

# GIFTS-IN-KIND

## Frequently-Asked Questions

### **Q: What kind of assets can be given to the University of Colorado?**

A: Gifts-in-kind (GIKs) intended to be retained by the University of Colorado will only be considered for acceptance if they can be used by CU in a manner related to its mission. Some examples are below:

- Tangible personal property: artwork, medical devices, musical instruments, antiques, boats, books, and even food and beverage
- Intangible personal property: patents, copyrights, licenses and even software
- Corporate property: equipment, books, devices, consumables, furnishings, and educational materials
- Real estate: land, buildings, or water and mineral rights

### **Q: Who initiates the GIK acceptance process?**

A: If a CU campus, college, school, or department is interested in accepting and using a GIK, they should fill out the [GIK Acceptance Form](#). Assistance can be provided by a representative from the Office of Advancement or by contacting [GIK@cu.edu](mailto:GIK@cu.edu).

### **Q: On the GIK Acceptance Form, who is the “GIK Employee Custodian”?**

A: The GIK Employee Custodian is the contact within the department who ultimately accepts responsibility for securing and stewarding the donation on behalf of CU. The GIK Employee Custodian is often the same person as the “Org Unit Authorizing Signature”.

### **Q: Where should I send the GIK Acceptance Form after I’ve filled out my portion?**

A: The GIK Acceptance Form should be submitted with all relevant documents to [GIK@cu.edu](mailto:GIK@cu.edu). The Office of Advancement performs an initial review of the proposed item(s) **before department confirms CU’s acceptance**.

### **Q: What happens after the Office of Advancement approves the GIK Acceptance Form?**

A: The Office of Advancement signs the GIK Acceptance Form and returns it to the benefiting department, indicating approval to continue the GIK acceptance process. The benefiting department then proceeds to accept the GIK, sign the GIK Acceptance Form, and submit the GIK Acceptance Form to [GIK@cu.edu](mailto:GIK@cu.edu). The fully-executed GIK Acceptance Form triggers an acknowledgment “receipt” to the donor.

### **Q: My GIK has exceptions (written contract, reporting requirements, etc). Does this change the process?**

A: Any GIK contribution that has restrictions on use, external reporting requirements, contains hazardous materials, requires additional expenses (delivery, storage, maintenance), is for

temporary use only, **requires a contract or written agreement**, or is valued over \$5,000 typically falls under complex GIK. These gifts require additional review. Please contact [GIK@cu.edu](mailto:GIK@cu.edu) for assistance with these contributions.

**Q: What kinds of gifts-in-kind do we NOT accept?**

A: Gifts-in-kind will only be accepted if the benefiting department wants or needs the item. GIKs that are not wanted nor needed will NOT be accepted. GIKs intended to be retained by CU will only be considered for acceptance if they can be used by CU in a manner related to its mission. Below are general guidelines for acceptance:

- Approval should precede acceptance
- Must pass the “related use” test (i.e. can the item be put to a use that is related to CU’s mission)
- Departments are responsible for upkeep, storage, and maintenance, including associated expenses
- Cannot violate campus conflict of interest rules
- Must abide by sponsorship and sponsored research policies
- Must be of significant value (\$25,000+) to be accepted for sale rather than use (gifts accepted solely for disposal or sale must be carefully reviewed before acceptance)

**Q: How long can I expect this process to take (from filled out form to acceptance of item)?**

A: The turnaround time for this process varies. For simple GIKs without restrictions or complexities, you can expect the form to be returned within 2-4 business days. If the GIK has exceptions (written contract, reporting requirements, etc.), then the process may require additional time to allow for appropriate CU staff review and approval.

**Q: What is the difference between a simple GIK and a complex GIK?**

A: Simple gifts-in-kind generally have the following characteristics:

- Gift value is under \$5,000
- Gift passes related use test
- No sponsorship or gift agreement required by donor
- No financial burden for accepting and maintaining
- Donor/benefactor provides a receipt or the item can be valued by CU staff with expertise or using comparable items online

Complex gifts-in-kind generally have the following characteristics (and require additional review):

- Value exceeds \$5,000
- Restrictions on use
- Requires contract or written agreement
- External reporting requirements
- Hazardous material
- Requires CU to pay for delivery or storage

- Ongoing expenses associated with the item
- Is an item being loaned to CU (versus full transfer of ownership)
- Gift to be sold to benefit CU
- Donor/benefactor would like a charitable deduction for \$5,000+; in these cases, the IRS requires the donor to obtain a qualified appraisal and complete additional forms

There are certain gifts-in-kind which will require additional procedures and review, such as gifts of artwork or gifts being added to a university museum or collection. Please be sure to involve [GIK@cu.edu](mailto:GIK@cu.edu) early to smoothly manage these more complicated gifts.

**Q: Our unit wants a GIK that needs to be transported to CU. How do we go about obtaining the gift?**

A: Transportation costs are usually the responsibility of the benefiting or accepting unit. The department can discuss with the donor whether the unit or the donor will pay these associated expenses, but typically the unit will cover costs required to transport the item to CU.

**Q: Why do we require a valuation of the gift when there won't be a value on the donor/benefactor's receipt?**

A: We require a valuation of the GIK in order to steward and recognize a donor's comprehensive giving history to CU. However, some items receive a \$0 valuation in the donor recognition database, due to higher education fundraising counting standards. Examples of such donations include:

- Software licenses or other intellectual property (versus the gifting of the copyright or patent itself)
- Gift cards donated by the company or organization where the gift cards are valid
- Services provided to the University at no cost or at reduced cost.

**Q: Who fills out and signs IRS Form 8283? How does that process work?**

A: An IRS Form 8283 is required by the IRS for a taxpayer to substantiate a \$5,000+ charitable deduction on their income taxes. A donor should complete the first portion of their IRS Form 8283 (following instructions on the form). This often includes the completion of a qualified independent appraisal, including the signature of the appraiser. The donor should then submit their Form 8283 to [GIK@cu.edu](mailto:GIK@cu.edu). The Office of Advancement will coordinate securing the appropriate signatures from CU and returning an executed copy of the form to the donor. Just remember that a GIK needs to follow the GIK acceptance process in order for CU to sign the donor's IRS Form 8283.

**Q: How do I say no to a donor without coming off as rude or discourteous?**

A: There are many gifts-in-kind that the University will not or cannot accept. Some of these items (such as home furnishings and Buffalos) are no longer accepted by our campuses. When questioning whether or not CU will accept the gift, it's always best to remember: **gifts-in-kind**

**will only be considered for acceptance if they can be used by the University in a manner related to its mission.**

Below is an example of how to politely say no to a gift:

“Thank you for reaching out and for considering CU for this incredible gift! The [photos, objects, artwork, item] is quite remarkable. Unfortunately, CU [campus, college, school, department] is not currently in a position to accept your generous gift. However, we are truly grateful that you thought of CU when considering a home for your [item]!

**Q: What are the most important things to remember when considering a GIK?**

A: Just remember the following:

- Get approval before accepting the gift
- Reach out to [GIK@cu.edu](mailto:GIK@cu.edu) early in the process
- Submit all gift agreements or associated paperwork *before* signing anything
- Don't speculate on the tax deductibility of donations
- Get approval early for any asset that will be accepted in order to be sold

**Q: Who should I contact if I have more questions or need help?**

A: Questions about the GIK process can be directed to [GIK@cu.edu](mailto:GIK@cu.edu) or 303.541.1229.