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23RD ANNUAL

NONPROFIT ORGANIZATIONS INSTITUTE

*The Southwest's leading gathering of executives, attorneys, accountants, trustees,
CEOs, and CFOs of private foundations and nonprofit organizations.*

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January 11*, 12-13, 2006

**Optional Wednesday Evening Session*

Four Seasons Hotel • Austin, Texas

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WEDNESDAY EVENING, JAN. 11, 2006 *

* Optional Session – Additional \$50
Please select on registration form.

5:00 p.m. Registration Opens

6:00 p.m. 2.00 hrs including .50 hr ethics

A. Primer on Nonprofit Organizations and Charitable Giving

This session covers choice of entity, obtaining appropriate tax-exempt status, prohibited transactions, intermediate sanctions, ethical issues, basics of unrelated business taxable income, basic liability issues and risk management, and basics of charitable planning.

Michael V. Bourland, Fort Worth
Darren B. Moore, Fort Worth

6:00 p.m. 2.00 hrs

B. Understanding and Working with Nonprofit Financial Statements

A guide to understanding nonprofit financial statements and issues—ideal for executive directors, board members, development officers, funding organizations and others with financial oversight responsibilities. The session will cover most aspects of financial reporting for nonprofits including accounting for temporarily restricted and permanently restricted funds, endowments, and pledges. This workshop includes illustrated examples and practical information to understand nonprofit financial statements.

Kay Walther, Houston

8:00 p.m. Adjourn

THURSDAY MORNING, JAN. 12, 2006

Presiding Officer: Lucille DiDomenico, Dallas

8:00 a.m. Registration Opens

Includes continental breakfast.

Optional Early-Riser Breakfast: Shop-Talk with the Accountants

Kay Walther, Houston
Coleith Molstad, Austin
Joyce Hellums, Austin

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr

Congressional and IRS Oversight of Nonprofits: Past, Present and Future

One of the leading experts on the nonprofit sector examines the history of Congressional and IRS oversight over nonprofits as a backdrop to current oversight proposals.

Peter Frumkin, Austin

9:45 a.m. .75 hr

Tax Compliance from A to Z: A Walk Through Key Forms and Filings

To obtain and maintain exemption, public and private charities and other tax exempt organizations face a maze of compliance issues. With a view to evolving IRS policies and procedures, this session will share ideas for monitoring this important issue for nonprofits.

Jody Blazek, Houston

10:30 a.m. Break

10:45 a.m. 1.50 hr

Current Tax and Legislative Developments for Nonprofit Organizations

Review of current developments: legislation, regulations, IRS rulings, and court opinions, with emphasis on qualification for exemption, charitable giving, unrelated business, joint ventures, private inurement and benefit, political activity, and private foundations.

Bruce R. Hopkins, Kansas City, MO

12:15 p.m. Box Lunch Presentation

Sponsored by Thompson & Knight LLP

The Evolving Role and Purpose of Charitable Organizations

Curtis W. Meadows, Jr., Dallas

THURSDAY AFTERNOON

CONCURRENT SESSIONS
TRACK A: PRIVATE FOUNDATIONS

Presiding Officer: Ronald S. Webster, Houston

1:30 p.m. .67 hr

Issues to Consider in Forming a New Foundation

This topic will include considerations regarding supporting organizations or donor-advised funds, establishing governance policies and procedures, planning for generations, and other related matters.

P. Mike McCullough, Dallas

2:10 p.m. .67 hr

Self-Dealing

Transactions that are permissible and those that are not.
Ronald S. Webster, Houston

2:50 p.m. .67 hr

Mandatory Payout and Excise Tax

Problems that arise in calculating the 5% mandatory payout, valuing assets, identifying qualifying distributions, and allocating expenses to investment income will be illustrated with examples and recommendations.

Jody Blazek, Houston

3:30 p.m. Break

3:45 p.m. .58 hr

Investment Tax Issues

The trouble that popular off-shore funds, partnerships, and other non-traditional investments cause.

David L. Nelson, Houston

4:20 p.m. .58 hr

Complying with the Taxable Expenditures Rules of Section 4945, Including Scholarship Programs

Working with Section 4945, including the design of scholarship programs and the management of expenditure responsibility grants.

William H. Caudill, Houston

4:55 p.m. .58 hr

Taxable Expenditures: Direct Program Activities

Do's and don'ts of conducting direct program activities, both domestic and foreign; and how to comply with IRS standards for documentation and evidencing charitable nature of activities.

