

Sponsorship and Advertising Policy

Category: Administration and Governance
Responsible Office: University Advancement
Responsible Executive: Vice President for University Advancement

Date Established: to be determined
Date Last Updated: 04/12/2019

Summary

This policy governs all revenue generating sponsorship and advertising practices of the University at Buffalo. The policy promotes a comprehensive, coordinated, singular point of contact to existing and potential sponsors. University schools, centers, departments, venues, and student groups who engage external entities for sponsorship or advertising must do so with coordination through the Office of Corporate and Foundation Relations (CFR).

Policy Statement

The University at Buffalo (UB, university) seeks to provide an educational environment in which teaching, learning, and research occurs free from the pervasive messages of the broader commercial society. The university attracts potential sources of revenue or other nonfinancial benefits through legitimate and worthwhile opportunities for sponsorship, advertising, and other promotional activities.

As a non-profit, public institution, the protection of the reputation and resources of the university is imperative. The university is dedicated to upholding exemplary standards of integrity and ethical conduct in every aspect of its activities. Sponsorship or advertising opportunities must:

- Comply with applicable local, state, and federal laws and regulations as well as university policies
- Align with the university's mission and core values
- Protect the reputation of the university
- Be free of obscene, indecent, or profane material

The university does not engage with sponsors who have a reputation of discrimination. Sponsorship and advertising materials which ridicule, exploit, demean, or marginalize persons on the basis of race, color, national origin, sex, religion, age, disability, gender, pregnancy, gender identity, gender expression, sexual orientation, predisposing genetic characteristics, marital status, familial status, veteran status, military status, domestic violence victim status, or criminal conviction status are prohibited. Sponsorship and advertising materials promoting firearms, tobacco, or illegal goods or services are also prohibited.

Sponsors and advertisers promoting age-restricted goods such as alcohol or tobacco must align with the event content and maturity of the target audience.

Corporate sponsorships and advertising activities must not offer direct or indirect personal gain to any employee or representative of the university. Additionally, no sponsor will be given preferential treatment during a subsequent purchase or in the New York State competitive bidding process, regardless of previous sponsorship volume.

The university prefers qualified sponsorships so as not to incur tax expense.

Sponsorship of a university program, activity, or event does not automatically give the corporate entity the right to use university trademarks, names, or logos. Corporate sponsor use of university trademarks or logos must be approved by the Trademarks and Licensing Program. Use of university marks by a corporate or external sponsor is limited to factual statements and must not appear as an endorsement or implied endorsement of the sponsor by the university. Sponsor products bearing the university name or marks must adhere to branding guidelines and be produced by a university licensed vendor. The university does not endorse, directly or by implication, any products, services, or ideas of a sponsor. The sponsorship relationship to the university must be apparent to the end user of the product. Refer to all requirements in the *Trademarks and Licensing Policy*.

Sponsorship Advisory Committee

The Sponsorship Advisory Committee (the committee) is comprised of representatives from the Office of the President, Finance and Administration, University Communications, The Center for the Arts, Office of the Provost, Student Life, University Advancement, and Athletics. This committee will be engaged by the Office of Corporate and Foundation Relations on an ad hoc basis to approve sponsorship agreements that fall into any of the following categories:

- Sponsorship creates revenue over \$50,000
- The designation of “official sponsor” is being considered
- Sponsorships with unique circumstances where additional advisement is needed such as:
 - University-wide sponsorships
 - Sponsorship requests with assets extending over multiple units
 - Multi-year sponsorship agreements

The committee provides advisement to CFR, governs jurisdiction of Sponsorship Agent Services Agreements, and is the ultimate approver for sponsorships of \$50,000 or more. The committee will also make a determination on where revenues are deposited and how they are distributed if the sponsorship commits university-wide assets.

Approval of Contracts

Prior to entering into a Sponsorship Agent Services Agreement, approval to do so must be obtained from the Sponsorship Advisory Committee. Sponsorship Agent Services Agreements must go through the established procurement process managed by Procurement Services. The authority to enter into contracts on behalf of the university is designated by the State University New York Board of Trustees to senior business officers of the university as dictated by university policy.

Valuation of Sponsorships

CFR offers guidance relative to the establishment of fair values for all sponsorship arrangements.

