INTRODUCTION

The University of Colorado Foundation (CUF or the Foundation) is the philanthropic portal to handle private support for the benefit of the University of Colorado. While the majority of gifts are from individuals, funding is also received from other non-profit entities, commonly referred to as grants. Grant funding is most often triggered through a grant application initiated on campus by Advancement or Faculty.

All grant proposals and/or agreements need to be reviewed by the respective campus corporate and foundation relations team (CFR) prior to be sent to CUF Compliance. In general, CFR will work with the respective campus office of contracts and grants (OCG/OGC) to predetermine if the funding is philanthropic in nature and may be run through the CU Foundation (CUF). Note: Funds that are run through OCG can still be captured in Advance for stewardship purposes.

Documents and funds that are expected to be received and/or signed by CUF need to be submitted to CUF Compliance for review and approval at least 48 hours before the submission deadline. CFRs/OCGs confirmation that the grant is philanthropic in nature needs to be included. Note: Gift Administration (GAD) at System Advancement does not handle the drafting, review and/or routing of agreements related to grants.

CUF AND CU RELATIONSHIP

Q: What is the relationship between CUF and CU and how do I represent that when applying for a grant from a private foundation or corporation?

A: The University of Colorado Foundation receives, records, manages and invests private gifts for the benefit of the University of Colorado. In this role, the Foundation will be responsible for the fiduciary requirements of the grant, while the applicable campus of the University of Colorado, as the beneficiary of the grant, will assume responsibility for compliance with the grant’s terms such as reporting on the progress of work and usage of grant funds for said work. In general, the University assumes all responsibility regarding progress reports and summaries, while it is the CUF’s responsibility to provide valid tax ID and some financial reports if requested.

The ensure the grantor is aware of the roles and responsibility, the CUF should be referred to as the “Recipient” and the University should be referred to as the “Beneficiary” in all/any grant related documents. This will further clarify the responsibilities when it comes to the deliverables and financial compliance. As many grants are handled online there might not be an opportunity to select two parties or otherwise identify both CUF and CU in relation to the grant. This can be handled by adding language to the field “legal name of the organization” as “University of Colorado Foundation (recipient) f/b/o University of Colorado [campus] (beneficiary) or making a reference to this in the notes field of the application.

Another way is that CUF will attach a letter that outlines the relationship between the University and CUF to the grant agreement or proposal.

Q: Who governs the Foundation?
A: It is the Board of Directors, who is an independent governing board that oversees the Foundation. Please note that the Board of Trustees is a volunteer board aiding the University for fundraising purposes and has no authority over the Foundation.

**GIFT VS GRANT/SPONSORED PROJECT**

Philanthropic support when given by a non-profit organization to another non-profit organization is often referred to as a grant (with a “grantee as the entity receiving and a “grantor” as the entity giving) as opposed to a “gift” (with a donor as the giver and done as the receiver). While many for-profit organizations also often use the word “grant” for their support, the terminology used does not determine whether or not CUF can accept the contribution for the benefit of CU and if and how CU will be required to manage the funding. Below are some general guidelines that should help you decide the appropriate contact office for assistance for your award or gift, especially for funding from corporations and foundations.

**GIFT CRITERIA**

**Definition:** A gift is a contribution received for either unrestricted or restricted use in the furtherance of the CU’s mission for which the institution has made no commitment of resources or services other than committing to use the gift as the donor specifies. The contribution is a nonreciprocal transfer in that there is no implicit or explicit statement of exchange, purchase of services or provision of exclusive information.

Awards or funding that meet the following criteria are generally considered to be gifts:

- The gift provides support for professorships, endowed chairs, scholarships, non-federal building projects, fellowships, capacity building, programmatic support, general research and instructional programs and similar activities. The donor may direct the use of funds to a specific program area or purpose.
- The gift has minimal requirements and does not:
  - Restrict publications
  - Require return or tracking of property purchased
  - Require submission of scientific or technical data
  - Claim rights in patents, copyrights and other IP rights that may result from activities supported by the gift
- Require reporting other than a brief summary of results or funds expended
- There is no expectation at the time the gift is given that funds remaining at the termination of the project will be required to be returned to the donor or that formal permission would need to be granted to spend outside of the defined budget period.
- The gift is irrevocable

**SPONSORED AWARD CRITERIA**

**Definition:** A sponsored award is an agreement (grant, cooperative agreement or contract) between CU and the Grantor typically for a specified statement of work with a related, reciprocal transfer of something of value. The agreement is binding and creates a quid pro quo relationship between CU and the entity.
Awards that meet one or more of the following criteria are generally considered to be sponsored awards:

- The award is from a federal, state or local government agency, or flow-through from one of these agencies
- The award is for a specific scope of work with a specified performance period or completion date
- The award includes budget restrictions (e.g., prior approval for re-budgeting and restrictions for certain budget categories)
- Detailed billing, separate accounting procedures, and/or regular reporting of expenditures are required
- The award includes a provision for audit of technical objectives or expenditures
- Unexpended funds must be returned to the sponsor at the end of the project period
- Detailed technical, financial, or property reports or other deliverables are required
- The award contains provisions such as:
  - Restricts or monitors publications or use of results
  - Protection of sponsor and/or confidential information.
  - Delivery of specific goods or services by the University (e.g., technical assistance or training)
  - Disposition of property whether tangible or intangible, (e.g. equipment, inventions, copyrights, or rights in data).

