



## BOISE STATE UNIVERSITY

University Policy 6230

# Gifts, Awards, and Prizes

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### Effective Date

January 2009

### Last Revision Date

April 03, 2024

### Responsible Party

Chief Financial and Operating Officer and Vice President for Finance and Operations,  
VPCFO@boisestate.edu  
Procurement and Vendor Services, ProcuretoPay@boisestate.edu  
Tax Reporting, TaxReporting@boisestate.edu

### Scope and Audience

This policy applies to all faculty, staff and student employees who use University funds to purchase Gifts, Awards, and Prizes on behalf of the University. This policy does not apply to Gifts, Awards, and Prizes paid for personally by individuals without reimbursement by the University.

This policy does not apply to the receipt of external funding received in the form of gifts or sponsored projects. For guidance and responsibilities on external funding in the form of charitable gifts and sponsored projects, see University Policy 5100 (Sponsored Projects and Charitable Gifts).

### Additional Authority

- Internal Revenue Code § 132, Publication 15-B
- Idaho Code § 18-1356
- Idaho Code § 18-3801

- Idaho Code Title 67, Chapter 77
  - University Policy 5050 (Use of Human Subjects)
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## 1. Policy Purpose

To establish the procedures and guidelines for Gifts, Awards, and Prizes presented on behalf of the University, including the University funds that may be used and the related tax and reporting requirements.

## 2. Policy Statement

Boise State University understands the need to recognize and encourage the dedication, support, and participation of its employees and friends of the institution in carrying out the University's mission. Gifts, Awards, and Prizes may be used to support that mission but must be reasonable in price and comply with funding source restrictions. Gifts, Awards, and Prizes may not be provided in lieu of payment for services or as a quid pro quo. Certain Gifts, Awards, and Prizes have tax implications for the recipient with a corresponding reporting requirement for the University.

## 3. Definitions

### 3.1 Award

Recognition or something of value conveyed as a result of competition, merit, or in recognition of service to the University on the part of the recipient.

### 3.2 Cash and Cash Equivalent

Cash and Cash Equivalents include Cash, checks, gift cards, gift certificates, and savings bonds.

### 3.3 De Minimis

Any item or service, the value of which is so small as to make accounting for it unreasonable or administratively impracticable. Cash awards, gift cards, and gift certificates provided to employees are never considered De Minimis.

### 3.4 Gift

A voluntary conveyance of something of value as a gesture of goodwill or appreciation.

### **3.5 Pecuniary Benefit**

Any private or personal, but primarily economic gain or benefit to a Public Servant.

### **3.6 Prize**

A reward to the winner of a competition or in recognition of an outstanding achievement.

### **3.7 Public Servant**

Any officer or employee of government, including legislators and judges, and any person participating as juror, advisor, consultant or otherwise in performing a governmental function. A Public Servant does not include witnesses.

### **3.8 Tangible Personal Property**

Non-cash personal property that can be physically relocated and excludes real property (land and buildings). Examples of tangible personal property include, but are not limited to flowers, candy, fruit, Boise State logo items, memento items, books, pens, pennants, plaques, or similar items.

For purposes of this policy, tangible personal property does not include cash, cash equivalents, gift cards, gift coupons, gift certificates, vacations, meals, lodging, tickets to theater or sporting events, stocks, bonds, other securities, and other similar items.

## **4. General Requirements**

### **4.1 Recipients**

The Gift, Award, or Prize recipients covered by this Policy include faculty, staff and student employees, individuals who are not employees of the University (“non-employees”), and organizations.

### **4.2 Taxation**

- a. Most Gifts, Awards, and Prizes (cash and non-cash) are subject to federal and state taxes and reportable on Form W-2 (employees), Form 1099-MISC (non-employees), or Form 1042-S (nonresident aliens) unless an exception applies. The University Financial Services department will evaluate any reporting or withholding requirements to external taxing authorities such as the Internal Revenue Service.
- b. Guidelines for taxation and reporting are set forth in the [Gift Award Matrix](#).

- c. Units purchasing Gifts, Awards, and Prizes are responsible for tracking such Gifts, Awards, and Prizes; maintaining the appropriate documentation; and communicating with University Financial Services when a Gift, Award, or Prize is reportable. The purchase of, or the reimbursement for, a Gift, Award, or Prize must be handled through an approved payment processing method with a valid business purpose and supporting documentation.
- d. Procedures for reporting information to University Financial Services are outlined on the [Gift Award Matrix](#).

## 5. Employee Gifts, Awards, and Prizes

- a. Employees may be acknowledged by presenting a Gift, Award, or Prize for recognition, length of service, retirement, or other noteworthy accomplishments. As a general rule, Gifts, Awards, and Prizes are taxable to the employee and must be reported according to the procedures in the [Gift Award Matrix](#).
- b. Certain non-cash Gifts, Awards, and Prizes of tangible personal property to employees are not reportable if they meet the following criteria:
  - The Gift, Award, or Prize must be of minimal value and occasional;
  - The Gift, Award, or Prize must be given under conditions and circumstances that don't create significant likelihood of disguised pay;
  - The Gift, Award, or Prize must be presented to employees on a basis that does not discriminate in favor of highly compensated employees; and
  - The cost or value of the Gift, Award, or Prize (not including shipping and delivery costs) is limited to \$100 per employee per year.
- c. Any cash Gifts, Awards, or Prizes (including gift cards and certificates) to employees, regardless of the amount, are taxable and must be reported to University Financial Services.

