



**BOISE STATE UNIVERSITY**

University Policy #9180

## University Sponsorship

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### **Effective Date**

May 2018

### **Responsible Party**

Director of University Sponsorship, (208) 426-3893  
Office of the President, (208) 426-1417

### **Scope and Audience**

This policy applies to all Sponsorships throughout the University, regardless of the financial or other value of the Sponsorship. Does not pertain to Charitable Gifts or Sponsored Projects. Does not pertain to the Department of Athletics when they seek Sponsorships for Athletic assets, the Alumni Association when working with alumni assets, Boise State Public Radio, or the Morrison Center.

### **Additional Authority**

- University Policy 1050 (Alcohol on Campus)
  - University Policy 1100 (Use of University Space)
  - University Policy 5100 (Sponsored Projects and Charitable Gifts)
  - University Policy 6030 (University Contracts)
  - University Policy 6130 (Purchasing)
  - University Policy 9200 (Bronco Shop Operations)
  - University Policy 10000 (University Graphics Standards) and associated Boise State Brand Standards
  - University Policy 10030 (Commercial Filming and Photography)
  - University Policy 11000 (Naming)
  - University Policy 11010 (Gift Solicitation and Management).
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## 1. Policy Purpose

To set policy for the management of University Sponsorship activities.

## 2. Policy Statement

This Policy provides guidance to schools, colleges, departments, academic or administrative units [and university recognized student organizations (URSOs)] on the Sponsorship of University [or URSO events], programs, publications or other activities by non-University entities. Sponsorship of school, college, department, unit [or URSO] activities, programs or events by non-University entities can, when conducted in an appropriate manner, be beneficial to the Sponsored school, college, department, unit [or URSO,] as well as to the sponsoring entity, to the University community and to the state. In addition, University entities should be mindful of the significant value to non-University entities that results from the exposure and association with the University that a Sponsorship relationship provides.

The University recognizes that many of its activities and programs provide potential sources of revenue or non-financial benefits through the creation of private-sector partnerships and Sponsorship opportunities. It is also important to recognize that, as a public institution, the University's reputation and brand must be protected and that activities and organizations associated with the University must align with the University's mission and pursuit of excellence and inclusiveness. The University has the right to manage those who advertise and create Sponsorship marketing associations with the University.

The University has created a centralized Sponsorship program to:

- a. Create added value for the institution and its community and ensure the University is realizing the maximum opportunity from every Sponsorship and Advertising agreement.
- b. Provide guidance to University units and programs; help prevent conflict-of-interest issues; and ensure compliance with University policies.
- c. Maintain a central repository of all Sponsorships to avoid legal conflicts or agreements that devalue the institution. Units entering into independent Sponsorship agreements without prior approval from University Sponsorship Office and/or Purchasing may violate existing, University-wide contracts or Sponsorship agreements.
- d. Protect the University from misrepresentation of its name and harm to its reputation; and safeguard the integrity of the Boise State University name and brand. This includes protection of students by vetting companies that want to directly market to our campus community; and ensuring Sponsorship partners align with the University and its values.

- e. Ensure proper coordination with University Advancement and Office of Sponsored Projects PRIOR TO approaching prospects.

All University unit sponsorship solicitations, including student organizations, must coordinate with the University Sponsorship Office when pursuing available Sponsorship opportunities. Payments from a corporate entity can potentially be a mixture of charitable contributions and sponsorship revenue. The University Sponsorship Office and University Advancement will be responsible to work together to determine the correct classification and corporate intent. Sponsorship income will be applied pursuant to a method approved by the President. Generally speaking, the income will be applied to the specific project, department, Dean's priority or when a university-wide sponsorship, the priorities of the President's Office. Deans will seek approval for potential sponsorship projects through the Provost's Office before working with the University Sponsorship Office.

### **3. Definitions**

#### **3.1 Acknowledgement**

Acknowledgment is a term used to signify the support of Sponsorship. Typical Sponsorship Acknowledgment may include logo placement and/or Sponsor information in the materials associated a University event or activity being supported by the Sponsor and is usually associated with a monetized pre-contracted agreement.

#### **3.2 Advertising**

Advertising is any monetized pre-contracted advertisement, signage, label, packaging, imprint, logo, sales promotion activity or device, public relations material or events, merchandising or other activity or communication that has the obvious intent of promoting a non-University product, service, event, or organization.

