



MIDWESTERN STATE UNIVERSITY

Operating Policies & Procedures Manual

University Operating Policy/Procedure (“OP”)

OP 32.04: Disclosure of Certain Gifts from Foreign Persons

Approval Authority:	President
Policy Type:	University Operating Policy and Procedure
Policy Owners:	Vice President for Administration and Finance Vice President for University Advancement
Responsible Office:	MSU Business Office
Next Scheduled Review:	03/01/2027. This OP will be reviewed in March every two years, or as needed, by the MSU Business Office. Substantive revisions will be routed through administrative channels to the Vice President for Administration and Finance and the Vice President for University Advancement and on to the President for approval.

I. Purpose

The purpose of this OP of Midwestern State University ("MSU" or "University"), a component institution of the Texas Tech University ("TTU") System, is to assure that MSU complies with federal and state law requiring disclosure of certain gifts made to MSU from foreign persons or agents as referenced in MSU [System Regulation 01.03, Foreign Source Disclosure – Standards of Practice](#) and [TTU System Regulation 07.16, Foreign Adversaries – Gifts and Travel](#).

II. Definitions (specific to this policy)

For purposes of this OP:

- A. **Foreign Source** means a foreign government or any agency thereof, a legal entity created under the laws of a foreign state, an individual who is not a citizen or national of the United States or a trust territory or protectorate thereof, or an agent acting on behalf of a foreign source.
- B. **Gift** means any gift of money or property to or for the benefit of MSU.
- C. **Personnel** means a University or TTU System employee (an individual who receives a W-2 or 1042-S from the TTU System or University, including full- and part-time faculty, staff, and students) or other individual who does not receive a W-2 or 1042-S from the TTU System or University, but who may be classified as staff, researcher,

scholar, or professor at the University. This includes personnel funded by another university/entity or those who are self-funded. The definition of Personnel may be expanded to include other individuals and/or classifications of individuals as designated by the University.

- D. *Prohibited Country*** means a country on the U. S. Department of Commerce's foreign adversaries list under [15 C.F.R. § 791.4](#).

III. Policy/Procedure

- A. Any MSU faculty member, staff member, student, or student organization who is approached by a potential donor who is either a foreign source or a representative of a foreign source must immediately contact the MSU Vice President for Administration and Finance (bus.office@msutexas.edu) via the [Attachment B – MSU Gifts from Foreign Sources Report Form](#) with the following information about the potential gift:
1. Name of the donor;
 2. Value or amount of the gift;
 3. The date of the gift;
 4. The donor's country of citizenship or, if unknown, the principal residence for a foreign source who is an individual;
 5. The donor's country of creation, or, if unknown, the principal place of business for a foreign source which is a legal entity; and
 6. Any restrictions or conditions placed on the gift by the donor and whether any other donors have attempted to impose similar conditions upon their gifts within the current fiscal year.

In accordance with [TTU System Regulation 07.16: Foreign Adversaries – Gifts and Travel](#), [MSU OP 52.20: Ethics Policy for Employees of MSU](#) (§ D.8.a – Benefits, Gifts, and Honoraria Foreign Travel; and § E.2.e – Prohibited Benefits), and by directive of Texas Governor's [Executive Order No. GA-48](#)—as amended and/or codified—no Personnel of the University shall accept any gift, regardless of value, from an entity associated with or travel to, for professional purposes, a Prohibited Country. University Personnel who are approached by any such group(s) representing any of the Prohibited Countries offering gifts or travel shall report such offer(s) to the MSU Vice President for Administration and Finance (bus.office@msutexas.edu) via the [Attachment B – MSU Gifts from Foreign Sources Report Form](#), and any violations of this ethics policy to the University's Human Resources Office (human.resources@msutexas.edu) or anonymously to the University's [Fraud and Misconduct Hotline](#).

- B. In accordance with TTU System Regulation 07.16 referenced above, University donor forms shall include an attestation of compliance with [Executive Order No. GA-](#)

[48](#) for any gift to the University regardless of gift value. For illustrative purposes, the following attestation would suffice in most circumstances:

Donor(s), by their signature(s) below, attest that this gift is in compliance with Executive Order No. GA-48 issued by the Governor of the State of Texas and that Donor(s) is/are not associated with a country on the U.S. Department of Commerce's foreign adversaries list under 15 C.F.R. § 791.4.

- C. The MSU Business Office is responsible for fulfilling all foreign gift reporting requirements, as outlined under MSU OP 14.10: Foreign Sources and Transactions Reporting. If the gift is accepted by MSU, the Vice President for Administration and Finance (or designee) will be responsible for the filing of the disclosure statement with the Secretary of the Department of Education, in accordance with 20 U.S.C. §1011f, and filing the disclosure statement with the Texas Higher Education Coordinating Board.

MSU shall submit a foreign source gift report to the Secretary of the Department of Education's Federal Student Aid ("FSA") Case Management Team no later than the January 31 or July 31 (whichever is sooner) following the receipt of the gift from a foreign source valued at \$250,000 or more, either alone or when considered in combination with all other gifts from that foreign source within a calendar year.

VI. Related Statutes, Rules/Regulations, Policies, Forms, and Websites

Related /Statutes/Rules/Executive Orders

[20 U.S.C. § 1011f](#)

Foreign Adversaries list under [15 C.F.R. § 791.4](#)

[Executive Order No. GA-48](#)

Related TTU System *Regents' Rules* and Regulations

[TTU System Regulation 01.03, Foreign Source Disclosure – Standards of Practice](#)

[TTU System Regulation 07.16, Foreign Adversaries – Gifts and Travel](#)

Related MSU Policies

[OP 14.10: Foreign Sources and Transactions Reporting](#)

[OP 52.20: Ethics Policy for Employees of MSU](#) (Sections D.8 - Foreign Travel - and E.2.e – Prohibited Benefits)

Related Forms

[Attachment A – MSU Foreign Adversary Nations Travel Form](#)

[Attachment B – MSU Gifts from Foreign Sources Report Form](#)

Related Websites

[MSU Business Office](#)

[MSU Office of University Advancement](#)

VII. Responsible Office

Contact: MSU Business Office
Phone: (940) 397-4101
E-mail: bus.office@msutexas.edu

VIII. Revision History

24 July 2025: Adopted and approved by MSU President Stacia Haynie as Operating Policy and Procedure (“OP”) 32.04: Disclosure of Certain Gifts from Foreign Persons.