

STANDARD OPERATING PROCEDURE (SOP)

SOP Number: 8
Effective Date: 03/05/2018
Last Reviewed: 04/17/2019

Title:
**Gifts, Sponsored Projects, and Scholarship
Determination**

OSP Contact Information

Business Hours: 8:00 a.m. to 4:30 p.m., Monday-Friday (excluding holidays).

Main: 920-424-3215

E-mail: OSP@uwosh.edu;

Website: www.uwosh.edu/sponsoredprograms

I. Overview

Both sponsored projects and gift-funded activities are externally supported, with funds typically provided in response to a request for proposal. The classification of funding as “gift”, sponsored project or scholarship will affect the way UW Oshkosh accounts for the funds and reports on the use of the funds to the sponsor or donor.

II. Applicability

This procedure applies to any situation where extramural support is or will be received and the intent of the funding or the category of support is unclear.

III. Procedure

1. When the category of support is unclear, a determination is made to ensure correct processing of extramural funds as either a Sponsored Project, Gift, or Scholarship. This determination is completed when the category of financial support is unclear. This determination may be completed by OSP during the pre-award phase to determine how the funds should be handled, if awarded to the University.
2. The department or unit receiving the external financial support will complete the “Sponsored Project, Gift, Scholarship Determination Form.” If a determination cannot be made the University Controller should be consulted to make a final determination.
3. The following determinations can be made on the reference form:
 - a. **Sponsored Project:** To qualify as a Sponsored Project the sponsor must be a branch of a federal, state or local government, foreign government, or primarily funded by a foreign government. A sponsor requires deliverables and may request ownership of intellectual property or rights to data and publications. A sponsored project award may include things like a detailed budget related to the project plan, allowable or unallowable costs, requirement to return any unexpended funds at the end of the project period, a specific timeline or deadline for use of funds, and regular reporting or audit requirements.
 - b. **Gift:** The extramural support must meet all the following criteria to be considered a Gift. Extramural support that does not meet all five criteria will be classified as a grant or contract and subject to the assessment of indirect costs.
 - Funds provide general, unrestricted support for broadly defined activities in one or more program areas, such as research, public service, instruction, fellowships/traineeships, etc.;
 - Detailed reports are not required—neither periodic or final, nor fiscal or technical. (The Principal Investigator may provide the donor with a brief statement that the expenditures were in accord with the intent of the gift);
 - No provisions (delays, advance notice) are imposed by the donor concerning publication of data and information derived from the activity;
 - There is no specific time limit on the expenditure of funds; and,

- Rights to any patent/copyright are not retained by the donor.
- c. **Scholarship:** The extramural support is disbursed directly to a UW Oshkosh student account for support of tuition fees, books, housing or other educational expense.
4. The extramural funds are processed according to the categorical determination. These departments include:
 - a. Office of Sponsored Programs and Faculty Development (Sponsored Projects)
 - b. Administrative Services or Office of Advancement (Gifts)
 - c. Office of Advancement (Scholarships).

IV. Guidance Documents/Policy Links

[UW System Administrative Policy 342 \(Extramural Support Administration\)](#)
[UW Madison Administrative Policy 131 \(Gift Fund Policy\)](#)

V. Templates/Forms

Sponsored Project, Gift, Scholarship Determination Form (see appendix)

VI. Definitions

Contract: A binding promise between two or more parties which usually involves the procurement of goods and services by one party or parties and the rendering of goods and services by the other party or parties. Contracts can be fixed price contracts or cost-reimbursement contracts.

Gift: Any item of value given to the University by a donor who expects nothing significant of value in return, other than recognition and disposition of the gift in accordance with the donor's wishes. No single indicator, by itself, distinguishes a gift from a sponsored project ("grant" or "award").

Gift-in kind: Contribution of personal or real property which requires annual reporting by the institution.

Scholarship: Payment received from an external source that is applied directly to a UW Oshkosh student account that supports their tuition, books, housing or other educational expense. Scholarships may affect a student's financial aid package and this potential should be discussed with the Financial Aid Office.

Sponsored Projects: Mutual joining of interests on the part of the grantor and grantee in the pursuit of common objectives. The grantee and grantor entities work to achieve a common purpose and are obligated to act in the public interest. A relationship of trust exists between the entities and the grantee is responsible for ensuring the grant funds are utilized for the purpose for which they were awarded. The grantee exercises the same probity and prudence in grant fund expenditure that is extended to the use of the grantee institution's own funds.

