

09.400 Gifts and Contracts from Foreign Sources

09.401 Disclosure of Gift or Contract Required. If the System, the System Administration, or an Institution receives a gift or contract from a foreign source including a restricted or conditional gift or contract that is required to be reported to the U.S. Department of Education in accordance with 20 U.S.C. §1011f, then a disclosure statement shall be filed with the appropriate federal agency on or before January 31st and July 31st of each year for all such gifts and contracts received in the preceding six months.

09.402 Reporting of Foreign Gifts and Contracts Policies and Procedures. The System and each Institution shall adopt policies and procedures for the reporting of foreign gifts and contracts that are consistent with Regents Rule 09.400, and 20 U.S.C. §1011f.

Definitions.

1. “Restricted or conditional gift or contract” means any endowment, gift, grant, contract, award, present, or property of any kind, which includes provisions regarding:
 - (a) the employment, assignment, or termination of faculty,
 - (b) the establishment of departments, centers, research, or lecture programs or new faculty positions;
 - (c) the selection or admission of students; or
 - (d) the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion.

2. “Foreign government” means a government other than the government of the United States or any state, province, or political subdivision thereof.

3. “Foreign source” means:
 - a. a foreign government, including an agency of a foreign government;
 - b. a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states;
 - c. an individual who is not a citizen or a national of the United States or a trust territory or protectorate of the United States; or
 - d. an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source.

5. “Gift” means any gift of money or property.

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