

# *Gifts Training*

Presented by:  
Thomas (“TK”) Keith  
Director of Pre-award, Contracting, and Fiscal Compliance



University of Colorado **Anschutz Medical Campus**

# What are gifts?

- **Gifts** are philanthropic contributions from donors.
- Gift and gift agreements are processed through the CU Foundation.
- On rare occasion a gift can come directly to CU Denver or CU Anschutz.
- Donor relations are managed by the CU Denver and CU Anschutz Advancement offices for their respective campuses.
- Once funding is received, a gift account is set up by the Foundation and then linked to a Fund 34 at the campus.



# Grant vs. Gift

- Unfortunately, it is not always clear ...
- Need to look at the intent, what is being funded, agreement terms
- Discussions between OGC-Advancement
- [https://research.cuanschutz.edu/docs/librariesprovider148/ogc\\_documents/sources-of-funding.pdf?sfvrsn=af71a4ba\\_0](https://research.cuanschutz.edu/docs/librariesprovider148/ogc_documents/sources-of-funding.pdf?sfvrsn=af71a4ba_0)



Type of Agreement	Advancement Through CU Foundation	Sponsor, OGC, and CU Foundation	Office of Grants & Contracts			CU Medicine		
Definition	<p><b>Gift</b></p> <p>Anything of value given to the university by an external party or parties (donor, donor advised funds, corporations, trusts and consortia) who expect nothing of significant value in return, other than potential public acknowledgment of the gift and documented disposition of the gift / program implementation in accordance with the donor's or group's wishes.</p> <ul style="list-style-type: none"> <li>✓ Gifts may support research, faculty, scholarship, equipment, construction, programs and events or other areas</li> <li>✓ No negotiations for IP, export or contract clauses</li> <li>✓ Financial and/or progress reports may be required</li> <li>✓ No federal, state or local government funds</li> </ul>	<p><b>Tri-Party Grant</b></p> <p>This grant structure is used for specific foundation sponsors that cannot provide funding directly to CU Denver (i.e. Caring for Colorado or the Colorado Health Foundation).</p> <ul style="list-style-type: none"> <li>✓ Award routed through InfoEd and submitted by Advancement Office</li> <li>✓ Detailed reporting is required (financial/non-financial)</li> <li>✓ May require research compliance</li> </ul>	<p><b>SPONSORED PROJECTS</b></p>			<p><b>Revenue-Generating Fee for Service Agreement</b></p> <p>Process that enables university personnel to perform certain services for outside entities that will generate revenue for CU Denver.</p> <ul style="list-style-type: none"> <li>✓ Used for lab operations, equipment rentals (incoming or outgoing), lab use, use of CU Denver facilities, professional or consulting services, on-campus service centers, conference hosting</li> <li>✓ Does not include work paid for by funding under 30, 31, or 34</li> <li>✓ Only for outgoing services provided by CU personnel (for incoming, use standard PSC procedures)</li> </ul>	<p><b>Member Practice Agreement</b></p> <p>If a faculty member has signed a Member Practice Agreement with CU Medicine, then the non-sponsored project agreements listed below are routed through CU Medicine instead of the University.</p> <ul style="list-style-type: none"> <li>✓ Consulting Contracts: a faculty member is requested to give intellectual advice/opinion at an hrly rate</li> <li>✓ Clinical Contracts: a faculty member is providing patient care outside a managed care contract</li> <li>✓ Administrative Agreements: a faculty member is providing support, but not patient care</li> <li>✓ Legal Expert: a faculty member is providing professional opinion for attorney, judge, or admin agency for an ongoing or contemplated judicial proceeding</li> </ul>	
	<p><b>Grant</b></p> <p>A financial award from an external federal, state, or foundation sponsor governed by specific terms and conditions established in a written agreement between the sponsor and CU Denver for the purpose of research, training, or fellowships.</p> <ul style="list-style-type: none"> <li>✓ Award directly benefits sponsor and/or serves a charitable/public purpose</li> <li>✓ Terms approved for grants</li> <li>✓ Deliverables and/or detailed reporting required</li> </ul>	<p><b>Contract</b></p> <p>A legal document detailing the obligations of two or more parties over the course of a research project. It usually has specific deliverables and milestones to be met and terms dictating how the contracting parties will interact over time. Frequently includes terms governing publication, intellectual property, and use of research results.</p> <ul style="list-style-type: none"> <li>✓ Includes: Sponsored Research Agreements, Master Agreements, Fellowships, Interagency Agreements, Collaboration/Consortium Agreements, Amendments, No Cost Extensions, Clinical Trials</li> <li>✓ Negotiated terms &amp; conditions</li> <li>✓ Includes incoming Subawards/Subcontracts</li> </ul>	<p><b>Grant</b></p> <p>30/31</p>	<p><b>Contract</b></p> <p>30/31</p>	<p><b>Revenue-Generating Fee for Service Agreement</b></p> <p>20/28/29</p>	<p><b>Member Practice Agreement</b></p> <p>80</p>		
Fund Type	34	30/31	30/31	30/31	20/28/29	80		
Questions?	<p><b>Office of Advancement:</b> <a href="mailto:advancement@cuanschutz.edu">advancement@cuanschutz.edu</a>  <b>Anschutz:</b> <a href="mailto:Kyle.JaccuadSmith@ucdenver.edu">Kyle.JaccuadSmith@ucdenver.edu</a>  <b>CU Denver:</b> <a href="mailto:Anna.Crawford@ucdenver.edu">Anna.Crawford@ucdenver.edu</a>  <b>CU Foundation:</b> <a href="mailto:Compliance@cufund.org">Compliance@cufund.org</a></p>		<p><b>Office of Grants &amp; Contracts</b>  <b>Pre-Award</b>  <a href="mailto:xenia@ucdenver.edu">xenia@ucdenver.edu</a></p>			<p><b>Office of Grants &amp; Contracts</b>  <b>OGC Contracts</b>  <a href="mailto:ogc.contracts@ucdenver.edu">ogc.contracts@ucdenver.edu</a></p>	<p><b>Office of Grants &amp; Contracts</b>  <b>OGC Revenue</b>  <a href="mailto:ogc.revenue@ucdenver.edu">ogc.revenue@ucdenver.edu</a></p>	<p><b>CU Medicine</b>  <a href="mailto:ContractProcessing@cumedicine.us">ContractProcessing@cumedicine.us</a></p>
Contact...								