For assistance with sponsored awards, contact your campus’ OCG/OGC team.

If your award does not seem to fit in either category, contact compliance@cufund.org and we will work with Advancement and various other CU offices to find the correct office to assist you.

(Source: https://www.cmu.edu/osp/contracts/contracts-process/negotiate/giftandgrant.html)

**Q: How do I know if this outside funding should be handled by OCG?**

**A:** Some examples of outside funding that should be handled by OCG include:

- Graduate fellowships in which the student is working on a project which will directly benefit the sponsor.
- Technical assistance is provided by a CU employee, acting as a consultant to a private company or organization. The University is compensated with a contribution in lieu of pay.
- Organizations provide funding to conduct studies (such as animal impact studies) which are part of the corporations’ research and development process.
- Funding to the administrator, host, or manage a specific seminar, conference, or institute in which the sponsor has a direct interest.
- Research that includes human subjects (which can include conducting interviews).
- Projects that have strict budget constraints/expectations.

**Q: My grant includes subcontract(s) - can CUF accept the grant?**

**A:** No. The Foundation does not accept contracts with subcontracts. These need to be handled by OCG/OGC.

**Explanation:** Subcontract (or Subaward or Subrecipient) involves an actual written agreement CU would put in place for any organization who is not a part of CU who is performing work on a
project for which CU has received an award. The Subcontractor is accountable to CU for the work they perform on the project and how they conduct it – both technically and ethically. The terms dictated by the sponsor or donor of the funding that CU agrees to are also “flowed down” to the Subcontractor. So whatever terms CU is obligated to comply with in accepting the gift, grant, or contract – are the same terms with which the Subcontractor must comply.

Whenever there is a Subcontract or Subaward on a project, CU is obligated under federal law to perform the required Subrecipient monitoring – even if the prime funding source is not federal. These requirements are quite extensive – institutions get dinged in audits around them all the time – so our Subcontracts Team handles that and it comprises a major portion of their workload.

**Q: What is the difference between a consultant and a subcontractor? Can CUF accept the grant?**

A: A consultant is usually an individual while a subcontract is usually another University or another organization – though this is not always the case. The agreement with a consultant is different and is managed by PSC. OCG/OGC handles the subcontract agreements.

Consultants or a Subcontractors have to be put through Visual Compliance screening to be certain of the risk that may be involved in doing business with that organization or individual and to be sure they are not debarred or suspended from doing business in the U.S.

**GIFT FUNDS FOR GRANTS**

**Q: Do I need a new gift fund for this grant?**

A: If it has been determined that this grant is indeed a gift that should come the Foundation and no existing gift fund has a similar purpose or there is a unique reporting need, then you will request a new gift fund through the Gift Fund Setup (GFS) module in Advance.

**Q: I need a new gift fund for this grant. How do I request one?**

A: A new gift fund for a grant goes through the same process as a new fund for a gift agreement. The module for gift fund setups (GFS) can be found in Advance on the left side ribbon. If you are new to the process, please see the Gift Fund Setup (GFS) FAQ on the Intranet or reach out to Compliance@cufund.org to learn about the process and workflow.

**Q: Who initiates a new gift fund for grants?**

A: The general rule of thumb is that if CUF is a party to the grant, CUF will initiate the request. It is helpful to let CUF know in advance if a new fund is needed or if it is related to an existing allocation. Please see general workflow in the Helpful Tips section below.

**GRANT PROPOSALS**

**Q: Where do I find the CU Foundation’s W9, IRS affirmation letter, and/or form 990?**

A: You can find the current CU Foundation W9 and IRS affirmation letter on the Advancement Intranet. Click here for the W9, here for the affirmation letter (the letter is from 2016 – this is okay to use), and here for the form 990.

**Q: Where do I find our Major Contributors?**

A: The Foundation does not provide top donor or major contributor information. In general, if the top donors or major contributors for the program/unit/your campus are needed, work with...
your Advancement team to pull the information from the Executive Fundraising Dashboard on Advancement Intelligence (AI), ensuring appropriate handling of data. If the grantee wants the top donors or major contributors across CU, please reach out to System Advancement for this data.

