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**Note: For links to referenced documents see  
Section VI, *Related Information* below.**

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## **I. POLICY SUMMARY**

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- A. This section of the Policy and Procedure Manual (PPM) for the University of California (UC) Agriculture and Natural Resources (UC ANR) describes the local implementing procedures for the UC Office of the President (UCOP) *Development Reference Guide* and related gift policies. Nothing contained in these implementing procedures should be read or interpreted to contradict the UC policy. If any provision should contradict the UC policy, the UC policy shall prevail.
- B. UC ANR seeks gifts to support its work to improve the lives of Californians through its research and extension in the areas of agriculture, the environment, natural resources management, and human and community development. Gifts are solicited and accepted by UC ANR to support these research, training, and public service programs.
- C. All gifts will be properly received, acknowledged, reported, and managed to ensure financial transparency and appropriate donor stewardship.
- D. The following key concepts are explained in greater detail below.
1. Only those UC ANR positions with a written re-delegation of authority letter from the Vice President may solicit and accept gifts on behalf of The Regents, subject to the dollar limitation stated in the letter.
  2. No one may accept a gift given for the benefit of their own research project (this restriction applies even if that individual has a written re-delegation of authority to accept gifts).
  3. Any individual may thank a donor for a gift, without implying official acceptance of the gift on behalf of The Regents. All gift recipients are encouraged to issue a personal note, email, or call to the donor expressing appreciation of the gift.

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## **II. DEFINITIONS**

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- A. **Acceptance:** Agreement between UC and a donor to the terms and conditions of a gift; this is a written notification sent to inform a donor that the terms of a gift are approved and that UC ANR has accepted the gift.

- B. **Acknowledgement (“Thank You Letter”)**: Differentiated from “acceptance,” this is a written notification sent to inform a donor that a gift has been received and that UC ANR is grateful for the support. Mention of “acceptance” or any language pertaining to tax deductibility or providing our tax ID number is specifically excluded from an acknowledgement letter.
- C. **Bequest**: Assets received by provision of a will or a court order following a donor's death.
- D. **Cash Gift**: Cash funds given irrevocably and without contractual obligation.
- E. **Fund-Raising Campaigns**: Organized efforts to solicit gifts and grants for any UC ANR purpose from multiple private sources such as individuals, firms, corporation, groups, and foundations.
- F. **Endowment**: A fund for which the principal remains inviolate and only the income may be expended.
- G. **“In-Kind” Gift**
1. **Tangible property**: Equipment, chemicals, etc., that may be used (or sold so that the proceeds may be used) in the UC ANR program.
  2. **Services**: The value of the time spent in performing services contributed to UC ANR by a donor (e.g., carpenters, mechanics, etc.).
- H. **Intangible property**: Copyrights, patents, contract rights, royalties, and so on.
- I. **Private Research Gifts**: Non-contractual awards by non-governmental entities, to which one or more of the following characteristics apply:
1. A report of research results and/or expenditures is required.
  2. Testing or evaluating of proprietary products is involved.
  3. The grantor states a precise scope of work rather than a general area of research.
  4. Unexpended funds must be returned to the grantor.
  5. The grantor requests intellectual property rights.
- All proposed gifts that include any one or more of the above characteristics will be referred to the Contracts and Grants Director along with the Development Services Executive Director for mutual review and classification as either a gift or a grant. If determined to be a grant, the procedures set forth in UC ANR Policy and Procedure Manual Section 264, *Contracts and Grants for Research, Training, and Public Service Projects* will apply.
- J. **Real property**: Land and/or capital improvements.
- K. **Securities**: Stocks and bonds.

- L. IRA Transfers: Funds from a personal IRA resulting in a cash gift to UC ANR.
- M. **Thank You Letter:** (See “Acknowledgement” above)

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### III. POLICY TEXT

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#### A. Authority to Solicit and Accept Gifts

##### 1. UC Policy

Policy regarding private support originates in the Standing Order of The Regents 100.4(dd) with certain authority to solicit and accept private support delegated to the President, and from the President and, pursuant to Presidential Delegation of Authority No.2631, to the Vice President (among others).