# IS IT A GRANT OR IS IT A GIFT?

## Philanthropic

- Donated by individuals/trusts/private or corporate foundations
- Given with “no strings” attached (only report of the use of funds is expected)
- Scholarships or educational aid (donor may not determine who receives funds)

## Grants and Contracts

- Grantor expects something in return for the funding (i.e. deliverables)
- Funding of specific research protocol
- Publication rights are involved
- Specific research involves human and animal subjects
- Examples:
  - » Clinical trial with industry as sponsor
  - » NIH awards
  - » State of Colorado
  - » Industry research



# When to involve OGC

- The sponsor is a government entity - including public school or local government agency
- There is potential for intellectual property ownership and rights issues with funder
- Involves human subjects (and/or requires Institutional Review Board)
- Involves animals
- Deliverables are expected by the funder (and donor expects funds returned if not delivered)
  - » Donor expects full accounting of project expenses
- Only 1 proposal submission is allowed by funder
- Grantor involves peer review process
- The funder has historically funded through OGC
- Donation is coming from a foreign country



# Examples

- **Community First Foundation**
  - » Warm Connections – provide preventive mental health support for mothers in WIC program
  - » Specific research protocol - involves human subjects – conduct needs assessments
  - » Design pre-post intervention measures to assess impact. Obtain approval to collect data in WIC clinics
  - » Administered in OGC



# Examples

- Perlman Family Foundation
  - » Initial conversations were broad research objectives
  - » Changed to a specific research protocol which received a scientific review by the Foundation
  - » Foundation outlined terms and after agreement came back – clear it was a contract
    - Specific deliverables and reporting requirements
  - » OGC brought in to re-negotiate the agreement and administer the funds





# Tri-Party Grants

- A tri-party grant is an agreement that is signed by both the CU Foundation and OGC.
- Tri-party grants are grant agreements where the grantor requires the funding to flow through the CU Foundation.
- Tri-party grants require an Infoed routing and will move to a Fund 30 once funding flows to OGC from the CU Foundation.



# Tri Party Grants

- Examples
  - » Colorado Health Foundation / Caring for Colorado
  - » For-Profit companies who want to provide a “gift”
- Attributes:
  - » Routed to OGC for review
  - » Funds to CU Foundation
  - » Grant administered within OGC
  - » Often include indirect costs (typically 10%)



# OGC and Advancement Working Together

- Regular meetings
- Identify faculty with current or recent contracts
- Identifying top corporate and foundation partners – Implementing stewardship strategies
- GIK
- Working together to better serve our faculty partners



# Questions?

Thomas Keith (TK)

Director of Pre-award, Contracting, and Fiscal Compliance

[THOMAS.KEITHIII@CUANSCHUTZ.EDU](mailto:THOMAS.KEITHIII@CUANSCHUTZ.EDU)

Kyle Jaccaud-Smith

Senior Director of Development Corporate and Foundation Relations

[Kyle.jaccaudsmith@cuanschutz.edu](mailto:Kyle.jaccaudsmith@cuanschutz.edu)

Anna Crawford

Director, Foundation and Corporate Development

[ANNA.CRAWFORD@UCDENVER.EDU](mailto:ANNA.CRAWFORD@UCDENVER.EDU)

