

ADMINISTRATIVE DIVISION FINA Administration and Finance		POLICY NUMBER FINA 1.50 (NEW)
POLICY TITLE Foreign Gift and Contract Section 117 Reporting		
SCOPE OF POLICY USC System	DATE OF REVISION 4/1/2024 February 22, 2021	
RESPONSIBLE OFFICER <u>Executive</u> Vice President for <u>Administration and Finance</u> and Chief Financial Officer	ADMINISTRATIVE OFFICE University Finance - Controller's Office	

PURPOSE

Title IV of the Higher Education Act requires all institutions that process U.S. federal student aid to disclose semiannually to the U.S. Department of Education specific financial transactions with fForeign sSources, pursuant to Section 117 (20 U.S.C. 1011f). The ~~is~~ purpose of this policy is to outline reporting obligations for the University of South Carolina for all institutions, units, and individuals receiving contracts and gifts from foreign sources.

DEFINITIONS AND ACRONYMS

Foreign Source – By example, aAny one of the following are considered a foreign source: 1) a foreign government, including an agency of a foreign government; 2) a legal entity, governmental or otherwise, created solely under the laws of a foreign state or states; 3) an individual who is not a citizen or a national of the United States or a trust territory or protectorate thereof; and 4) an agent, including a subsidiary or affiliate of a foreign legal entity, acting on behalf of a foreign source.

Contract – Any agreement for the acquisition by purchase, lease, or barter of property or services by the fForeign sSource, for the direct benefit or use of either of the parties.

Gift – The voluntary transfer of money or property by a fForeign Source made without consideration. Consideration refers to a “bargained-for-exchange” – anything of value provided or promised in the exchange.

Restricted or Conditional Gift or Contract - Any endowment, gift, grant, contract, award, present, or property or 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 or a specified country, religion, sex, ethnic origin, or political opinion.

POLICY STATEMENT

This policy sets forth required reporting as required in Section 117 (20 U.S.C. 1011f). The University will review the receipt of all foreign contracts and gifts semiannually in accordance with Section 117 (20 U.S.C. 1011f). If the total value received from foreign contract

and gifts is, alone or combined, is \$250,000 or more within a calendar year, the University-Controller's Office will file a disclosure report with the U.S. Secretary of Education on or before January 31st and July 31st of each year for the respective six-month reporting period.

These disclosure requirements were enacted to promote public transparency about the role of foreign funding in U.S. higher education.

PROCEDURES

The procedure for this policy provides details on the administration and management of this policy. The procedure is located at http://sc.edu/about/offices_and_divisions/controller/policies_and_procedures/index.php

RELATED UNIVERSITY, STATE, AND FEDERAL POLICIES

20 U.S.C. Section 1101f

HISTORY OF REVISIONS

DATE OF REVISION	REASON FOR REVISION
<u>04/01/2024</u>	<u>Language updates</u>
02/22/2021	New Policy.