Sponsored Project - Assistance Mechanism: Grants: An assistance mechanism awarded to the grantee institution in order to accomplish a public purpose. The project is conceived and details are defined by the investigator at the grantee institution. The sponsor is not significantly involved in the conduct of the project. The investigator retains scientific freedom and results are not guaranteed. Grants are more flexible than Cooperative Agreements and Contracts.

Sponsored Project - Assistance Mechanism: Cooperative Agreements: A support mechanism used on federal projects where substantial agency involvement, either scientific or programmatic, or both, is anticipated. Substantial involvement means that the sponsoring agency will be directly involved in assisting, guiding, coordinating, or participating in project activities. Cooperative agreements are established to accomplish a public purpose of support authorized by federal statutes. This differs from a contract where a

contract is used to acquire or purchase property or services for the direct benefit or use of the federal government.

Sponsored Project - Procurement Mechanisms: Contracts: A mechanism for procurement of a product or service with specific obligation for both sponsor and recipient. Typically the research topics, scope, budget, time period of work are specified in detail by the sponsor, although some sponsors award contracts in response to unsolicited proposals. There is little, if any, latitude to modify scope of activities and expenditure. Sponsor approval is typically required for any such changes. The outcome is often a tangible deliverable.

VII. **Contact Information:** For questions or comments please contact OSP@uwosh.edu or 920-424-3215

VIII. **Revision History:** 03/05/18; 04/17/19

Sponsored Project, Gift, or Scholarship Determination Form

PI/Recipient: _____ **Department:** [Click or tap here to enter text.](#)

Sponsor/Donor: [Click or tap here to enter text.](#) **Type:** [Click or tap here to enter text.](#)

Project Title: [Click or tap here to enter text.](#)

Obtain all documentation associated with the funding. This should include all items listed below:

- Application Instructions or Request for Proposal
- Copy of proposal, budget, and budget justification
- Information regarding sponsor/donor expectations (financial and program reporting)

Review documentation for indications that will help you to complete the questions below for determining if the funding should be considered a *Sponsored Project, Gift, or Scholarship*.

Section – 1 Donor/Sponsor Type

- 1. Sponsor/Donor is a branch of a federal, state, or local government. **Yes** **No**
- 2. Sponsor/Donor is a foreign government or primarily funded by a foreign government? **Yes** **No**

If **Yes** to either of these questions, the funding is a sponsored project. UW System Administrative Policy 342 (Extramural Support Administration)

If **No** to both questions, move to Section 2.

Section 2 – Award Terms

- 3. Sponsor/Donor requires deliverables (e.g. equipment, records, detailed research results, study data)? **Yes** **No**
- 4. Sponsor/Donor requests ownership of intellectual property (e.g. licenses, copyrights, royalties)? **Yes** **No**
- 5. Sponsor/Donor requests control of publications? **Yes** **No**

If **Yes** to any of these questions, the funding is sponsored project. UW System Administrative Policy 342 (Extramural Support Administration)

- 6. Other questionable terms (e.g. indemnification, hold harmless, confidentiality, arbitration)? **Yes** **No**

If **Yes** consult with Institutional Controller in Finance & Administration to determine if funding is a sponsored project.

If **No** to all questions, move on to **Section 3**.

Section 3 – Award Reporting Requirements

- 7. Funds provide general, unrestricted support for broadly defined activities in one or more program areas, such as research, public service, instruction, fellowships/traineeships, etc.; **Yes** **No**
- 8. Detailed reports are not required—neither periodic or final, nor fiscal or technical. (The principal investigator may provide the donor with a brief statement that the expenditures were in accord with the intent of the gift); **Yes** **No**
- 9. No provisions (delays, advance notice) are enforced by the donor concerning publication of data and information derived from the activity; **Yes** **No**
- 10. There is no specific timeline or time limit on the expenditure of funds. **Yes** **No**

- 11. Rights to any patent/copyright are not retained by the donor. **Yes** **No**

To qualify as a gift to the institution, extramural support must meet all of the following criteria. Any extramural support that does not meet all five criteria to be a gift will be classified as a grant or contract subject to the assessment of indirect costs.

Section 4 – Scholarship Determination

- 12. Will these funds benefit a student directly and credited to their UW Oshkosh student account? **Yes** **No**
- 13. Do these funds require an application or faculty selection process with eligibility based on established criteria? **Yes** **No**

Award is determined as:

- Sponsored Project** **Gift** **Scholarship**

Reviewed By: _____ Name: _____ Date: _____
(Signature) (Print Name)

Approved By: _____ Name: _____ Date: _____
(Signature) (Print Name)

Award is processed by following Department:

- Office of Sponsored Programs
- Administrative Services
- Office of Advancement