



Gift-In-Kind – Gifts of Software Policy

INITIAL EFFECTIVE DATE:	LAST REVISION DATE:	RESPONSIBLE UNIVERSITY DIVISION/DEPARTMENT
February 7, 2026	N/A	FIU Foundation, Inc.

POLICY STATEMENT

1. Purpose. The purpose of this Policy is to establish the Florida International University Foundation’s (the “Foundation”) standards governing the assessment, valuation, and recognition of Gifts of Software.
2. Valuation of Software Gifts:
 - o Irrevocable gifts of software will be treated as gifts-in-kind (GIK) and will be counted, per Value Formula Calculation (3) below. The Foundation will use the educational discount value (if available) or fair market value of the software, as provided by the donor, to calculate the assigned value for gift crediting purposes, provided the donation qualifies as a charitable contribution under relevant tax authority laws.
 - o The donor must specify, in writing, confirmation of the gift’s established retail value, if available for software without an established retail price, no amount will be credited for gift recognition purposes. While the Foundation will use the retail value as determined by the donor for gift crediting purposes, a receipt showing “zero” value will be issued to the donor. All donors of non-cash gifts may need to seek a qualified, independent appraisal for the valuation of gifted property for tax purposes.
 - o Software developed or customized specifically for Florida International University (the “University”) may also be eligible for recognition and will adhere to the valuation criteria cited above.
3. Value Formula Calculation: The Council for the Advancement and Support of Education (“CASE”) counting standards recommend that gift of software be counted separately from traditional gifts-in-kind, and non-cash gifts. The Foundation will value GIK Software using a base \$5,000,000 calculation model. GIK Software valuation is as follows:
 - o GIK Software (\$5,000,000 or LESS) - Gifts valued at \$5,000,000 or less will be credited at 100% of reported value.
 - o GIK Software (\$5,000,001 or ABOVE) - Gifts valued at \$5,000,001 or above will be credited by adding 10% of the value above \$5,000,000 and adding it to the base of \$5,000,000.
 - o GIK Software (\$25,000,000 or ABOVE) - Gifts valued at \$25,000,000 or above will be frozen with credit maxing at \$25,000,000 under the formula.

Example: Company makes gift in kind of software and indicates the value of the software is \$25,000,000. The company normally provides a 25% educational discount to their university partners. The Foundation would value the gift as such:

$$\$25,000,000 \times .75 = \$18,750,000 \text{ (with educational discount)}$$

$$\$18,750,000 - \$5,000,000 = \$13,750,000 \times .10 = \$1,375,000 \text{ (for credit above \$5,000,000)}$$

$$\$5,000,000 + \$1,375,000 = \$6,375,000$$

\$6,375,000 is Total Value of GIK Software Credit

4. Annual Recognition Caps:

- o While the Foundation values gifts of software, it recognizes the difficulty in crediting software given the intangible nature of the gift.
- o Any single donor may receive gift credit for total gifts of software to the University not to exceed \$25,000,000 in gift credit per single fiscal year (July 1 to June 30) for recognition purposes.
- o Each unit/college within the University may count a maximum total of GIK software gifts, from any single donor, not to exceed \$25,000,000 in gifts per one fiscal year (July 1 to June 30) for recognition purposes.

5. Eligibility Criteria: Only software gifts that serve a clear academic or research purpose for the University will be given gift credit. The software must demonstrate practical use in the classroom, or for research or administrative purposes during the current or next academic year. Use of the software will be certified by the accepting college or academic unit. The accepting college or academic unit must submit the GIK software through FIUs Technology Evaluation Committee (TEG) for evaluation and approval before it is submitted to the Foundation. All corresponding approvals should be part of the GIK software documentation. If the University is unable to determine if the GIK software was or will be used within that prescribed timeframe, the software will not be credited with gift value.