#### **3.3 Asset**

The tangible items that are part of a quid pro quo exchange, programs, services, or activities owned by the University that provide a benefit to Sponsors. These include but are not limited to marks, logos, signage, and websites, materials related to activities supported by the Sponsor, venues, media, events, programs, tickets, hospitality opportunities, and merchandise.

#### **3.4 Benefit**

Any item or service provided to a Sponsor in return for the Sponsorship of a University activity, event, or program. Examples may include, but are not limited to, acknowledgement, event tickets, food and beverages, merchandise, or access to University services (i.e. meeting rooms,

job boards, etc.) Certain benefits may be considered de Minimis benefits as described in IRS Code 123(a) (4) and not considered a benefit for Sponsorship.

### **3.5 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. Recognition of Charitable Gifts can include signage, websites, programs and materials.

### **3.6 Endorsement**

Any statements or depictions which can be reasonably construed to contain or imply a preference by the University, by any of its units or employees speaking or acting as representatives of the University for one non-University interest over any other.

### **3.7 Sponsor**

An entity that provides money, goods, and/or services to the University in exchange for contractualized monetized acknowledgement or other benefit of the Sponsorship.

### **3.8 Sponsored Project**

A grant, contract, cooperative agreement, sub-grant, subcontract, consortium agreement, purchase order, or memorandum of understanding that formalizes the transfer of money or property from a Sponsor in exchange for specific activities (e.g. research and development, instruction, public services etc.) and may require specific deliverables such as a detailed financial and/or technical reporting by the recipient.

### **3.9 Sponsorship**

A relationship with an entity where that entity provides money, goods and/or services to the University through a school, college, department, unit, or student organization, and in return, the entity receives a contractual monetized acknowledgement or other quid pro quo benefit of the Sponsorship via television or radio broadcasts, signage, tickets, programs, other print material, the Internet. Sponsorship differs from the corporate Charitable Gift support generated by University Advancement which is generally provided without expectation of quid pro quo benefit.

## 4. Responsibilities and Procedures

### 4.1 Responsibility

- a. The University Sponsorship Office, reporting to the Office of the President, is charged with overseeing the planning and execution of all Sponsorships and exclusively responsible for any and all University-wide Sponsorships. The University Sponsorship Office will work closely and collaboratively before solicitation with other University units, including Advancement, to provide a resource for Sponsorship activities, managing the solicitation process, maintaining an Asset inventory, and pricing and valuation of University Assets and Benefits.
- b. An Advisory Committee, consisting of representatives from University Sponsorship, University Advancement, Sponsored Projects, the Alumni Association, and other University Departments, shall advise on issues related to Sponsorship and communicate broadly back to University units, and monitor Sponsorship policy. The Office of the President may appoint work groups to provide advice on matters pertaining to particular Sponsorship opportunities.
- c. In cases where it is unclear whether a project or activity should be administered as a sponsorship or a charitable gift, the Sponsorship Office, University Advancement, and the Office of Sponsored Projects will confer to correctly identify the entity responsible for the project or activity at the front end of the transaction. If these efforts are unable to resolve the matter, then the respective Vice Presidents will meet and decide.

### 4.2 Key Provisions

#### 4.2.1. Sponsorships at College/Department/Unit Level

All current or future Sponsorship and/or Advertising agreements, inclusive of extensions and renewal of grandfathered agreements, must be communicated to, reviewed by and approved by the University Sponsorship Office. The University Sponsorship Office is the primary department with authorized signatory authority on Sponsorship agreements. Should additional contract authority be required the Office of the President would be contacted for approval. Individual units or departments or URSO should not contract directly (unless a policy exception is granted) with a Sponsor on behalf of the University or enter into Advertising arrangements without approval from the University Sponsorship Office.

#### 4.2.2. University-Wide Sponsorships

- a. The President of the University, in consultation with the Office of the President and the Vice President of University Advancement, may designate select Sponsorship categories as exclusive University-wide categories, allowing for exclusive relationships across all areas of the University. Any and all exclusive University-wide categories will be closely reviewed and vetted with all potential partners.
- b. All University units, aside from the Athletics department when working on sponsorship of athletic assets, the Alumni Association when working with alumni assets, Boise State Public Radio, and the Morrison Center are required to coordinate any and all Sponsorship activities with the University Sponsorship Director. The University Sponsorship Office is the only non-athletic University entity allowed to approve Sponsorship agreements on behalf of the University, or any of its departments. Athletics has been given permission to enter into an agreement with a third party to manage its Sponsorship rights, solely so far as they relate to Athletics Assets, and as such Athletics may continue to develop Sponsorships for their Assets and programs in designated categories and apply their policies and guidelines.