## 6. Dual Status as an Employee and Non-Employee Gifts, Awards, and Prizes

- a. If the Gift, Award, or Prize recipient has a status as both an employee and a non-employee (such as a student or volunteer), a determination must be made as to whether the presentation of the Gift, Award, or Prize is dependent on the individual's employment relationship with the University.

- b. If the Gift, Award, or Prize is not dependent in any fashion on the fact that the recipient is also employed by the University, the Gift, Award, or Prize will be treated as a non-employee transaction.
- c. If the Gift, Award, or Prize relates to the employee's employment with the University, the Gift, Award, or Prize will be treated as an employee Gift, Award, or Prize.

## 7. Non-employee Gifts, Awards, and Prizes

- a. Gifts, Awards, and Prizes of reasonable expense may be presented to non-University individuals and organizations when the Gift, Award, or Prize is made on behalf of the University, and when it can be demonstrated that the Gift, Award, or Prize benefits the University by promotion of goodwill to the University community or to fulfill the University's role as a community partner.
- b. Examples of non-employee recipients include donors, potential donors, visiting dignitaries and scholars, volunteers, community members, elected and appointed officials, and students and research participants. Typical Gifts, Awards, and Prizes include but are not limited to the following:
  - Promotional and goodwill Gifts, Awards, and Prizes;
  - Gifts, Awards, and Prizes presented as a token of appreciation for, or in recognition of service to the University;
  - Gifts, Awards, and Prizes presented for meritorious academic achievement;
  - Gifts, Awards, and Prizes offered as an expression of sympathy or congratulations.
- c. Gifts, Awards, and Prizes purchased for non-employees must be consistent with Idaho Code (and guidance related to such Code) limiting the receipt by a Public Servant of a Pecuniary Benefit in excess of \$50, which is not incidental to personal, professional, or business contacts and which involves no substantial risk of undermining official impartiality.
- d. Non-employee Gifts, Awards, and Prizes are generally taxable to the recipient. University Financial Services will evaluate any reporting or withholding requirements to external taxing authorities, such as the Internal Revenue Service. Procedures for reporting information to University Financial Services are outlined on the [Gift Award Matrix](#).

### **7.1 Human Subject Payments**

Cash and non-cash payments are allowable for human subjects (e.g., participation in research studies) and for completion of surveys. Payments must be reported to University Financial Services as outlined in the [Gift Award Matrix](#), unless otherwise protected under the criteria in University Policy 5050 (Use of Human Subjects).

### **7.2 Nonresident Alien Recipients**

All Gifts, Awards, and Prizes (cash and non-cash) to a nonresident alien recipient, regardless of the dollar amount, are subject to specific tax reporting requirements and must be reported to University Financial Services.

### **7.3 Religious or Political Organizations**

Gifts, Awards, and Prizes may not be used to support religious or political organizations, including organizations directly or indirectly associated with a political party, campaign, candidate, or group engaged in an attempt to influence legislation, elections, referenda, or similar activities.

## **8. Pre-Authorization Approval**

- a. Each vice president will establish the pre-authorization approval process for their division and will submit their process in writing to the Chief Financial and Operating Officer and Vice President for Finance and Operation for final approval. Any employee wishing to purchase a Gift, Award, or Prize under this policy must follow the pre-authorization approval process for their division.
- b. The Vice President for Student Affairs and Enrollment Management must approve any bereavement and serious illness purchases for students.

## **9. Funding Sources**

In most situations, Gifts, Awards, and Prizes should be purchased with local or public relations (PR) funding sources. Appropriated funds may be used in limited situations, which are identified in the [Gift Award Matrix](#).

## 10. Raffles and Drawings

- a. Raffles, as defined under Idaho Code § 67-7702, that involve the purchase of a chance or chances to win a prize by random drawing are considered gambling under Idaho law and are generally not allowed.
- b. Drawings, such as a “door prize drawing,” that do not involve the purchase of a chance or chances to win a prize are considered a Gift and are permissible subject to the requirements of this policy and provided the ticket and any other communication related to such drawing clearly state “No Purchase Necessary to Enter” or “No Purchase Necessary to Win.”
- c. Any department or unit wishing to conduct a raffle or drawing should consult with the Office of General Counsel to ensure compliance with Idaho law and University policy.

## 11. Forms

Gift Award Incentive Form

<https://www.boisestate.edu/vpfa-university-forms/>

## 12. Related Information

Gift Award Matrix

<https://www.boisestate.edu/vpfa-p2p/gift-matrix/>

Procurement and Vendor Services

<https://www.boisestate.edu/vpfa-p2p/>

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## Revision History

September 2009; January 2011; September 2011; December 2013; October 22, 2021; April 03, 2024