Allocation of Sponsorship Funds and Advertising Revenues

In most cases, funds received from sponsors and advertisers will be allocated to the unit(s) that fulfill the benefits as defined in the sponsorship agreement. In those cases when the university asset offered to the sponsor is a university-wide asset, allocation of sponsorship funds or advertising revenues will be considered by the Sponsorship Advisory Committee.

Campus Access

Non-university entities or vendors are given the opportunity to access the university through periodic vendor fairs, table rentals, and corporate sponsorship agreements.

Outside corporations and marketing representatives must have prior approval for any on-campus solicitation or information distribution. Distribution of any products of information must not include the university mark unless in compliance with trademark and licensing guidelines.

Approved on-campus presence will be carried out in a manner that:

- Does not infringe on the rights of individuals
- Does not physically obstruct normal pedestrian or vehicular traffic flow
- Does not create excessive noise, trash, or disturbance at the site or adjacent areas
- Does not interfere with classes, scheduled meetings, activities, or athletic events
- Does not damage, deface, or litter university property
- Clearly identifies the hosting university entity
- Does not include distribution of information on the windshield of vehicles on campus

No door-to-door solicitation will be permitted anywhere on university property.

The use of campus mail for sales and sponsorship materials must be arranged in advance with the head of campus mail.

Tax Implications

For revenue classification and tax purposes, a distinction is made between corporate sponsorships and advertising revenues. Corporate sponsorship revenue is considered contribution revenue, not subject to tax, whereas advertising revenue is subject to New York and Erie County business and occupations tax and may be subject to federal Unrelated Business Income Tax (UBIT) depending on the facts and circumstances.

Internal Revenue Service (IRS) regulations provide an exemption from UBIT for student newspapers (i.e., The Spectrum), provided all advertising sales are conducted by students.

Background

Sponsors and advertisers gain value from the exposure and association with the university through a sponsorship relationship, requiring that the university be compensated accordingly. This policy defines the sponsorship approval processes and requires appropriateness, consistency, and coordination of effort across the university regarding sponsorships and advertising. All sponsorship and advertising considerations must be compliant with this and other applicable university policies and standards and avoid the commercialization of essential student services.

Applicability

This policy applies to all employees and students soliciting corporate sponsorships. This includes but is not limited to university academic and administrative units, centers, institutes, student groups, and clubs that seek corporate sponsorship or advertising revenues.

Definitions

Acknowledgement

Statement or sign of recognition of sponsorship support. A typical acknowledgement may include sponsor logo placement or sponsor information in materials associated with a university event or activity being supported by the sponsor.

Advertising

Paid service purchased by a non-university entity that includes messages that contain qualitative or comparative language, price information, an endorsement, or an inducement to purchase, sell, or use the non-university advertiser's products or services.

Benefits

Any item or service provided to a sponsor in return for the sponsorship of a university activity, event, product, or program. Examples may include, but are not limited to, acknowledgement, event tickets, food and beverages, merchandise, or access to university services (e.g., meeting rooms, job boards), or access to students, faculty, or staff.

Official Sponsorship of an Event or Service

Provides exclusive rights to a sponsor. Because use of the term "official" in connection with a sponsorship activity may constitute a prohibited endorsement, the university will permit use of the "official" designation only after special consideration by the Sponsorship Advisory Committee.

Qualified Sponsorship

Sponsorship where financial or other material support meets IRS guidelines for qualified sponsorship payments. Qualified sponsorship payments are exempt from UBIT.

Sponsorship

Relationship with an entity where that entity provides money, goods, or services to the university and in return, the entity receives acknowledgement of the sponsorship via signage, tickets, programs, other print materials, or online communications. Sponsorships do not involve messages endorsing or comparing products or messages that relate to the quality of products. Sponsorships differ from corporate gift support, which is generally provided without expectation of tangible benefit or quid pro quo.

Sponsorship Agent Services

Individual or agency that procures sponsorship funding through a sales and management program including entering into sponsorship rights agreements with sponsors on behalf of the university.

Unrelated Business Income Tax (UBIT)

Taxes that result from income produced by the sale of goods or services to external users not substantially related to the university's tax exempt purpose.

University Assets

Programs, services, or activities owned by the university that provide a benefit to sponsors. These include, but are not limited to the university name, marks, logos, signage, websites, materials related to activities supported by the sponsor, venues, media, events, programs, tickets, hospitality opportunities, and merchandise.

