



**BP Number:** P.UA.2018.01

**Effective Date:** 4/27/2018

**Approved By:** Richard LeRoy  
Senior Director of University  
Development

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## Gifts to Agency Procedures

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### **PURPOSE:**

These procedures will guide the review, submission, and approval of Gifts to Agency.

### **BACKGROUND**

These procedures have been developed to provide direction to CSU Channel Islands employees who may be recipients of gifts to agency (most commonly ticket gifts) as defined in HR 2017-08. The procedures that follow summarize the process that all CSUCI employees (staff, faculty and administrators) must use when a gift of tickets or travel is offered.

### **BUSINESS PRACTICE**

#### **Accountability:**

Vice President for Business & Financial Affairs or designee (VPBFA), Director of Advancement Financial Services, Advancement Financial Services Budget Analyst

#### **Applicability:**

This procedure applies to all CSUCI employees who wish to receive a gift to agency.

#### **Definitions:**

Gift - "Any payment that confers a *personal benefit* on the recipient to the extent that consideration of equal or greater value is not received and includes a rebate or discount in the price of anything of value unless the rebate or discount is made in the regular course of business to members of the public without regard to official status." Cal. Gov. Code § 92028(a).

#### **Text:**

For a gift of travel or a gift of tickets/passes to be accepted as a gift to the University, the following procedure must be followed:

- a) An offer is received for gift of travel or a gift of tickets/passes by a department on campus.



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- i) Note: *If the donor specifies by name, title or otherwise who will use the gift of travel it cannot be considered a gift to the University. Acceptance in this instance would require a Form 700. Guidance can be found on the HR Website (<https://www.csuci.edu/hr/ConflictofInterest.htm>)*
  
- b) Once it is determined to be a gift to agency, the receiving division submits the following information to the Division of University Advancement for appropriate processing. Business Practices related to this can be found on the University Advancement Policies and Procedures webpage.
  - i) Explanation of the gift;
  - ii) Benefit/ University business associated with the gift;
    - (1) Examples of this include:
      - a. Conducting CSU business, including oversight of CSU events;
      - b. Recognizing CSU employees for their work and promoting staff morale;
      - c. Strengthening alumni and private support for the CSU;
      - d. Promoting of intergovernmental relations and collaboration between the CSU and other public agencies;
      - e. Promoting support for CSU athletics, arts, cultural, and entertainment offers;
      - f. Promoting attendance at CSU events in order to maximize potential CSU revenue from parking and concession sales;
      - g. Promoting civic engagement;
      - h. Promoting community outreach;
      - i. Attracting or rewarding volunteer service
  - iii) Value of the gift if, accepted (for tickets and passes please include the fair market value of each ticket and the number of tickets being donated).
  - iv) Email or notification from the donor regarding the gift
  
- 2) University Advancement will complete the appropriate 800 series form (801 or 802) and submit with supporting documentation to the VPBFA. Information relevant to the gift will be maintained in a database maintained by University Advancement and shared with the VPBFA.



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- 3) **The submission to the VPBFA will include** the following documents. If there is possibility that VPBFA may be an appropriate person to use the gift, the request should be addressed to the President.
  - a) **A Memorandum** stating: the business purpose of the gift (travel or tickets), a recommendation of employees who should receive the gift (if applicable) and a statement that the travel or gift is not otherwise a conflict of interest.
  - b) **Gift to Agency Required Forms**
    - i) Gifts of Travel
      - (1) Completed Form 801
      - (2) CSU Travel Request form (*To allow time for processing, these should be sent at least 5 days before travel occurs.*)
      - (3) For travel on a commercial aircraft, the value is the actual cost of the ticket. For private air transportation, the value is determined by reference to the fair market value of the normal and usual charter fare or rental charge for a comparable plane of comparable size divided by the number of travelers on board. (See California Fair Political Practices Commission (FPPC) Regulation 18946.)
    - ii) Gifts of Tickets or Passes
      - (1) Completed Form 802
      - (2) Event Flyer or Description of the event
- 4) The VPBFA or designee reviews each gift request and approves gift acceptance and recommended recipient(s). If the request meets the criteria, it will be approved as a gift to the University, signed, and a copy of the Gift to Agency Paperwork will be returned to University Advancement.
  - a) If it is determined that the gift cannot be deemed a gift to the University, then the recipient(s) must report the gift of travel on their Form 700 if they are in a designated position and if the fair market value of the gift is less than \$470. If the fair market value of the gift exceeds \$470, or if along with other gifts given by the same donor in the calendar year the total value would exceed \$470, then the gift cannot be accepted and the travel cannot be taken (unless the University pays for the travel as official University business). Even if the value is under \$470, and even if the recipient is not in a designated position, employees should always be aware of actual or potential conflicts of interest. Failure to



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obtain advanced written approval as described above results in a gift to the individual. Employees are encouraged to consult with the office of the Conflict of Interest Officer or Human Resources on these issues.

- 5) The approved paperwork will be returned to University Advancement for record retention.
- 6) Once the event or travel takes place, the Division of University Advancement will submit all appropriate documentation to the FPPC and publish on the University website.
- 7) Reporting to the FPPC and on the University website must follow these guidelines:
  - a) If the gift is reported on a Form 801 (gifts of travel) and the aggregate value exceeds \$2,500 within the quarter, it must be posted prominently on the website and submitted to the FPPC within 30 days of the close of the quarter. Anything below that amount must be maintained as record for seven (7) years in hard copy and for four (4) years on its webpage.
  - b) If the gift is reported on a Form 802, the form must be posted on the campus website and submitted to the FPPC via email with the web url no more than 45 days after the distribution of the tickets.