**Q: What if I, as the applicant, don’t want to share the top donor and/or major contributor information?**

**A:** The Foundation is happy to provide a CUF letter stating that the Foundation does not share donor information. This can be found on the [Advancement Intranet](#).

**Q: Where do I find the CU Foundation’s annual budget, the most recent audit, and the Board of Directors?**

**A:** All of these items can be found on the [Advancement Intranet](#). You can also find the Board of Directors on the CU Foundation [website](#).

**Q: What is the breakdown of diversity on the Foundation’s Board Directors?**

**A:** Please see the CUF Demographic Information document on [Advancement Intranet](#). Note that if your application asks for the breakdown of a governing board, which is the Board of Directors for the Foundation, not the Trustees. If you need the Trustees information, please work with System Advancement.

**Q: Can I sign the grant proposal?**

**A:** No, you cannot sign as a Foundation employee if the grant is to be signed by CUF. The name of the Grantee’s CEO should be Jack Finlaw, President & CEO, University of Colorado Foundation. If you need to obtain the Foundation’s signature, please reach out to [compliance@cufund.org](mailto:compliance@cufund.org). To help ensure a smooth signature process, please include the Compliance email ([compliance@cufund.org](mailto:compliance@cufund.org)) on all DocuSigns coming from grantees. The Foundation will then sign after review. Please see tips below about portals, if signature is required through a portal. If the University is to sign, ensure you have signature authority to sign on behalf of the University.

**Note:** Just because the Foundation signs the proposal does not mean we can accept the grant agreement without redlines. The agreement will still need to be reviewed.

---

**GRANT AGREEMENTS (REVIEW AND SIGNATURE)**

**Q: Who do I send grant agreements to for review?**

**A:** It is best practice to work with your campus OGC/OCG (and IFR at Boulder) to review and determine if your grant is philanthropic in nature. Once it is determined that the contribution should come through the Foundation, please send a request to review to [compliance@cufund.org](mailto:compliance@cufund.org). Please include the agreement (and any other documentation received), as well as the name of the respective office of contracts and grants representative you worked with.

**Q: Why does the Foundation require some agreements to be redlined and not others?**
A: In general, CUF always wants to red line to clarify the relationship between the University and the CUF. CUF takes into consideration the gift amount, level of risk and type of deliverables to determine requests for red lines.

Q: Who should sign the final grant agreement?
A: Depends on who is on the agreement, who the agreement is made out to and the terms of the agreement. In general, if you are presenting the Foundation with a grant agreement, we assume that this has been approved as a gift to run through CUF by your respective Industry and Foundation Relations (IFR) and/or OCG/OGC. If it is determined that the University should sign, the money may still be able to go through the Foundation as a gift. Very few people are allowed to sign on behalf of the University so work with your legal department to determine who should sign. Please see below for more details under Miscellaneous.

Q: How do I get the Foundation’s signature?
A: If you need to obtain the Foundation’s signature, please reach out to compliance@cufund.org. To help ensure a smooth signature process, please include the Compliance email (compliance@cufund.org) on all DocuSigns coming from grantees. DocuSign is the preferred method for obtaining the Foundation’s signature (please refer to the DocuSign section below). If wet signatures are needed, Advancement will have to work with Compliance to coordinate. The Foundation will then sign after review. Please see tips below about portals, if signature is required through a portal.

Q: Who is responsible for grant reports and other deliverables?
A: If your grant will require reports or any other deliveries at the end of the grant period, keep in mind that the CUF cannot be responsible for anything other than the receiving and managing of the funds on the Foundation side; expenditures and such is the responsibility of the University. This includes the responsibility of the due dates and Advance notifications by the submitter. Please note that GAD no longer creates tasks.

This is especially important because the Foundation does receive the reminders, but don’t rely on the Foundation to forward on time. We do our best to forward but can’t guarantee it will be back in a timely manner (i.e. we don’t always know who to forward to).

Q: What if the grant report needs a signature?
A: If the proposal/agreement was signed by the Foundation, generally the report will also need to be signed by the Foundation. Any reports that require a signature by the Foundation should be sent to compliance@cufund.org, along with a copy of the grant agreement. The Foundation will then sign after review. Please see tips below about portals, if signature is required through a portal.

Q: Can we route for signature using DocuSign?
A: Yes. This is the preferred method for obtaining the Foundation’s signature to ensure that is done in a timely manner. If wet signatures are needed, please reach out to compliance@cufund.org to coordinate. To send via DocuSign, please use the compliance@cufund.org email address to obtain the Foundation’s President and CEO signature.