University-wide Asset

University asset whose ownership or responsibility to maintain is not specific to one unit or department but spans over multiple units or departments.

Responsibility

Office of Corporate and Foundation Relations

- Develop a holistic understanding of corporate relationships with the university.
- Manage the sponsorship and advertising program of the university.
- Solicit sponsorships that benefit the university and align with our mission.
- Act as a subject matter expert for units seeking sponsorships.
- Create a consistent approach to sponsorship.
- Engage the Vice President of University Advancement for all sponsorship and advertising commitments with revenues between \$25,000 and \$50,000.
- Engage the Sponsorship Advisory Committee for sponsorships requiring their oversight.
- Provide guidance relative to the establishment of fair values for all sponsorship arrangements.

Vice President of University Advancement

- Approve all sponsorship and advertising commitments with revenues between \$25,000 and \$50,000.

Sponsorship Advisory Committee

- Provide final approval for sponsorships generating revenues greater than \$50,000.
- Provide advisement when engaged by CFR for sponsorships with unique circumstances.
- Determine where revenues are deposited and how they are distributed if the sponsorship commits university-wide assets.
- Approve Sponsorship Agent Services Agreements and govern jurisdiction of such agreements when needed.
- Approve the designation of official sponsor.

University Unit or Department

- Consult with CFR on all sponsorships initiated through their unit or department.
- Obtain proper authorization to engage in sponsorship up to \$25,000, in accordance with internal policies or procedures.

Athletic Director

- Manage all advertising and corporate sponsorships in athletic programs and athletic venues.

Division of University Communications

- Oversee the Trademarks and Licensing Program.
- Develop, maintain, and enforce university identity and brand standards.
- Review requests from entities to use the university name and marks in sponsorship materials.

Financial Services

- Coordinate reporting of UBIT.

Internal Audit

- Consider the appropriate handling of sponsorship and advertising revenues in the risk-based audit program.

Contact Information

Contact	Phone	Email
Vice President for University Advancement	716-645-2925	rodneyg@buffalo.edu
Corporate and Foundation Relations	716-881-8206	donelick@buffalo.edu

Related Information

University Links

[Giving to UB – Corporations and Foundations](#)

[Trademarks and Licensing](#)

[Trademarks and Licensing – Working With Vendors](#)

[Trademarks and Licensing Code of Conduct](#)

[Trademarks and Licensing – List of Prohibited Items](#)

[Trademarks and Licensing Policy](#)

[UB Identity and Brand](#)

[UB Logo and Brand Assets and Downloads](#)

Forms

Corporate Sponsorship Request Form

Related Links

[Internal Revenue Service – Advertising or Qualifying Sponsorship Payments](#)

Note: This is the information that will be collected on the Corporate Sponsorship Request Form. The form is not yet available online, so please review the data elements listed below.

Corporate Sponsorship Request Form

All university entities seeking external sponsorship support must complete the Corporate Sponsorship Request before soliciting potential sponsors.

Your request will be reviewed by the Office of Corporate and Foundation Relations to determine next steps and adherence to the Sponsorship and Advertising Policy.

External sponsorship requests should be submitted at least four months prior to the event date.

Contact Information

- Name, Department, Email, Phone

Sponsorship Details

- Title of event, project, or program
- Purpose of event
- Event date(s)
- Event location(s)
- Identify all faculty or staff involved
- Is this event approved by your dean, unit director, or chair?
- Is this an annual event?
- Is this a first time event?
 - If not, have you had sponsors before?
 - If you have had sponsors, who are they and how much money did you raise?
- Number of participants expected
- Approximate total event budget, if known
- How much are you seeking to raise through sponsorship?
- What fields or industries would your event appeal to?
- Identify specific companies you are considering soliciting and whether you have an existing relationship with the company
- Is your event dependent upon sponsorship to succeed?
 - What will happen if your sponsorship goal is not realized?

Financial Details

- What funding source (State IFR, UBF) will funds be deposited?
- What account number will the funds be deposited in?
- Will this account be used solely for sponsorship revenue or will other revenues be deposited into it?
- What other funds will be utilized to support the event in addition to sponsorships?
 - Grants or awards
 - Dean's Office funding
 - Donations
 - Fee Revenue (all fees must be approved by Financial Management)

Related Documents

- Please upload relevant documents to support your request