

R545, Prohibitions on and Disclosures of Foreign Donations to Higher Education Institutions¹

R545-1 Purpose: The following policy has been codified as Utah Administrative Code R765-545.²

R545-2 References

2.1 Utah Code § 53B-1-201, Definitions

2.2 Utah Code § 53B-1-202, Disclosure of Foreign Gifts to Higher Education Institutions – Prohibition on Restricted Foreign Entity Funds

R765. Higher Education (Utah Board of), Administration.

R765-545. Prohibitions on and Disclosures of Foreign Donations to Higher Education Institutions.

R765-545-1. Purpose.

This rule provides direction on required reporting of foreign gifts to Utah System of Higher Education (“USHE”) institutions and a prohibition on certain funding support.

R765-545.2. Definition.

“Gift” is defined by subsection 53B-1-201(4) and does not include payments for contract services, or tuition or fees paid for a specific student.

R765-545.3. Restriction on Accepting Funds.

A USHE institution may not seek or accept foreign funding support, including gifts, in violation of Subsection 53B-1-202(6).

R765-545.4. Disclosure Report.

(1) Annual report. When required by subsection 53B-1-202(1)(a) and (c), a USHE institution shall file a disclosure report with the Office of the Commissioner of Higher Education (“OCHE”) no later than July 31 of each year, for the recently concluded fiscal year. The report shall include all information required by subsection 53B-1-202(2).

¹ Adopted June 25, 2010; amended XXX.

² Codification of this Policy in the Utah Administrative Code is forthcoming.

(2) When determining whether an entity or person is foreign, institutions shall make good faith efforts using their first-hand knowledge or the best and most reliable information that is readily available to them.