



UNIVERSITY OF DENVER
POLICY MANUAL
INCOMING SPONSORSHIPS
(THIRD PARTY IS SPONSOR)

Responsible Department: Business and Financial Affairs

Recommended By: SVC Business and Financial Affairs

Approved By: Chancellor

Policy Number
FINA 2.30.054

Effective Date
5/___/2024

I. INTRODUCTION

This Policy is designed to provide guidance to the University community on Incoming Sponsorships, which are defined in Section IV below as the provisioning of funds, goods, or services to the University from a non-University entity.

II. POLICY OVERVIEW

A. All Incoming Sponsorships must:

1. Align with the University's mission to pursue excellence and inclusiveness;
2. Be approved, as provided herein, prior to the acceptance of funds (a Sponsorship request will not be approved after an event has occurred);
3. Be expressed in writing;
4. Comply with applicable local, state, and federal laws and regulations as well as University policies; and
5. Meet the criteria established by University's [trademark policies](#).

B. Incoming Sponsorships may not:

1. Utilize symbols or copyrights not owned by the University, unless written permission is obtained from the owner of said symbol or copyright.
2. Contain obscene, indecent, profane or other material that is inconsistent with University policies.
3. Promote firearms, tobacco, marijuana, or illegal goods or services.
4. Violate the University's Conflict of Interest policy (See Policy RISK 3.20.060 – *Conflicts of Interest*).

C. The University does not partner with sponsors or organizations who are

engaged in, or have a documented history of, discrimination. The University prohibits Sponsorships and advertising materials which ridicule, exploit, demean, or marginalize persons on the basis of race, color, national origin, sex, religion, age, disability, gender, pregnancy, gender identity, gender expression, sexual orientation, predisposing genetic characteristics, marital status, familial status, veteran status, military status, domestic violence victim status, or criminal conviction status.

- D. Sponsors and advertisers promoting age-restricted goods must align with the event content and maturity of the target audience.
- E. Potential Sponsors should not offer services that conflict with services currently being offered by the University. The University reserves the right to select or reject Sponsors.
- F. Except with respect to those Sponsorships administered by the units identified in Section III.A. below, all Sponsorships must be approved by the Office of the Provost in consultation with the Office of Business and Financial Affairs.

III. PROCESS OVERVIEW

A. The processes set forth in this Section III do not apply to the following departments that currently have processes for implementing this Policy specific to their Department or College:

- 1. Advancement (Charitable Gifts).
- 2. Office of Research and Sponsored Programs (Sponsored Projects);
- 3. Daniels School of Business (“DCB”) when they seek Sponsorships for DCB initiatives and programs;
- 4. Newman Center for the Performing Arts for Sponsorships of Newman Center programs and events; and
- 5. Department of Athletics when they seek Sponsorships for Athletic assets.

B. Incoming Sponsorships:

- 1. As a prerequisite to recognizing a Corporate or Non-profit Sponsor, the University department or Recognized Student Organization (“RSO”) seeking Incoming Sponsorship or Advertising for the event, activity, project or program must satisfy the following requirements:
 - a. The Sponsor must provide funding for a Funded Sponsorship, or In-Kind goods or services for an In-Kind Sponsorship, to

- support or enhance the event, activity, project or program.
- b. Sponsors must enter into a Sponsorship Agreement for each Sponsorship on a form approved by the Office of General Counsel.
 - i. A Sponsorship Agreement is a contract subject to University Policy FINA 2.10.032 – *Contract Management*.
 - ii. The Sponsorship Agreement must be fully executed before the sponsored event, activity, project or program takes place.
 - c. Any use of the Sponsor's logos must be addressed in the Sponsorship Agreement. Sponsor identification and logos must always be secondary to the University's branding in size and position.
 - d. Sponsors must not use University communications as a direct sales channel for their products and/or services.
2. Sponsorship of a University program, activity, or event does not automatically give the corporate entity the right to use University trademarks, names, or logos. Approval for any use of University trademarks or logos must be sought from, and is subject to the requirements of, the University's Marketing and Communications division. (See [Trademark Policies](#).)
3. IRS Rules: Sponsorship and Advertising payments may be subject to Unrelated Business Income Tax ("UBIT") under the Internal Revenue Code.

