

**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:

|  |  |
| --- | --- |
| **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:

|  |  |  |
| --- | --- | --- |
| **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.

### 

### Administration:

Approval Details

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

Revision History

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

Contact Person/Unit

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

Keywords

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