Q: Who initiates the DocuSign?
A: It depends on the funder. Either the funder can initiate or CUF can. Just let CUF know if they need to and supply them with all the contact information for those who need to sign. If the funder decides to initiate the DocuSign, please make sure to use the compliance@cufund.org email to obtain the Foundation’s signature. This ensures that this is reviewed and signed in a timely manner, as well as retrieving fully executed copies. Please note that any grants sent directly to the Foundation’s President and CEO (without the email listed above included) are forwarded to CUF Compliance for approval first.

PAYMENT

Q: What address do I use if the grantor wants to send the gift via check?
A: To make a gift by mail, you will need to download and complete this form, making sure to specify the fund you would like your gift to go to. Then, make out your check(s) for the donation amount payable to the University of Colorado Foundation.

Mail the form along with the check(s) to:
University of Colorado Foundation
P.O. Box 17126
Denver, CO 80217-9155

If you have any questions, please reach out to the Gift Management team at gifts@cufund.org.

Q: Where should I direct the grantor if they would like to do an ACH or wire transfer?
A: As of April 2021, the Foundation has increased security in the wire and security gift processes. The wire and securities instructions have been removed from the Advancement Intranet and a link to a form is now available on the giving.cu.edu website. We ask that all CU Advancement staff remove any locally saved copies of wire and security donation information and instead direct donors to the giving.cu.edu website. This option will take the donor to a form where they can provide brief, but important, information to help the Foundation identify their gift when it arrives.

For more information and instructions, click here. If you have any questions, please reach out to the Gift Management team at gifts@cufund.org.

MISCELLANEOUS

Q: Why or when can the University sign the agreement and the money can still go to the Foundation?
A: The Foundation is the philanthropic portal for the University. In general, checks made out to the University can be taken by CUF. In the case of grant payments, accepting the check indicates that the recipient agrees to the terms of the agreement. Thus, the University can always sign, and payment can come through the Foundation, but the agreement should still come through CUF for review to ensure that by accepting the check, there is no risk to the foundation.
Q: What if the faculty member the grant is for leaves the University?
A: Grant money benefits the University, not the individual. Except for special circumstances (clearly specified in the grant agreement, especially when it is one type of research that only this faculty member does in the U.S.), grant money does not follow a faculty member to a new institution. If this is the case, the Foundation will be in contact with the new institution to ensure they can adhere to the terms and are willing and able to take the funds to administer for this particular research.

Q: What if the grantee is from outside of the United States?
A: It is possible that the Foundation can take it but will have to go through a thorough review between the Foundation and the University.

CONTACT INFORMATION

Q: Who should I contact?
- Compliance (compliance@cufund.org) – When you need CUF signature on a proposal, agreement and/or report, as well as when an agreement review is needed.
- Gift Management (gifts@cufund.org) – When you know there is an incoming wire transfer, EFT and/ACH.
- Campus grants and contracts (OCG/OGC) -
  - CU Boulder Industry and Foundation Relations (IFR):
    industry@colorado.edu
  - CU Boulder OCG: ocg@colorado.edu
  - UCCS: osp@uccs.edu
  - CU Denver | CU Anschutz: Xenia@cudenver.edu

Q: Not sure where to start?
- Visit your campus’ office of contracts and grants website:
  - CU Boulder: https://www.colorado.edu/ocg/
  - UCCS: https://osp.uccs.edu/
  - CU Denver | CU Anschutz: https://research.cuanschutz.edu/ogc

HELPFUL TIPS

Grant Portals
Ideally, we do not want the Foundation’s President and CEO to have to go into a portal, however if the funder uses a portal and the Foundation’s signature is required, please reach out to compliance@cufund.org to coordinate. Advancement needs to forward all login information required to get into the portal with directions of what needs to be done. If getting onto the portal is unsuccessful, please make sure to have a backup option to obtain signature. At the very least, we do need a physical copy for review to determine the best way to handle the grant and who should sign. We need to see the whole thing that CUF or CU

Grant Workflow
Below is the general workflow once a grant comes in for review, depending on what is stated in the grant and if this is a renewal grant. The CU OCG/OGC step may be skipped if you make sure OCG/OGC/IFR all approved this to go through CUF (make note of who/when) otherwise CUF will reach out, which may add to the turnaround time.

GFS Workflow
- When there is documentation that is signed by CUF

Redlines
If a funder has questions about the Foundation's redlines on a grant, let Foundation Compliance know and we are happy to connect the funder’s general counsel with the Foundation’s.

Turnaround time
The Foundation strives to have a turnaround of 2 business days, provided that all information has been forwarded, all necessary documentation submitted and is accepted. It is better to assume that red lines need to be made, so please build that into your timeline. Day of and day after due dates upon CUF receiving grant for review are unlikely but we will do our best to accommodate.
If there are any outstanding questions or redlines needed, it may delay the timeline, but we will do our best to keep it within that timeframe.