

NOTICE OF PROPOSED NEW REGULATION

DATE: November 1, 2021

REGULATION TITLE: Major Gifts Challenge Grant Program or Matching Gifts
REGULATION NO.: 1.400

SUMMARY: This regulation consolidates and codifies existing University policy and procedures for the administration of the matching funds received in the Major Gifts Challenge Grant Program.

AUTHORITY: BOG Regulation 1.001 and 9.019

COMMENTS CONCERNING THE PROPOSED NEW REGULATION SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW. The comments must identify the regulation you are commenting on.

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED NEW REGULATION IS: Courtney Brown, Legal Assistant II, 123 Tigert Hall, Post Office Box 113125, University of Florida, Gainesville, Florida 32611, 352-392-1358 office, 352-392-4387 facsimile, regulations@ufl.edu.

NAME OF PERSON WHO APPROVED THE PROPOSED NEW REGULATION: Thomas J. Mitchell, Vice President for Advancement

THE FULL TEXT OF THE PROPOSED NEW REGULATION IS ATTACHED TO THIS NOTICE.

REGULATIONS OF
THE UNIVERSITY OF FLORIDA

1.400 Major Gifts Challenge Grant Program or Matching Gifts.

(1) The University Major Gifts Challenge Grant Program, established by the State Treasury and administered by the Chancellor of the Florida Board of Regents, provided the University of Florida matching funds for challenge grants to enhance specific programs and activities at the University. The University of Florida administers the funds as prescribed by BOG Regulation 9.019. Funding for the program was temporarily suspended for donations received on or after June 30, 2011 (s. 1011.94(8)), but matching funds received by the University remain in University endowment funds, generating income used by the University in accordance with the fund purpose and all laws and regulations governing the use of matching funds.

(2) The University Vice President for Advancement, acting as the Executive Vice President of the University of Florida Foundation, Inc., shall administer the functions and responsibilities of the Foundation regarding the Major Gifts Challenge Grant Program under Florida law and pertinent endowment agreements.

(3) The routine daily expenditure of available allotted earnings on Challenge Grant endowment accounts, accountability for same, and other ongoing support relative to the functioning of the endowments shall be the responsibility of the dean or department head in accordance with: Florida law; Board of Governors, University, and Foundation regulations, rules, policies, and procedures; and the pertinent endowment agreements.

(4) The Vice President for Advancement shall maintain a file on each Challenge Grant fund including, at a minimum, the following information documenting receipt of gifts:

- (a) Copies of checks or other means of fund transmittal, or the Foundation's official ledgers which are subject to audit;
- (b) Related correspondence;
- (c) Endowment agreement, pledge agreement, or other related legal documents, including an expression of intent by the donor regarding the purpose of the gift and wish that the gift be submitted for a state match (except as to testamentary gifts where documentation of such wishes may not be available);
- (d) Financial statements;
- (e) Copies of annual reports submitted to the Board of Governors; and
- (f) All other documentation and records required by BOG Regulation 9.019 or as necessary to fulfill the requirements of Regulation 9.019.

(5) The Vice President for Advancement shall verify compliance with all Board of Governors and state requirements by including, as part of the Foundation's annual audited financial statement, a Major Gifts Program Schedule of Receipts, Expenditures, and Endowment Balances for all endowments funded by the Major Gifts Program. The schedule shall identify the corpus of each endowment, interest earnings, expenditures, and other transactions during the year that affect the endowment. The annual audit will include verification regarding donations with multiple donors in accordance with BOG Regulation 9.019.

(6) If the result of the audit or other review by a CPA indicates that corrective actions are needed by the Foundation, then the Foundation shall attach its corrective action plan to the CPA's report. Both the CPA's report and the written corrective action plan shall be submitted, along with the audited financial statements, to the Board of Governors.

Specific Authority: BOG Regulation 1.001 and 9.019

History—New _____.