Rick Moore, San Antonio

TRACK B: CHARITABLE ORGANIZATIONS

Presiding Officer: Michael V. Bourland, Fort Worth

1:30 p.m. .75 hr

Choosing the Entity and Living with the Consequences

Public charities and service oriented nonprofits are frequently qualified as either 509(a)1 or 509(a)2

organizations. Learn what's at stake and how to manage the consequences of each status. This session covers business and legal issues involving unrelated business income taxes (UBIT).

Michael V. Bourland, Fort Worth
Marilyn Phelan, Lubbock

2:15 p.m. .50 hr

Diversify Your Funding Sources: A Key to Non-Profit Financial Health

A broad funding base is essential to the stability and sustainability of nonprofit organizations: this session discusses the role and optimal mix of various sources of income available to nonprofits, such as fees and other sources of earned revenue, public funding and charitable donations.

Kim Sterling, Houston

2:45 p.m. .75 hr

Social Entrepreneurship: Legal and Business Issues

A discussion of the legal and business considerations when a charitable organization engages in earned income activities, including whether to form a subsidiary corporation and the relationship between the parent organization and its subsidiary.

Brad J. Caffel, Oakland, CA

3:30 p.m. **Break**

3:45 p.m. .75 hr

Supporting Organizations and Donor Advised Funds: New Rules, New Warning Signs

The charitable reform movement in Congress and with the IRS continues to percolate. Highlights of what's happening with SOs and DAFs will be addressed.

Terry L. Simmons, Dallas

4:30 p.m. .50 hr

Governance and Leadership: Managing and Evaluating Nonprofit Board Effectiveness

This session provides a framework for organizing boards of directors for nonprofits of all sizes and focus, in all stages of development, with practical emphasis on recruiting and supporting board members, board member roles and responsibilities, organizing and utilizing committees, effective board orientation, board-executive director relationships, productive board meetings and tools to evaluate board performance. Session includes discussions and small group conversations.

Deborah Edward, Austin

5:00 p.m. .50 hr

Volunteers: Liability and Roles

Discover what you can do to make your organization attractive to volunteers. Also, learn the techniques to help avoid liabilities created by volunteers.

Frank Sommerville, Arlington

5:30 p.m. **Adjourn to Sponsored Reception**

FRIDAY MORNING, JAN. 13, 2006

Presiding Officer: Jody Blazek, Houston

7:30 a.m.

Optional Early-Riser Breakfast: Shop-Talk with the Lawyers

Marjorie S. Schultz, Houston
D'Ann Johnson, Austin
Mitchell A. Long, Austin
Brian W. Crozier, Austin

8:30 a.m. .50 hr

Navigating Relationships with For-Profits

This presentation will explore the fundamental exempt organization tax and nonprofit corporate law issues that must be addressed by a nonprofit organization considering a transaction or formal collaborative relationship (e.g., joint venture, acquisition, disposition, service agreement) with a for-profit entity.

Michael W. Peregrine, Chicago, IL

9:00 a.m. .75 hr

Corporate Governance: Key Policies, Due Diligence and Standards of Review

A discussion of key governance issues, due diligence and standards of review including model policies, e.g., compensation, conflicts, privacy, codes of conduct, etc., that should be in place at every nonprofit organization.

Michael W. Peregrine, Chicago, IL

9:45 a.m. .75 hr

What Charities Need to Know About the Law of Restricted Contributions and Grants

This presentation, of interest to both public charities and private foundations, surveys state law doctrines and federal income tax laws governing charitable contributions subject to donor-imposed restrictions.

Johnny Rex Buckles, Houston

10:30 a.m. **Break**

10:45 a.m. .75 hr

Key Accounting Developments for Nonprofit Organizations

This session will cover recent pronouncements, interpretations, exposure drafts, and projects of the FASB and the AICPA that will impact nonprofit organizations.

Tom Kundinger, Denver, CO

11:30 a.m. .50 hr

New Frontiers in Nonprofit Investing: Social Enterprises

Social enterprises: nonprofit revenue-generating activities with the dual purpose of earning income and contributing to a social mission. This session will discuss why to start one, the challenges, and the potential upsides.

Karen Baxter Rodman, Dallas

12:00 p.m. **Lunch on your own**

FRIDAY AFTERNOON

Presiding Officer: David L. Nelson, Houston

1:15 p.m. .50 hr

An Overview of the Economy and Related Financial Markets

A discussion and analysis of US economic fundamentals for 2006: inflation, interest rates and market performance. This presentation will also cover the fundamentals behind recent movements in the financial markets, and present forecasts for equity and fixed income performance in 2006. Q&A to follow.

