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January 14, 2015 ▪ Four Seasons Hotel ▪ Austin, Texas

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WEDNESDAY AFTERNOON, JAN. 14, 2015

Presiding Officer:
Coleith Molstad, The Roy F. & Joann Cole Mitte Foundation, Austin, TX

2:30 p.m. Registration Opens
Includes light refreshments.

3:25 p.m. Welcoming Remarks

3:30 p.m. .75 hr

Nonprofits 101

An overview of the essential characteristics of nonprofit organizations and the requirements, benefits and restrictions of tax-exemption.

Jonathan S. Blum, Dallas, TX

4:15 p.m. .75 hr

UBIT 101

Learn about the rules governing the unrelated business income tax, exceptions and exclusions, plus strategies for coping.

Edward T. Chaney, Chapel Hill, NC

5:00 p.m. .75 hr

Finance for Nonprofits 101

Gain insight into the basic finance and accounting issues—including terminology—that arise in the context of the day-to-day activities of nonprofit organizations.

Jamie Holtzman, Austin, TX

5:45 p.m. Break

WEDNESDAY EVENING

Concurrent Sessions

THE COMPONENTS OF FORM 990-PF

Presiding Officer:
Coleith Molstad, The Roy F. & Joann Cole Mitte Foundation, Austin, TX

6:00 p.m. .75 hr

The Components of Form 990-PF

Learn about the 990-PF, its essential components and the specific organizational requirements that it addresses, including the calculation of net investment income, determination of required qualifying distributions, and compliance with excise tax rules. Develop an understanding of what the 990-PF shows and how it can be used as an effective tool to monitor important compliance issues and avoid prohibited transactions.

Tricia Johnson, Cincinnati, OH

THE COMPONENTS OF FORM 990

Presiding Officer:
Lucille DiDomenico, Philanthropy Southwest, Dallas, TX

6:00 p.m. .75 hr

The Components of Form 990

Gain an understanding of the core form and the schedules that comprise the Form 990. This session is an ideal introduction for beginners and a refresher for the more advanced preparers and management team members, and highlights fundamental concepts, key line items and reporting options. Learn how the 990 can be used as an effective public relations tool for your organization.

Michaela J. Cromar, Fort Worth, TX

6:45 p.m. Adjourn to Reception

6:45 p.m. – 7:30 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

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Program Level: Overview
Advance Preparation: None

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THURSDAY MORNING, JAN. 15, 2015

Presiding Officer:
Joyce Hellums, Ernst & Young LLP, Austin, TX

7:30 a.m. Registration Opens
Includes continental breakfast.

8:10 a.m. Welcoming Remarks

8:15 a.m. 1.00 hr

A View of the Sector from the Trenches
In-house counsel, former legislation counsel for the Joint Committee on Taxation and the former IRS Exempt Organizations manager share their views on current trends and developments to come.

Moderator:
Robert A. Wexler, San Francisco, CA
Panelists:
Stephen M. Clarke, Washington, DC
Alexander L. Reid, Washington, DC

9:15 a.m. .75 hr

Public-Private Partnerships: Why and How?
A discussion of real-world experiences in how innovative use of public-private partnerships can help spur community development, expand entrepreneurial engagement and enhance the nonprofit sector's delivery of quality service.

Tracy Kartye, Baltimore, MD
John Tyler, Kansas City, MO

10:00 a.m. Break

Note: The Internal Revenue Service and the U.S. Department of the Treasury are not sponsoring the luncheon and their participation is not intended as an endorsement of the luncheon sponsor.

Concurrent Sessions

CHARITABLE GIVING

Presiding Officer:
Joyce Hellums, Ernst & Young LLP, Austin, TX

10:15 a.m. .75 hr

Structured Charitable Giving Strategies: From Plain Vanilla to Rocky Road
Explore the key charitable giving structures used by charitable organizations to attract donors in an increasingly competitive donor environment, including the varied flavors of the charitable remainder trust and charitable lead trust and the challenges and opportunities these structures present for charities and their donors.

John Sare, New York, NY

11:00 a.m. .75 hr

Gifts from Cousin Eddie: Acceptance, Ownership and Management by Charities of Unusual Assets
Learn about the donation of unusual assets and how best to handle them. The elements of a gift acceptance policy and structures for limiting liability that might be associated with these assets once contributed are also explored.

Michael V. Bourland, Fort Worth, TX
David M. Rosenberg, Dallas, TX

11:45 a.m. Pick Up Lunch
Included in registration.

INVESTMENT MANAGEMENT

Presiding Officer:
Tomer Inbar, Patterson Belknap Webb & Tyler LLP, New York, NY

10:15 a.m. .75 hr

Understanding Your Investment Portfolio
Understanding the elements of a prudent investment portfolio, terminology, the role of alternative investments and risk mitigation strategies.

Christopher E. Blume, New York, NY

11:00 a.m. .75 hr

Investment Management and Oversight of Institutional Funds: Developing a Process for Fiduciaries
Identify the responsibilities of Boards and investment committees in overseeing investment decisions and examine the anatomy of an investment policy and applicable state regulation.

William F. Jarvis, Wilton, CT
Norman E. Nabhan, Houston, TX

11:45 a.m. Pick Up Lunch
Included in registration.

