The authority to solicit and accept gifts was delegated to Chancellors by Presidential Delegation DA2588, dated May 4, 2015. I am redelegating to the Vice Chancellor-University Advancement, the authority to solicit and accept gifts up to and including a value of $1 million, with the exceptions noted below. The Senior Assistant Vice Chancellor-University Advancement Strategic Planning and Administration; the Director of Business and Financial Operations, University Advancement; the Director of Gift Services, University Advancement; the Assistant Director of Gift Services, University Advancement; and the Manager of Gift Administration, University Advancement, are redelegated authority to accept gifts up to and including a value of $1 million, with the exceptions noted below.

Regental authorization is required for solicitation or acceptance of any gift that involves:

- Exceptions to approved University programs and policies or obligations on the part of the University to expenditures or costs for which there is no established fund source or which require the construction of facilities not previously approved [Standing Order 100.4(dd)(1)];

Regental, Presidential or Chief Investment Office authorization, as appropriate, is required for solicitation or acceptance of any gift that involves an interest in real property [Bylaws 21.3(j)(2) and 21.4 (o) and Standing Order 100.4(gg)].

The authority to act under this redelegation is subject to the following conditions:

1. Whenever there is any ambiguity in the terms of a gift proposal or other question as to its legal effect, the matter shall be referred to the General Counsel and Vice President for Legal Affairs by the Vice Chancellor-University Advancement, with approval of the Chancellor, for interpretation and advice. If there is any doubt whether gift terms comply with the policies of the University, including those set forth in the Development Reference Guide, the questions shall be referred to the Assistant Vice President for Institutional Advancement for interpretation and advice prior to acceptance. Whenever the solicitation or acceptance of a gift might have an effect upon academic programs or Academic Senate responsibilities, the matter must be discussed with the Provost/Executive Vice Chancellor and the dean or director of the relevant unit before the gift is accepted.

2. Gifts to The Regents shall be accepted, administered, documented, and reported in accordance with established University policies, guidelines, and procedures.

4. Gifts to University support groups shall be accepted, administered, documented, and reported in accordance with the September 15 1995 (last amended September 22, 2005) Policy on Support Groups, Campus Foundations, and Alumni Associations and the Administrative Guidelines for Support Groups established on February 12, 2004, as updated on October 24, 2012.

5. Gifts to The Regents or to any unit thereof shall be accepted in the name and become the property of The Regents of the University of California.

6. Gifts of $1 million and more to The Regents, the Campus Foundations, and the University Support Groups shall be reported quarterly to the President by the Chancellor.

7. Capital improvement projects included in the gift are subject to approval of the site and design of the projects after completion of the environmental impact review process in accordance with the California Environmental Quality Act.

For purposes of this delegation, the dollar amount of a gift shall be the amount of cash actually received; or, if in the form of a pledge, the full amount pledged; or shall be equivalent to the fair market value of securities or personal property. The term gift shall be used as defined in the Review of Gifts and Grants for Research issued by the President on July 8, 1980 (attached).

This delegation of authority does not cover authority to solicit, accept, or execute certain extramural research, training, and public service contracts and grants, which is covered in IDA537, dated May 4, 2012.

This authority may not be redelegated further and supersedes Chancellor Wilkening’s April 13, 1998 delegation on the same subject (IDA 235).

Howard Gillman
Chancellor

Attachment

cc: General Counsel and Vice President for Legal Affairs
    Assistant Vice President-Institutional Advancement
    Provost and Executive Vice Chancellor
    Vice Chancellors
    Chief Executive Officer, UCI Medical Center
    Assistant Vice Chancellor, Accounting and Fiscal Services
    Assistant Vice Chancellor, Research Administration
    Chief Campus Counsel, Campus Counsel, and Chief Health Sciences Counsel
    Director, Internal Audit
    Manager of Administrative Policies
I. POLICY SUMMARY

In a review of the University's gifts/private grants for research, the State Auditor General concluded that in many cases monies awarded to the University which should have been classified and processed as grants were classified and processed as gifts.

To clarify this situation and to insure greater consistency among campuses, the following guidelines shall be observed.

II. DEFINITIONS

III. POLICY TEXT

In general, classify funds as gifts when the following characteristics exist:
University of California Policy
Review of Gifts and Grants for Research

- donor does not impose contractual requirements
- funds are awarded irrevocably.

In general, classify funds as grants when the following characteristics exist:
- provision for audits by or on behalf of the grantor;
- the grantor is entitled to receive some consideration such as a detailed technical report of research results or a report of expenditures;
- testing or evaluating of proprietary products is involved;
- the research is directed to satisfying specific grantor requirements (e.g., terms and conditions stating a precise scope of work to be done rather than a general area of research);
- a specified period of performance is prescribed or termination is at the discretion of the grantor;
- funds unexpended at end of period shall be returned to the grantor;
- patent rights requested by grantor.

Since in many situations all of the above characteristics will not be present, judgment must be exercised in order to classify the gift/grant in accordance with the intent of this policy. The decision as to whether a particular award should be considered a gift cannot be made based upon the presence or absence of a single characteristic or criterion. Rather, one must look at the award in toto in order to make a judgment as to its proper classification.

Regardless of the designation of an award for research as a gift or grant, it will be subject to the research review process as well as to the administrative rules and procedures which apply to all University Funds. The processing of gifts will not include the application of indirect costs. Processing of grants will include the application of indirect costs in accordance with University policy.

The above guidelines are not intended to indicate whether processing of gifts/grants occurs in the Contract and Grants Office or the Development Office. Report governmental grants to Systemwide Administration for inclusion in the contracts and grants EDP system and report all other gifts/grants to Systemwide Administration according to stated Gift and Development reporting needs. However, organization of the processing/acceptance/administration of gift/grant funds is a local matter.

IV. COMPLIANCE / RESPONSIBILITIES

V. PROCEDURES
VI. RELATED INFORMATION

VII. FREQUENTLY ASKED QUESTIONS

VIII. REVISION HISTORY

This policy was reformatted into the standard University of California template effective July 1, 2012.

This policy was set forth in President Saxon's letter to the Chancellors et al., of July 8, 1980.