

**Foreign Influence Procedure**

Intent:

This procedure is intended to update reporting guidelines for Section 117 of the Higher Education Act of 1965.

Scope:

This procedure applies to all employees and departments responsible for reporting revenues of the following:

* Payments by a foreign source of tuition for student(s) if the $250,000 threshold is met by a given foreign source considered alone or in combination with all other gifts from or contracts with that foreign source within a calendar year.
* An institution receiving the benefit of a gift from or a contract with a foreign source, even if through an intermediary, must disclose the gift or contract.
* Intellectual property license fees from a foreign licensee of a University patent and data or materials to be transferred via purchase, lease, or barter for use in research would generally be included in the statutory definition of contract.

Definitions:

**Foreign Source**. A foreign source is (i) the Government of a foreign country or territory; (ii) the citizens of a foreign country or territory; (iii) corporations incorporated in a foreign country or territory; (iv) trusts, societies or other associations of individuals (whether incorporated or not), formed or registered in a foreign country or territory.

**Department of Education (DOE).** Federal executive division responsible for carrying out government education programs and policies.

**Intellectual Property**. A work or invention that is the result of creativity, such as a manuscript or a design, to which one has rights and for which one may apply for a patent, copyright, trademark, etc.

**Gift.** A gift, in the law of property, is the voluntary and immediate transfer of property from one person to another without consideration. Gifts can be cash or non-cash.

**Donation**. The act by which the owner of a thing, voluntarily transfers the title and possession of the same, from themselves to another person, without consideration; a gift.

**Intermediary**. A person who acts as a link between people in order to try to bring about an agreement or reconciliation; a mediator.

**License Fees.** Money paid for a right or ability to use a property or asset.

Responsibilities:

Responsible parties on UWW campus would include; but not be limited to:

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| **Title/Department** | **Role** |
| Controller | Review and submit to DE any reports from UWW departments that meet the $250,000 threshold. |
| Office of Research and Sponsored Programs (ORSP) | Run query for all PR funds in WISER and review revenue codes for any revenue deposited into account 9235 (Foreign Source Revenue).Review awards in Cayuse for any records flagged as a “foreign” source.Personnel with Admin rights in Cayuse will run a report to pull all proposals from the system with a sponsor type of “foreign”.Report all findings to Controller. |
| Bursar | Run query from WINS for student accounts using the REF-FOR Service Indicator & item type of 500000000504 for third party payments.Report all findings to Controller. |
| Receivers of Donations (any employee that receives a donation) | Report any Gifts-in-Kind to Assistant to the Vice Chancellor of Administrative Affairs. |
| Assistant to the Vice Chancellor of Administrative Affairs | Send out quarterly email notifications to campus department representatives requesting “Gift-In-Kind” donations. Submit to Controller. |
| Director of Advancement Services & COO of UW Foundation | Run “Foreign Donors” query in Raiser’s Edge to ensure any one donor has not provided gifts of $250,000 or more in the current calendar year |

Procedure:

The follow procedures will be run on a semi-annual basis to ensure that the Department of Education deadlines are met. Reports/queries should be run on the following schedules:

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| **Time Period** | **Due to Controller** | **DOE Report Due Date** |
| January – June | July 15th | July 31st |
| July – December  | January 15th | January 31st  |

**Student Account Revenues:**

1. When invoicing for a third-party payment to a foreign source, Student Accounts will indicate these students by using the REF and FOR Service Indicator.
	1. Service Indicator: REF – Do Not Refund
	2. Reason Code: FOR – Foreign Source
	3. Comment Box: Foreign Governmental Unit, Country, or Organization being invoiced
2. Semi-annually the Bursar will run the WINS Query titled: SFS\_PYMTS\_FROM\_FGN\_SOURCE

 Query results should be sent the Controller for review.

**Grant Funding Revenues:**

UW-Whitewater will utilize two different searches to capture any foreign grant funding coming into UWW for this semi-annual reporting to the Department of Education:

1. Run a query for all PR funds in WISER and review revenue codes for any revenue deposited into account 9235, Foreign Source Revenue:
2. Review awards in Cayuse for any records flagged as a “foreign” source.

ORSP will use the Sponsor Type field on proposals to identify any foreign income sources grant proposals.

ORSP personnel with Admin rights in Cayuse will run a report to pull all proposals from the system. This CSV file will be reviewed/sorted to find all funded proposals from the period of review that are have a sponsor type of Foreign.

Report can be run through following link: <https://sds-or.cayuse424.com/561/uww/reports> via Cayuse provided user id & password.

**Gift Funds Received through UWW Foundation:**

After the months of June and December are reconciled, Foundation staff will run “Foreign donors” query in Raiser’s Edge to ensure any one donor has not provided gifts of $250,000 or more in the current calendar year. To protect a donor’s privacy, a report excluding names will be provided to the controller. If donations should equal or exceed $250,000 for any calendar year, the Foundation staff will work with controller to provided necessary information.

**Non-Cash Donations:**  The Assistant to the Vice Chancellor of Administrative Affairs quarterly emails a Gift-in-kind spreadsheet to campus department representatives asking to report any non-cash donations received during that quarterly time period. A description of the gift, Value of gift, Department/College, Donor’s name & Donor location (city and state), and estimated value of the donation are requested. This information is compiled and reported to the UWW Controller.

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### Administration:

Approval Details

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| Approval Authority: |  |
| Approval date: | 5/26/2021 |
| Version no: | V1.0 |
| Date for next review: |  |

Revision History

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| Version  | Revision date          | Description of changes | Author |
| 1.0 | 05/21/21 | Procedure established | Quality Assurance Improvement Manager |

Contact Person/Unit

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| --- | --- |
| Contact Person/Unit: | Trisha Barber, Interim Controller of Financial Services - UW-Whitewater |

Keywords

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| Keywords: | Foreign Influence, Foreign Revenue, Foreign Payments |