[Reviewed with no changes: April 8, 2014]

Angelo State University
Operating Policy and Procedure

OP 32.02: **Disclosure of Certain Gifts from Foreign Persons**

DATE: April 8, 2014

PURPOSE: The purpose of this Operating Policy/Procedure (OP) is to assure that Angelo State University (ASU) complies with federal law requiring disclosure to the Secretary of the Department of Education of certain gifts made to ASU from foreign persons or agents.

REVIEW: This OP will be reviewed in March of even-numbered years by the executive director of development and alumni relations. Changes will be made with the concurrence of the vice president for finance and administration and the vice chancellor/general counsel.

POLICY/PROCEDURE

1. Any ASU faculty member, staff member, student, or student organization who is approached by a potential donor who is either a foreign source or a representative of a foreign source must immediately contact the Vice Chancellor for Institutional Advancement of TTUS (VCIA) with the following information about the potential gift:

a. Name of the donor;

b. Value or amount of the gift;

c. The date of the gift;

d. The donor's country of citizenship or, if unknown, the principal residence for a foreign source who is an individual;

e. The donor's country of creation, or if unknown, the principal place of business for a foreign source which is a legal entity; and

f. Any restrictions or conditions placed on the gift by the donor and whether any other donors have attempted to impose similar conditions upon their gifts within the current fiscal year.

2. If the gift is accepted by ASU, the VCIA or designee will be responsible for the filing of the disclosure statement with the Secretary of the Department of Education, in accordance with 20 U.S.C. §1011f. ASU shall submit a foreign source gift report to the Secretary of the Department of Education's Federal Student Aid (FSA) Case Management Team no later than the January 31 or July 31 (whichever is sooner) following the receipt of the gift from a

foreign source valued at $250,000 or more, either alone or when considered in combination with all other gifts from that foreign source within a calendar year.

3. Definitions:

a. "Gift" means any gift of money or property to ASU.

b. "Foreign Source" means a foreign government or any agency thereof, a legal entity created under the laws of a foreign state; an individual who is not a citizen or national of the United States or a trust territory or protectorate thereof or an agent acting on behalf of a foreign source.