsorship and Advertising*

3.0 DEFINITIONS

3.1 **Charitable gift/contribution:** A voluntary and irrevocable transfer of property (for example, real property, personal property, cash, or securities) by a donor to the Utah Valley University Foundation (or in some cases the University), for a charitable purpose designated by the donor without any compensation or substantial benefit transferred to the donor in return for the property (other than appropriate recognition or the property being directed toward certain



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activities within the University). Hereafter, charitable gifts/contributions will be referred to as gifts.

3.1.1 Some private organizations may use the term “grant” in reference to a charitable gift. Provided there is no requirement of quid pro quo, donor ownership, or donor control beyond reasonable designations and criteria placed on the use of the property, any such contribution will be deemed a charitable gift.

3.1.2 Property transferred from local, state, and federal governmental entities is not considered a gift.

3.2 Donor: Any individual, corporation, foundation, or other entity making a charitable gift.

3.3 Fundraising activities: All activities related to procuring private, philanthropic support for the University, including but not limited to gift solicitation, gift proposals, prospective donor and donor relationship management, donor events, receiving and processing gifts, gift receipting, development of promotional materials, and public announcements of gifts.

3.3.1 Gift solicitation: Any oral or written request for a charitable gift.

3.3.2 Receipting: Documentation confirming the receipt, description, and donor of a charitable gift.

3.4 Other university representative: Non-university employees representing the University in some official capacity including but not limited to: volunteers, board members, search committee members.

3.5 Sponsorships: See UVU Policy 234 *Coordination of Sponsorship and Advertising*.

3.6 Supervising executive: The vice president, associate vice president, or dean who most closely oversees a university department or organization.

3.7 Utah Valley University Foundation (“Foundation”): Is the duly established Utah non-profit corporation organized to be a charitable, tax-exempt 501(c)(3) entity that operates exclusively for the benefit of the University. The Foundation accepts and manages any and all charitable gifts to the University. The Foundation is directed by a board comprising volunteers and university employees. For the purposes of this policy, references to Institutional Advancement shall be presumed to include the Foundation and its board unless otherwise indicated.

4.0 POLICY

4.1 Institutional Advancement shall direct all fundraising activities for, or on behalf of, the University. No university offices, employees, students, or other university representatives may



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engage intentionally in fundraising activities without the prior approval of the Vice President of Institutional Advancement or their designee.

4.2 All university offices, employees, students, and other university representatives are responsible for directing any received charitable gifts to Institutional Advancement for processing, receipting, and reporting purposes.

4.3 The Foundation shall be the repository for all charitable gifts made to the University unless otherwise directed and approved by the Vice President of Institutional Advancement.

4.4 All fundraising activities shall comply with university policies and procedures and Institutional Advancement operating guidelines, as well as federal and state law.

4.5 Institutional Advancement employees shall abide by the highest standards of ethical conduct in fundraising, and shall be trained and educated in ethical fundraising best practices. Employees shall be provided with resources to remain familiar with professional standards, including but not limited to university policies and procedures, the Council for Advancement and Support of Education (CASE) *Statement of Ethics*, and the CASE *Donor Bill of Rights*.

4.5.1 No party in connection with a charitable gift to the University or the Foundation will receive a commission or a finder's fee of any kind.

5.0 PROCEDURES

5.1 Approval Process

5.1.1 Prior to engaging in any fundraising activities, all university employees or organizations must secure approval from their supervising executive.

5.1.2 Upon securing approval from their supervising executive, university employees must then secure approval from the Vice President of Institutional Advancement or their designee.

5.1.3 Prior to engaging in any fundraising activities, student groups shall secure approval from Institutional Advancement for the fundraising purpose and the amount and individual or organization to be solicited.

5.2 All university offices, employees, students, or other university representatives shall promptly notify Institutional Advancement if they receive inquiries, offers, or information regarding a possible gift to the Institution.

5.3 Any communication to a donor or prospective donor concerning tax deductibility of gifts must be made by Institutional Advancement.



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5.3.1 If a gift or sponsorship results in the donor receiving material benefit, the value of the benefit must be determined by Institutional Advancement and accounted for in the gift receipt.

| POLICY HISTORY | | |
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| June 8, 2006 | Approved for Policy Manual | UVU Board of Trustees |
| June 18, 2019 | Revised policy approved for Policy Manual | UVU Board of Trustees |