##### 2. Cash and In-Kind Gifts

- a. Pursuant to Presidential Delegation of Authority No. 2631, the UC ANR Vice President has been authorized to solicit and accept gifts of up to \$10,000,000.
- b. UC ANR executives and directors may solicit and accept cash and in-kind gifts up to the stated dollar limit detailed in their individual written re-delegation of authority letters issued to them by the UC ANR Vice President. Only the UC ANR Vice President may re-delegate authority. See the below *Gift Solicitation and Acceptance Re-delegation of Authority* table for a complete listing of those with re-delegated authority.
- c. **Only those UC ANR positions with written re-delegation of authority may solicit and accept gifts of any kind. Those without written re-delegation of authority may not solicit or accept gifts. However, any recipient of a gift may thank (acknowledge) a donor for the gift.** Gift acknowledgement (thanks) by the recipient is strongly encouraged, particularly in the form of a personal note, email, or phone call.
  - i. **Individuals with redelegated authority to solicit and accept gifts may not accept gifts given for their own research project.** This is true for both cash and in-kind gifts. For example, if a UCCE County Director (CD) is given a \$10,000 gift for the CD’s own research project, the CD may acknowledge (thank) the donor, but the CD may not accept the gift. In such a case, the Development Services Executive Director can accept the gift for the CD.

**Gift Solicitation and Acceptance Re-delegation of Authority**

Position	\$ Amount
Vice President	\$10M
Associate Vice President	\$5M
Associate Vice President Business Operations	\$5M
Controller	\$200k
Vice Provost of Research and Extension	\$200k
UC Cooperative Extension County Directors	\$20k
Research and Extension Center Directors	\$20k
Executive Director Development Services ( <i>Accept up to \$1M; solicit up to \$5M</i> )	\$1/5M
Vice Provost of Strategic Initiatives and Statewide Programs	\$200k
California Naturalist Statewide Program Director	\$20k
Informatics and Geographic Information Systems Statewide Program Director	\$20k
Integrated Pest Management Statewide Program Director	\$20k
Master Gardener Statewide Program Director	\$20k
Statewide 4-H Director	\$20k
Nutrition, Family and Consumer Sciences Program Director	\$20k
Nutrition Policy Institute Director	\$20k
California Institute for Water Resources Director	\$20k
Business Operations Center Director	\$20k
Business Operations Center Kearney Associate Director	\$10k
Business Operations Center Davis Associate Director	\$10k

- d. While it is standard practice to ask for the individuals with re-delegated authority in an individual's unit to accept a gift, the Development Services Executive Director also may accept gifts and has a level of authority that can accommodate most gifts.
- e. UC ANR Directors are strongly encouraged to notify Development Services regarding planned fundraising solicitations prior to submitting them to potential donors. This will enable the Development Services team to support the UC ANR unit's planned solicitation in a variety of ways.
  - i. Special Requirement for Unsolicited Gifts In-Kind of \$500 or More  
While anyone may thank a donor for a gift, all unsolicited in-

kind gifts of \$500 or more must first be reviewed and approved by the UCCE County Director, the Statewide Program/Institute Director, or the REC Director as well as the Development Services Director of Advancement before a thank-you is issued. If approved by the program and Development Services Directors, a thank you may then be issued subsequently, and the program Director with redelegated authority may accept the gift. This requirement does not apply to in-kind gifts of less than \$500.

3. Gifts of Intangible Property, Real Property, Securities

Gifts of intangible property (copyrights, patents, etc.), real property, and securities may only be accepted by the UC ANR Vice President, the President, or The Regents based on the fair market value of the gift. Offers of all such gifts should be referred to the Development Services Executive Director for review and consideration by the Vice President.

4. Gifts in the Form of Bequests and Endowments

Gifts offered in the form of bequests and endowments must be referred to the Development Services Executive Director. Depending on the value of the gift, the Executive Director will seek the Vice President's (and/or higher levels of authority) approval as may be necessary.

5. Additional Gift Provisions

The Vice President has retained authority to accept third party liability associated with gifts, to allocate and reallocate gifts, and to make withdrawals from Funds Functioning as an Endowment (FFE's). Gifts touching on any of these matters should be referred to the Development Services Executive Director for review and consideration by the Vice President.

