



TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

Operating Policy and Procedure

HSC OP: 02.07, **Disclosure of Conditional Gifts from Foreign Persons**

PURPOSE: The purpose of this Health Sciences Center Operating Policy and Procedure is to assure that Texas Tech University Health Sciences Center (TTUHSC) complies with state law requiring disclosure to the Secretary of State of all conditional gifts made to TTUHSC from foreign persons or agents.

REVIEW: This Health Sciences Center Operating Policy and Procedure will be reviewed on April 1 of each even-numbered year (ENY) by the Vice Chancellor for Institutional Advancement. Changes will be made with the concurrence of the Executive Vice President for Finance and Administration and the Vice Chancellor and General Counsel.

POLICY/PROCEDURE:

1. **Definition.** A “conditional gift” is any endowment, scholarship, or other gift, donation, or grant of money or property of any kind or any contract award, the use of which is subject to conditions imposed, requested, or provided by a foreign government, or foreign person; and which conditions relate to:
 - a. what kinds of teachers or students may benefit from such gift; or
 - b. the bias or slant with which subject matter supported by the gift may be taught.
2. Any TTUHSC faculty member, staff member, student, or student organization who is approached by a potential donor who is either a foreign person or a representative of a foreign person or entity, and whose gift is conditioned as set forth in section 1 above, must immediately contact the Vice Chancellor for Institutional Advancement (VCIA) with the following information:
 - a. name of the donor;
 - b. value or amount of the gift;
 - c. if donor is an individual, the name of the country in which the donor resides;
 - d. if donor is an entity, the name and principal location or residence of each record and beneficial owner of any equity interest therein, each member thereof, and each person providing funding thereto;
 - e. what conditions have been imposed or requested; and
 - f. whether any other donors have attempted to impose similar conditions upon their gifts within the current fiscal year.
3. If the conditional gift is accepted by TTUHSC, the VCIA or his or her designee will be responsible for the filing of the Disclosure Statement of Conditional Gifts from Foreign Persons (Form 2208) with the Secretary of State, Statutory Documents Section in Austin, and the U.S. Secretary of Education, in accordance with federal law, by January 31 or July 31, whichever is earlier in the fiscal year in which the conditional gift is received.

¹ Tex. Educ. Code § 51.572; 1 Tex. Admin. Code 73.91; 20 USC 1011f