Anthony Chan, Columbus, OH

1:45 p.m. .50 hr

Choosing and Monitoring Investment Managers

This session describes the process of choosing and monitoring public investment managers.

Greg Dowell, Dallas
Michael Hajtman, Houston

2:15 p.m. .50 hr

Recruiting and Retaining Talented Professionals

Building a highly qualified team of professionals requires developing retention strategies based on personality type that in turn are tied to customized recruiting programs. This session will explore the ways in which various types of people are motivated to perform successfully in not-for-profit organizations and how such insights can be applied to creating effective recruiting and retention strategies.

L. Lincoln Eldredge, Dallas

2:45 p.m. .50 hr

Avoiding Labor Pains—Employment Law Essentials

Tips on how to prevent common mistakes and enhance defenses for typical employment lawsuits like discrimination, retaliation, harassment, and wrongful discharge.

Connie L. Cornell, Austin

3:15 p.m. **Adjourn**

A SPECIAL THANKS TO THE SPONSORS WHO CONTRIBUTED TO THIS PROGRAM:

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The Nonprofit Organizations Institute generates the year's definitive set of resource materials for the nonprofit community. Don't miss papers on current developments, governance and compliance, along with sample forms, policies and "take-away" documents.

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The Nonprofit Organizations Institute presentations are available on CD. Listen to the entire conference or individual sessions at your convenience.

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CONFERENCE REGISTRATION

Includes Course Binder, Wed. Evening Sessions, Thurs. Box Lunch

☐ Early Registration Fee due by Wed. January 4, 2006 \$425.00

☐ Registration Fee after Wed. January 4, 2006 \$475.00

ADD OPTIONAL WED. EVENING SESSION—Select one: \$50.00

☐ A. Primer on Nonprofit Organizations and Charitable Giving

☐ B. Understanding and Working with Nonprofit Financial Statements

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from conference date for delivery.

☐ Course Binder WITHOUT Conference Registration \$200.00

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WHY ATTEND

The People

Meet, network and exchange ideas with the leading members from the private foundation and charitable organization communities.

The Faculty

A nationally-recognized faculty from around the nation: leaders in finance, governance, academia, tax, fundraising, compliance, social entrepreneurship and more.

The Venue

The Four Seasons Hotel on Town Lake—great music and food—in the heart of Austin, Texas.

The Materials

Superb written material: ranging from cutting-edge papers on current developments, governance, compliance and tax, to primers and toolkits with sample forms, policies and “take-away” documents.

COMMENTS FROM PAST CONFERENCES

“The program has been consistently well-delivered!”

“This is a very valuable program because it brings the whole nonprofit community together.”

“Very fine program with timely topics and great speakers.”

“The topics went way beyond the typical basic topics you see at other conferences.”

“Excellent two-day experience!”

“I have attended nonprofit seminars throughout the country and I think this is the best.”

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Jan. 11*, 12-13, 2006
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(512) 685-8100

\$199 special group rate
(subject to availability) good
through **December 21, 2005**

Parking: \$6 self-parking
\$10 valet (subject to change)

KEY DATES

Registration and Cancellation

January 4, 2006, 5 p.m.

- last day for early registration
add \$50 for registrations
received after this time

January 6, 2006, 5 p.m.

- last day for full refund

January 9, 2006, 5 p.m.

- last day for partial refunds
(\$50 processing fee applied)

January 11, 2006

- Optional Wed. Evening Primer

January 12, 2006

- Optional Early-Riser Breakfast 8 a.m.

January 12, 2006

- conference begins at 9:00 a.m.

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 14.50 hours, of which .50 credit hour will apply to legal ethics/professional responsibility credit.

ABOUT THE CONFERENCE

Join leading members of the private foundation and charitable organizations community at one of the best nonprofit conferences in the nation, set at the beautiful Four Seasons Hotel in Austin, TX.

This year's event is cosponsored with the Conference of Southwest Foundations, and includes expanded breakout tracks for private foundations and charitable organizations, as well as optional early-riser breakfast workshops where you can meet in small

groups with attorneys, accountants and finance experts.

A nationally recognized faculty will address key governance, financial, legal, operational, and compliance issues facing charitable organizations and nonprofit corporations, including new coverage on choosing and monitoring investment managers; economic forecasts for 2006; social enterprises; managing boards and organizational performance; and new fee for service programs. Don't miss it.

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