**B. Indirect Cost Charges (A.K.A. "Gift Processing Fees")**

1. Gifts given directly to UC ANR are not subject to UC indirect cost charges.
2. Gifts given to UC ANR via the on-line giving platform are assessed a nominal processing fee by the vendor. In some cases, online systems allow the donor to cover the vendor processing fee. In this case, their tax deductibility is always the gross amount of their gift. Acceptance letters are auto-generated for online gifts. If an office chooses to send a thank you, the thank you should recognize the gross gift amount and have no language regarding acceptance or tax deductibility. (see Appendix II for detail and samples)

## **C. In-Kind Gifts**

### **1. In-Kind Gifts**

#### **a. Tangible and Intangible Property**

UC ANR (including officially recognized UC ANR support groups) does not determine the value of in-kind gifts of property. It is the donor's responsibility to place a value on in-kind gifts for the donor's use in claiming a tax deduction, and the donor must advise UC ANR of that value in writing. Donors should always be advised to consult a tax advisor and/or IRS Publication 561, *Determining the Value of Donated Property* to correctly determine the value of donated tangible and intangible property.

- i. Prior to UC ANR's receipt of such written notice, UC ANR may identify an estimated value for internal business operation purposes only (e.g., for inventory control) but this is not stated in the donor acceptance letter.

#### **b. Services**

The value of donor-performed services (e.g., labor by carpenters, mechanics, etc.) is not tax-deductible by the donor and UC ANR should not report that value as a gift. However, the donor may deduct any associated out-of-pocket, unreimbursed expenses (parts and similar tangible items), and the donor-reported value of any such unreimbursed expenses should be recorded by UC ANR as a gift. The donor should be advised to retain their receipts and to consult a tax advisor and/or IRS Publication 561, *Determining the Value of Donated Property*.

- i. UC ANR must provide the donor with a written description of the services rendered, without stating monetary value, including a statement that no goods or services were provided by UC ANR.

### **2. IRS Forms 8282 and 8283**

- a. For all in-kind gifts valued between \$500 to \$5,000, donors are required to file IRS Form 8283, *Noncash Charitable Contributions*.
- b. For all in-kind gifts valued over \$5,000, the donor must complete Section B of IRS Form 8283, and must obtain a qualified written appraisal. The UC ANR individual accepting the in-kind gift must sign Section B as the donee.
- c. If IRS Form 8283 is filed by a donor, and if UC ANR subsequently sells, exchanges, or otherwise transfers or disposes of the gift

within a two-year period, the accepting UC ANR office must file IRS Form 8282, *Donee Information Return*.

- i. IRS Form 8282 need not be filed if the item was originally valued at \$500 or less or if the item is consumed or distributed without consideration (i.e., without UC ANR getting something in return), for a purpose that fulfills the function of the accepting UC ANR office.

Contact the Development Services Director of Advancement with questions about IRS Forms 8282 and 8283.

3. In-Kind Gift Paperwork

Acceptance letter and any documentation from the donor should be submitted to BOC for processing. For internal gift processing purposes only, an estimated value will be recorded in UC ANR's donor database.

**D. Private Research Gifts**

1. As described in Section II. *Definitions*, any research gifts answering yes to the criteria, must be referred to the Development Services Executive Director and the Contracts and Grants Director for their mutual review and classification of the donation as either a gift or a grant prior to acceptance.
2. With respect to private research gifts, UC policy specifically prohibits use of UC facilities for research of a purely commercial nature (reference UC Regulation No. 4). Accordingly, acceptance of proposed gifts for testing, studies, and other investigations are carefully reviewed to ensure compliance with UC policies. Documentation associated with such gifts shall not reference trade names or use of the gift for the sole purpose of conducting a test.
3. On occasion, a donor may wish to provide funding to UC ANR for testing a proprietary product(s) where private facilities do not exist for such purposes. Such funding would be considered a private contract/grant and as such, must be administered by the Contracts and Grants Director.