6. Documentation and Approval:

- o All in-kind software gifts must be approved by FIUs TEG before it is submitted to the Senior Vice President for Advancement and CEO of the Foundation and/or Vice President of Development. A document noting the approval will need to be provided to the Foundation.
- o All in-kind software gifts must be documented and approved by the Senior Vice President for Advancement and CEO of the Foundation and/or the Vice President of Development based on valuation of the gift per Foundation Philanthropic Gift Acceptance Policy.
- o Donors are required to provide written confirmation of the dollar value of the gift, including any educational discount. While not customary, the University reserves the right, under certain circumstances, to verify and assess the value of GIK software through independent appraisal, if necessary.



- 7. Irrevocability of Gift: Donors must irrevocably transfer ownership and/or use license of the software (either in whole or as individual license “seats”) to the institution, on a permanent or annual basis, for it to be considered a gift. There must be no implicit or explicit agreements indicating an exchange of services, purchase, or provision of exclusive information.
- 8. Recognition and Stewardship:
 - o Like all GIK, the donor will be issued a receipt showing zero value. It is the donor’s responsibility to properly value the gift for IRS tax purposes.
 - o While gifts of software may not be included in grand totals for CASE surveys, the Foundation is committed to recognizing and stewarding all software gifts in accordance with best practices.

SCOPE

This policy applies to all gifts of software made to or for the benefit of the University, in furtherance of its charitable, educational, scientific and service purposes to or for the benefit of the University, either received directly by the University or through the Foundation.

The Foundation CEO is ultimately responsible for establishing and upholding the assessment, valuation and recognition of Gifts of Software, ensuring compliance with applicable tax laws and institutional objectives.

REASON FOR POLICY

The Foundation, a tax-exempt entity, exists to support the educational, scientific, cultural and charitable activities of the University by soliciting, accepting, recording, and disbursing charitable gifts of funds and property.

The purpose of this Policy is to establish the Foundation’s policies governing the assessing, valuing, and recognizing Gifts of Software.

DEFINITIONS	
TERM	DEFINITIONS
Valuation of Software Gifts	Shall mean the process of determining the value of donated software for gift crediting purposes.
Irrevocable Gifts	Shall mean software donations that are permanently transferred to the institution without the possibility of revocation.
Established Retail Value	Shall mean the known market price of software, often used as a basis for valuation.
Educational Discount Value	Shall mean a reduced price offered for educational institutions, used in valuation when available.
Fair Market Value	Shall mean the price at which the software would be sold in an open market transaction.



Value Formula Calculation	<p>Shall mean a method used to determine the credited value of software gifts based on their reported value.</p> <p>Let the gift value be G (where $G \geq 5,000,001$). The adjustment to the gift value is: Adjustment = $0.1 \times (G - 5,000,000)$ The total value credited will then be: Total Value = $5,000,000 + 0.1 \times (G - 5,000,000)$</p>
Annual Caps	Shall mean limits placed on the total value of software gifts that can be credited from a single donor or to a specific unit within the institution per fiscal year.
Eligibility Criteria	Shall mean requirements that donated software must meet to be considered for gift credit, including practical use in academic or research settings.
Documentation and Approval	Shall mean the process of recording and authorizing software gifts, including required written confirmation from donors.
Irrevocability of Gift	Shall mean the condition that ownership or use license of the software must be permanently transferred to the institution for it to be considered a gift.
Recognition and Stewardship	Shall mean the practices of acknowledging and managing relationships with donors who contribute software gifts.

ROLES AND RESPONSIBILITIES

- Chief Executive Officer: Execute Gift Agreements in any amount, subject to the limitations set forth in Article 3, Section (2)(iii) of the Foundation’s Amended Bylaws.
- Vice President of Development: Responsible for approving and ensuring all in-kind software gifts are documented.
- Office of Gift Services: Responsible for recording gift valuation and documentation.
- All FIU Foundation Staff: Adherence to the policy to prevent potential legal liability, financial and reputational risk, and undue restrictions for the University.

RELATED RESOURCES

[FIU Foundation Policies and Procedures](#)
FIU Foundation Philanthropic Gift Acceptance Policy
[FIU Technology Evaluation Committee](#)

CONTACTS

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HISTORY



FLORIDA
INTERNATIONAL
UNIVERSITY



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