#### 4.2.3 Choice of Sponsors

- a. Potential Sponsors will be evaluated on a range of criteria. 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. In addition there are certain categories of Sponsorship that are automatically excluded from consideration as listed below. The University Sponsorship Office, in consultation with the Advisory Committee will review and research potential Sponsors for appropriate alignment. Working with University Advancement and other University entities, the Sponsorship Office will participate in established prospect management procedures to ensure multiple funding requests to the same prospect are properly prioritized. Final decisions will be made by the Director of University Sponsorships.
- b. Sponsorships will be conducted in a manner that is consistent with the University's mission, vision, strategic plan, and Shared Values. Sponsorships must not impinge on the integrity, ethics and ethos of the University. Protection of the University's reputation, Assets, and image is imperative.

#### 4.2.4 Excluded Sponsorship Categories

Boise State University will not enter into Sponsorships if the business or products sold are inconsistent with the University's mission and Shared Values. Excluded Sponsorship categories include but are not limited to:

- a. Gambling (except the State authorized Lottery)
- b. Tobacco Products
- c. Sexually Explicit Materials
- d. Religious and/or Political materials
- e. Ammunition and Firearms
- f. Competitors of the University which may include competitors of University Bronco Shops, or other businesses that may conflict with services offered by Boise State University.
- g. Material that could be considered defamatory, obscene, profane, vulgar, or otherwise socially unacceptable or offensive to the general public or may cause harm to students' health, safety and welfare.

#### 4.2.5 Sponsorship Limitations

- a. The University President and Office of the President retain the right to dissolve Sponsorship relationships if a Sponsor does not meet University Standards. Only the Sponsorship Office, in consultation with other university groups, may authorize Sponsorship contracts. The Office may act as a University-wide representative or in conjunction with a University school, college, department, organization, or unit.
- b. A Sponsorship arrangement with the University does not automatically imply affiliation or endorsement. Specifically, through the University Sponsorship Office, the University may on occasion allow Sponsors to use the University to promote its services/goods, and/or use a University employee to publicly endorse a company's services. The University Sponsorship Office must provide prior approval for an employee endorsement of companies or organizations when the endorsement features the University or any commitment on behalf of the University to an endeavor that could be construed as an endorsement by the University.

## 4.2.6 Explanation of Sponsorships

### 4.2.6A Cash and In-Kind

Cash or in-kind goods and services are permissible as sponsorship payment to be provided to the University by a Sponsor. Purchases of Goods and Services Sponsorships involving the purchase of goods and services generally require a competitive Request for Proposal or RFP. At times a Sponsorship may include a discounted purchase price on goods or services. University Policy 6130 (Purchasing) must be complied with when the purchase of goods and/or services is involved. Furthermore, all goods purchased bearing University marks must be purchased from an approved Boise State University licensee

### 4.2.6B Sponsor Use of University Trademarks, Names, or Logos

Sponsorship itself does not automatically grant the Sponsor the right to use University Assets. In limited circumstances, a Sponsor, through approved contract, may be granted permission to use University trademarks, names, or logos with the understanding that use must be consistent with University policies for such Assets. Any request by a Sponsor to use University trademarks, names or logos shall be directed to the Office of Trademark Licensing, where the request will be processed in accordance with applicable University policy.

### 4.2.6C Naming

Sponsorship related signage and signage placement must be approved in advance by the Sponsorship Office and Naming Committee when appropriate. Signage must be appropriate to the University environment and comply with University Signage Standards. There may be specific instances whereas the Naming Committee will be consulted as part of the approval process for certain bond-financed buildings. Please consult University Policy 11000 (Naming) Naming Procedures, as well as Section III,.D. Naming in the Form of Advertising or Sponsorship.

### 4.2.6D IRS Rules

Sponsorship and Advertising payments may be subject to Unrelated Business Income Tax (“UBIT”) under the Internal Revenue Code. Accounting Services will be contacted in order to review the arrangement contemplated and to ascertain whether there are any tax implications.

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## Revision History