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**IV. COMPLIANCE / RESPONSIBILITIES**

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- A. The UC ANR unit responsible for gift administration is Development Services.
- B. For a complete list of UC ANR personnel authorized by the Vice President to solicit and accept gifts, see above Item II.A., *Gift Solicitation and Acceptance Re-delegation of Authority*.
- C. To meet required legal and fiduciary standards, recipients of gifts (e.g., UC ANR

personnel) will be personally responsible for using the funds or property in accordance with the specified purposes, terms, or conditions of the donor.

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## **V. PROCEDURES**

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### **A. Administration of Gifts**

1. Cash gifts will be administered in the following manner:
  - a. Gifts donated to UC ANR should be made payable to "The Regents of the University of California."
  - b. Checks may be in the full amount of the donation or may represent an installment payment on a pledge. If the check represents an installment payment, the acknowledgement (thank you) letter should include reference to the full amount of the donation and the dates the additional payments may be expected.
  - c. Gift funds are not available for use until a written acceptance letter has been issued, and the gift has been deposited into the appropriate UC ANR account.
  - d. Gifts will be administered as other UC ANR funds are administered, and will be managed according to UC fiscal and investment policies and procedures.
2. In-kind gifts of inventorial equipment will be added to UC ANR inventory by the receiving UC ANR unit. The UC ANR employee with custody of the equipment is responsible to ensure that it is given proper care and maintenance in accordance with UC standards.

### **B. Processing Cash and In-Kind Gifts**

1. Upon receipt of a check, the recipient should transmit it immediately to the appropriate administrator in their UC ANR unit, along with the gift packet. The gift packet must include the following.
  - a. A copy of the check (cash gifts) or a description of the donation (in-kind gifts).
  - b. A copy of acknowledgement and/or acceptance letters, subject to the following.
    - i. The recipient of the gift should immediately acknowledge its receipt with a personal thank you note, email, or call to the donor. This acknowledgment may express appreciation for the gift, but should not accept it, unless the recipient has written re-delegation of authority to accept a gift in that

- amount. Further, no tax information should be included such an acknowledgement letter.
- ii. If the recipient has authority to accept the gift, they may issue a single letter both acknowledging and accepting it. See Appendices II, *Acceptance of Cash Gifts* and III, *Acceptance of In-Kind Gifts* for sample acknowledgement letters.
  - c. **The Recipient's Report of Tender of Gift form**  
Mandatory for all gifts, this form sets forth the name of the donor, the purpose for which the gift is given, and any specific terms or conditions of the gift.
  - d. **The UDEV 100 form**  
Mandatory for all gifts including private research grants (once it has been determined that such a private research grant will be administered as a gift).
2. The gift packet must be forwarded immediately to the individual with the appropriate written re-delegation of authority for gift acceptance (see above Item II.A., *Gift Solicitation and Acceptance Re-delegation of Authority*). Consult the UC ANR unit's individual office procedures for detailed instructions regarding protocol and proper handling or original documents and copies. For more information on procedures contact:
    - a. UC Cooperative Extension Offices: Associate Director of the Business Operations Center – Davis.
    - b. Statewide Programs: Director of Program Planning and Evaluation in the office of the Associate Vice President.
    - c. Research and Extension Centers: REC System Business Manager.

**C. Processing Private Research Gifts and Form 700-U**

1. A research gift, under the definition in Section II., should be thanked by the recipient of the research gift but the recipient, regardless of delegation of authority privilege, may not provide an acceptance letter.
2. The 700-U is a form required by the State of California, and is designed to ensure that UC and CSU research projects are not unduly influenced by the entities funding them. All researchers who receive grant funding or gift funding for their research must complete the 700-U before the gift can be processed and the funds made available to the researcher. This is State law and the Fair Political Practices Commission (FPPC) monitors this requirement. Only research gifts require this form. Form 700-U must be "wet" (ink) signed and provided with the gift processing paperwork.

- a. Gifts/Economic Interest: The questions on the form related to gifts do not mean donations to research; they refer to personal gifts benefitting the research recipient or a member of their family.

See Appendix IV, *Research Gifts – Form 700-U* for complete instructions and where to obtain the most current form and/or consult with Executive Director of Development for additional information.

## **D. Fundraising Campaigns**

### **1. Authority**

As described in Section II, *Definitions* above, fundraising campaigns are organized efforts to solicit gifts from multiple private sources such as individuals, firms, corporations, groups, and foundations.

