

*From time to time, University faculty and staff may come across opportunities to obtain donations of personal property or equipment for use in their departments. This guidance is intended to assist the decision making process when determining whether to accept such gifts, and also to share information about administrative, tax and legal considerations associated with them.*

### **AUTHORITY TO ACCEPT AN IN-KIND GIFT**

Not all University employees have authority to accept a gift on behalf of the University. Gifts valued at less than \$100,000 may be approved and accepted by the Dean of the college or school receiving the gift. Gifts valued at \$100,000 or more must be approved and accepted by the University's Provost or authorized designee. Gifts not directed towards a college or school must be approved and accepted the University's Provost or authorized designee.

### **CONSIDERATIONS IN ACCEPTING IN-KIND GIFTS**

***Related to University Mission:*** The first and foremost issue to consider with respect to an in-kind gift is whether the property will be used to promote the purposes of the University. Acceptance of in-kind gifts should always be supported by an academic, research or business purpose, and the benefits associated with the property should clearly exceed costs of obtaining and maintaining it. Certain types of property may require training or specialized service, subscription or license fees, or may make increased demands on the University's systems or utilities. These sorts of carrying costs must be identified and considered prior to accepting the gift.

***Health & Safety:*** Departments should consider whether the gift could possibly create hazards to individuals or the environment, including but not limited to: whether the property involves radioactive or toxic materials; whether it is flammable; whether it involves living creatures such as animals or laboratory specimens; or whether it could be dangerous to an untrained user. Departments should consult the University's [Division of Environmental Health and Safety](#) prior to accepting a donation of property that poses health and safety risks, as the property may be subject to policies governing its use and maintenance.

***Intellectual Property Rights:*** In addition to transferring physical ownership of property, some donations may involve the transfer of intellectual property rights associated with the property. Common intellectual property rights associated with gifts include, for example, the right to reproduce a piece of written or digital material, the right to display an object publically, and the right to perform a musical or dramatic piece. If the donation involves property that is commonly associated with intellectual property rights, such as plays, paintings, photographs, music or software, then the topic of intellectual property rights should be discussed with the donor. Donors should be encouraged to transfer all rights they possess in the donated materials, to assist the University and its researchers in their scholarship by making it easier to quote and publish material. The University's Deed of Gift Template includes language that transfers all intellectual property owned by the donor to the University. If a donor wishes to retain all or a portion of the intellectual property rights, departments should contact the Office of the General Counsel to assist in drafting appropriate language.

**Export Control Compliance:** Departments should consider whether the gift could have export or import restrictions, including but not limited to: whether the donor is on a U.S. watch list; whether the gift involves controlled technology or technical data; or whether the gift was accepted outside the U.S. and requires special shipping or authorization to transport. Departments should consult the University's [Export Control Officer at the Office of the Vice President for Research](#) prior to accepting any gift from outside the U.S., any gift from a foreign national, or any gift believed to pose export or import concerns.

**Gifts intended for Sale by the University:** These types of gifts raise special tax and accounting issues. A department should not accept a gift that it intends to sell without contacting the development officer at the [UConn Foundation](#) who is assigned to the appropriate school or college.

**Contracts and Related Agreements:** Sometimes, the donor may ask the department to sign documents related to the gift, such as the donor's acknowledgement or deed of gift form, or a contract that contains conditions or restrictions associated with the donation. All such documents or agreements must be reviewed by the [Office of the General Counsel](#) prior to signing or accepting the gift.

**Delivery Terms:** If the donor requests that the University take responsibility for shipping or transporting the gift, then the department should consider the costs and any risks of loss associated with transport, including insurance coverage.

## GIFT ACCEPTANCE PROCESS

**Documentation:** Departments are encouraged strongly to create and keep written documentation for each gift. For a smaller gift, appropriate documentation could be as simple as a thank you note that contains a description (but not the value) of the gift and the date the gift was received. For more significant gifts, the [Deed of Gift](#) form should be used. All gifts involving intellectual property require written documentation and must be retained by the department.

**Appraisal:** An appraisal is helpful to the University and the UConn Foundation for donor recognition, accounting, and insurance purposes. If the donated property is of the kind that might be appraised (for example, for insurance or resale purposes), then the department should ask the donor whether the property has been appraised, and if so, whether the donor would be willing to provide a copy of the appraisal along with the gift.

**Inventory Responsibilities:** Under Connecticut law, all items of personal property and equipment with a value of \$5,000 or more must be properly recorded and reported by the University. Whenever a department accepts a gift that is believed to be valued at \$5,000 or greater, the department must add the gift in the Quali Financial System using an *Asset Global (Add)* edoc. The University's [Inventory Control](#) staff is available for assistance with this process.

**TAX DOCUMENTATION**

**Written Acknowledgement:** As discussed above, departments are encouraged strongly to acknowledge all gifts in writing. If the donor intends to take a tax deduction in connection with the gift, federal tax rules may require specific forms, depending on the value and nature of the gift. If the gift is either: (i) processed through the UConn Foundation, or (ii) added to the University’s accounting system, then the UConn Foundation will send the donor an acknowledgement addressing tax requirements. Tax concerns associated with gifts that are neither processed through the UConn Foundation nor added to the University’s accounting system may be addressed to the University’s [Tax & Compliance Office](#).

**Goods or Services provided to Donor:** If the department intends to provide the donor with goods or services in connection with the gift (whether in acknowledgement of, or in exchange for the donated property), then the department should reach out to the [UConn Foundation](#) or the University’s [Tax & Compliance Office](#) prior to doing so. Goods or services provided by the University will generally decrease the tax deduction available to the donor, and must be mentioned in written acknowledgements from the University or UConn Foundation.

**Form 8283:** Individuals who donate property worth over \$5,000 may request completion of IRS Form 8283. Departments that receive inquiries related to Form 8283 should ask the donor for the Form and a copy of the qualified appraisal (if one is available) and direct them to the University’s [Tax & Compliance Office](#) for signature.

**CONTACTS & RESOURCES**

**UConn Foundation**  
[www.foundation.uconn.edu](http://www.foundation.uconn.edu)

[cjason@foundation.uconn.edu](mailto:cjason@foundation.uconn.edu)  
(860) 486-2965

**Tax & Compliance Office**  
[tax.uconn.edu](http://tax.uconn.edu)

[taxcompliance@uconn.edu](mailto:taxcompliance@uconn.edu)  
(860) 486-0933

**Office of the General Counsel**  
[generalcounsel.uconn.edu](http://generalcounsel.uconn.edu)

[generalcounsel@uconn.edu](mailto:generalcounsel@uconn.edu)  
(860) 486-5796

**Inventory Control/Capitalization**

[inventorycontrol@uconn.edu](mailto:inventorycontrol@uconn.edu)  
(860) 486-2934

**Division of Environmental Health and Safety**  
[www.ehs.uconn.edu](http://www.ehs.uconn.edu)

[ehs@uconn.edu](mailto:ehs@uconn.edu)  
(860) 486-3613

**Office of the Vice Present for Research, Export Control**  
<https://ovpr.uconn.edu/services/rics/export-control/>

[exportcontrol@uconn.edu](mailto:exportcontrol@uconn.edu)  
(860) 486-3619

**Deed of Gift**

[Template](#)