IV. DEFINITIONS

- A. "Acknowledgement"** – a statement or sign of recognition of Sponsorship support. A typical acknowledgement may include Sponsor logo placement or Sponsor information in materials associated with an event or activity being supported by the Sponsor.
- B. "Advertising"** - a paid service that includes messages that contain qualitative or comparative language, price information, an endorsement, or an inducement to purchase, sell, or use the advertiser's products or services.
- C. "Benefit"** - any item or service provided to a Sponsor in return for the Sponsorship activity, event, product, or program. Examples may include, but are not limited to, acknowledgement, event tickets, food and beverages, merchandise, or access to University services (e.g., meeting rooms, job boards), or access to students, faculty, or staff.
- D. "Charitable Gift"** - A voluntary transfer of money, services, or property

from a donor without expectation of a direct economic benefit or provision of goods, services, technical or scientific report(s), or intellectual property from the recipient. An acknowledgement of Charitable Gifts can include signage, websites, programs and materials.

- E. "Funded Sponsorship"** is a Sponsor's provision of funding to support or enhance an event, activity, project or program in return for the Sponsor's name/logo being associated with the event, activity, project or program (i.e., recognition as a Sponsor).
- F. "In-Kind Sponsorship"** is a Sponsor's provision of goods or services to support or enhance an event, activity, project or program in return for the Sponsor's name being associated with the event, activity, project or program (i.e., recognition as a Sponsor).
- G. "Materials"** means handbills, flyers, posters, pamphlets, petitions, and the like of any kind.
- H. "Corporations and/or non-profit organizations"** mean third-party entities that are not legally affiliated with the University.
- I. "Sponsor"** means an external entity that provides money, goods, and/or services to the sponsored entity in exchange for Acknowledgement or another benefit of the Sponsorship.
- J. "Incoming Sponsorship" or "Sponsorship"** for purposes of this Policy means the provisioning of funds, goods, or services received by the University from a non-University entity. Incoming Sponsorships are classified as Qualified, Non-Qualified, or Procurement.
 - 1. Qualified Sponsorship:** funds, goods or services received by the University from a non-University entity in support of one or more mission related-activities, events or programs that are not subject to Unrelated Business Income Tax (UBIT). A Qualified Sponsorships must:
 - a.** Not provide a substantial return benefit to the non-University Sponsor; and
 - b.** Not be contingent on the level of attendance.
 - 2. Non-Qualified Sponsorship:** funds, goods and/or services received by the University from a non-University entity that provides a Substantial Return Benefit to the Sponsor or contains qualitative statements in support of the Sponsor. Non-Qualified Sponsorships may be subject to UBIT and/or qualify as Procurement.

3. Procurement: When a Sponsor provides a Gift-in-Kind of goods or services to the University that would ordinarily be obtained through the purchasing system, it has the potential to be seen as circumventing purchasing requirements. If the return benefits provided to a Sponsor are valued at:
 - a. \$5,000 or less, the transaction is exempt from purchasing requirements.
 - b. More than \$5,000, and the value of the return benefits provided to the Sponsor is 10% or less of the value of the goods or services provided by the Sponsor, the transaction will still qualify as a Sponsorship and not a purchase.
 - c. More than \$5,000 and exceed 10% of the value of the goods or services provided by the Sponsor, then the purchasing rules apply to the transaction.

K. "University Premises" includes, but is not limited to, all indoor and outdoor common and educational areas, all University-owned, leased, or operated facilities, any recognized fraternities and sororities, University-owned or operated housing, campus sidewalks, campus parking lots, recreational areas, outdoor stadiums and University-owned or leased vehicles (regardless of location). It does not include municipal property that goes through or is adjacent to campus, such as sidewalks or alleys.

V. RESOURCES

A. University Policy FINA 2.10.032 – *Contract Management*

Revision Effective Date	Purpose