

VPR GUIDELINES FOR PROCESSING OF GIFTS AND SPONSORED PROJECTS FUNDING

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Contact: Office of Sponsored Programs Administration

Introduction

Non-Governmental funding plays an increasingly important role in the success of Iowa State University (the University). In order to continue to increase outside funding that comes to the University, it is critical that the process for administering that funding is easily understandable by all parties involved. This document is designed to assist faculty and others in determining whether specific funding should flow through the Office of Sponsored Programs Administration (OSPA) or through the Iowa State University Foundation (the Foundation).

Whether funding is directed through OSPA or the Foundation, compliance with the University's rules and regulations is critically important.

Definitions

Gift: A gift is something of value that is given to the University by a donor who expects nothing of significant value in return, other than recognition of the gift and its disposition in accordance with the donor's wishes. A gift may be unrestricted, meaning that the university can use the funds as needed, or its use may be restricted by the donor. Some donors refer to their gifts as grants.

Gifts are handled by the Foundation.

In general, a gift has the following characteristics:

- No contractual requirements are imposed and there are no "deliverables" to provide the donor. However, the gift may be accompanied by an agreement that restricts the use of the funds to a particular field or purpose.
- There is no formal fiscal accountability to the donor. There may however be regular financial updates requested by the donor and sent by University or the Foundation. These regular updates may be thought of as sound practices of good gift stewardship, and, as such may be required by the terms of the gift. These reports are not considered contractual obligations or deliverables.

Sponsored Project: A sponsored project has a statement of work to be implemented in exchange for something of value, such as data, results, or intellectual property. A written agreement is entered into by the University and the sponsor. Sponsored projects generally come in the form of contracts or grants.

Sponsored projects are administered by OSPA, with industry and commodity awards being negotiated by the Office of Intellectual Property and Technology (OIPTT).

In general, a sponsored project has one or more of the following characteristics:

- Restrictions on data use and/or research publication rights imposed by the sponsor.
- The right of the sponsor to audit the project, program, lab or related documentation such as financial data or lab notebooks.
- Ownership of data or intellectual property resulting from project/ program vesting in whole or in part with the sponsor.
- Confidential information and/or transfer of materials are part of the agreement between Iowa State University and the sponsor.
- Preferential sharing of the project/ program results or resulting research resources, such as a model organism, with the sponsor.
- A penalty for non-performance.
- A requirement of indemnification of the funder.

Gift or Sponsored Project Decision Process

The answers to the following questions may be of assistance in determining whether an externally funded activity is a gift or sponsored project:

1. Is the funding source a **governmental entity** (federal, state, local)?

Any funding provided by a government agency at the federal, state or local level is treated as a sponsored project and is administered by OSPA.

- If YES, the funding is to be administered by OSPA and a GoldSheet is required.
- If NO, go to question #2.

2. Does the proposal and/or the agreement have characteristics of a sponsored project as described above?

- If YES, the funding should be administered by OSPA and a GoldSheet should be completed.
- If NO, then the proposal and/or agreement (and associated payments) is likely a gift and should be administered by the Foundation. A Cardinal Sheet should be completed in these cases.

Questions about whether a particular situation is a gift or sponsored program can be directed to OSPA at grants@iastate.edu or to the ISU Foundation at cfr@foundation.iastate.edu. If the information above does not provide the needed guidance, final decisions will be made jointly by Wolfgang Kliemann in the Office of the Vice President for Research and Lisa Eslinger at the Foundation.