Pursuant to Presidential Delegation of Authority No. 2589, the UC ANR Vice President has been delegated authority to approve and conduct fundraising campaigns for support of projects within UC ANR. The Vice President cannot re-delegate this authority. Accordingly, any such intent to engage in a fundraising campaign must be reviewed by the Development Services Executive Director who obtains approval from the Vice President. Further, Development Services can provide valuable guidance on fundraising campaigns to maximize their success on behalf of UC ANR programs.

- a. This restriction applies to all funds to be raised in the name of and/or administered by UC ANR whether conducted by UC Cooperative Extension, Statewide Programs/Institutes, Research Extension Centers and/or official UC support groups such as the California 4-H Foundation.
- b. This restriction does not apply to:
  - i. UCCE County 4-H councils or clubs when raising funds to support their programs or activities,
  - ii. Instances where family or friends of a deceased person announce that memorial contributions may be sent to UC ANR in lieu of flowers or other remembrances, and
  - iii. Annual fund gift campaigns.

### **2. Procedures**

- a. Proposals for fundraising campaigns should be sent to Development Services who will arrange for the required review and approvals.
- b. All fundraising activities will be coordinated with Development Services and will conform to established UC programs and policies.

Gifts and grants received as a result of fundraising campaigns shall be accepted in accordance with established UC ANR procedures as set forth in this Section 206.

- c. All solicitations will contain the following disclaimers. The disclaimers may appear in fine print and may be placed discreetly on solicitation materials.
  - i. All gifts are tax deductible as prescribed by law.
  - ii. Privacy Notice as required by the California Information Practices Act of 1977: “The information you provide will be used for University business and will not be released unless required by law.”
  - iii. The Donor Consent statement will be used, particularly if publication of donor listings is a possibility. Sample language: “Should you wish that your name not be included in any publications of donor listings, please notify us.”

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## **VI. RELATED INFORMATION**

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- [IRS Publication 561, \*Determining the Value of Donated Property\*](#)
- [IRS Form 8282, \*Donee Information Return\*](#)
- [IRS Form 8283, \*Noncash Charitable Contributions\*](#)
- [California Information Practices Act of 1977](#)
- [California Form 700-U, \*Statement of Economic Interest\*](#)
- [UC Regents Policy 5201, \*Policy on Fundraising Campaigns\*](#)
- [University of California Office of the President \(UCOP\) \*Development Reference Guide\*](#)
- [UCOP Regulation No. 4](#)
- [UCOP Delegation of Authority 2002, \*Policy on Naming University Properties, Programs and Facilities\*](#)
- [UCOP Delegation of Authority 2206, \*Gifts to an Agency Approval and Reporting Requirements\*](#)
- [UCOP Delegation of Authority 2579, \*Authority to Return Gifts\*](#)
- [UCOP Delegation of Authority 2589, \*Authority to Approve and Conduct Fundraising Campaigns\*](#)
- [UCOP Delegation of Authority 2631, \*Authority to Solicit and Accept Gifts\*](#)

- [UCOP, Policy on Review of Gifts/Grants for Research](#)
- [UCOP List of Non-governmental Entities Exempt From Disclosure Requirement](#)
- [UC Treasurer of The Regents General Endowment Pool Information](#)
- [UCOP Accounting Manual](#)
- [UDEV 100 Form](#)
- [UC ANR Development Services](#)
- [UC ANR Contracts and Grants](#)
- [UC ANR Contracts and Grants - Statement of Economic Interest - Supplemental Form](#)
- [UC ANR UCCE Procedures Guide](#)
- [UC ANR Recipient's Report of Tender of Gift Form](#)
- [UC ANR PPM Section 207, Qualified Sponsorship Recognition](#)
- [UC ANR PPM Section 264, Contracts and Grants for Research, Training and Public Service Projects](#)

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## **VII. FREQUENTLY ASKED QUESTIONS**

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Not used.

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## **VIII. REVISION HISTORY**

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### **July 2017:**

Policy format updated.

### **November 2017:**

Format updated.

### **March 2020:**

Revised for clarity, expanded for additional information, and updated for revised UCOP policies and delegations of authority.