THURSDAY AFTERNOON

Presiding Officer:
Nicola Fuentes Toubia, Fuentes Toubia, PLLC, Houston, TX

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LUNCHEON PRESENTATION

12:05 p.m. .75 hr

A View from the IRS: A Year of Change
An overview of the changes at the IRS and in the nonprofit sector over the past year.

Sunita B. Lough, TE/GE Commissioner, Internal Revenue Service, Washington, DC

12:50 p.m. Break

PRIVATE FOUNDATION ISSUES

Presiding Officer:
Nicola Fuentes Toubia, Fuentes Toubia, PLLC, Houston, TX

1:05 p.m. 1.00 hr

Life Cycle of a Private Foundation

Advanced issues facing private foundations from creation to spend-down.

Andrew Schulz, Washington, DC
Carolyn O. "Morey" Ward, Washington, DC

2:05 p.m. 1.00 hr

Self-Dealing and Other Complex Compliance Issues

How to face violations of the self-dealing, mandatory payout, and taxable expenditure sanctions imposed on private foundations. Learn how violations arise, how to prevent them, how to fix (correct) them, and strategies for reporting them on the Form 990-PF and 4720.

Jody Blazek, Houston, TX

3:05 p.m. Break

3:15 p.m. 1.00 hr

The Private Foundation Audit: Strategies for Coping

An overview of the revised examination guidelines, some recent IRS exam history, how to be prepared for examination and the needed documentation for compliance, with comments from both the organization and external advisor perspectives.

Tricia Johnson, Cincinnati, OH
Coleith Molstad, Austin, TX

OPEN DISCUSSION

4:15 p.m. 1.00 hr

Transparency and Compliance: A General Counsel's View

Learn about the challenges with creating a culture of openness, transparency and compliance at nonprofit organizations while protecting privacy and confidentiality.

Moderator:
Frank Sommerville, Arlington, TX

Panelists:
Beverly Jones, New York, NY
Angela F. Williams, Chicago, IL
Ellen D. Willmott, Dallas, TX

5:15 p.m. Adjourn to Reception

STRUCTURING AND OPERATING

Presiding Officer:
MariBen Ramsey, Austin Community Foundation, Austin, TX

1:05 p.m. 1.00 hr

Alternative Operating Structures, Governance Best Practices and Fraud Risk Management

Nonprofit organizations have many organizational options for their mission-driven activities. Weigh the pros and cons of various options in the context of managing risk—both to the assets of the organization as well as its tax-exempt status—and explore the important role of governing boards in establishing fraud deterrence, prevention and detection programs in order to assure stakeholders that their assets and interests are secure.

David L. Cotton, Alexandria, VA
Darren B. Moore, Fort Worth, TX

2:05 p.m. 1.00 hr

The Increasingly Virtual Nonprofit: Big Data—The Beginning of the End

Gain insight into the nascent movement to bring data-driven analytical rigor to employment decision-making and the effect "big data" HR practices are expected to have on the prosecution and defense of employment-related legal claims.

Jason Boulette, Austin, TX

3:05 p.m. Break

3:15 p.m. 1.00 hr

Navigating the Lobbying Rules for Effective Advocacy: An In-House Perspective

An in-house counsel perspective on the lobbying rules for public charities and foundation funders, including a brief overview of the rules with a focus on what is essential for staff and volunteers to know, what an effective training program looks like, and how public charities can work with private foundation funders on advocacy programs.

Katherine L. Karl, Washington, DC
Elizabeth Peters, Menlo Park, CA

Commentator:
Tomer Inbar, New York, NY

OPEN DISCUSSION

4:15 p.m. 1.00 hr

Managing Your Brand in a Social Media World

How nonprofits increasingly use social media to engage with the world and accomplish their missions, what tools are out there and how best to manage the legal risks and traps for the unwary.

Tim Isgitt, San Francisco, CA
Lawrence K. Mendenhall, San Francisco, CA

5:15 p.m. Adjourn to Reception

FRIDAY MORNING, JAN. 16, 2015

Presiding Officer:
Jody Blazek, Blazek & Vetterling, Houston, TX

7:30 a.m. Conference Room Opens

Includes continental breakfast.

8:00 a.m. 1.00 hr ethics

Ethics Breakfast: Ethical Considerations in Representing Nonprofit Organizations

Fundamental principles and rules of professional responsibility governing legal counsel in their representation of charities and other nonprofit organizations.

Johnny R. Buckles, Houston, TX

9:00 a.m. 1.00 hr

State Trends in Governance and Regulatory Oversight

Explore significant regulatory initiatives, enforcement actions and governance trends from both the governmental and private sector perspectives.

Jason R. Lilien, New York, NY
Susan K. Staricka, Austin, TX

10:00 a.m. Break

10:15 a.m. 1.00 hr

Healthcare and Your Organization: Understanding and Complying with the Affordable Care Act

What every nonprofit organization needs to know about complying with the Affordable Care Act and its impact.

Catherine E. "Cathy" Livingston, Washington, DC

11:15 a.m. Pick Up Lunch

Included in registration.

FRIDAY AFTERNOON

Presiding Officer:
Norman E. Nabhan, Graystone Consulting, Houston, TX

LUNCHEON PRESENTATION

11:35 a.m. 1.00 hr

Year in Review

Review current developments, including legislation, regulations, IRS rulings and court opinions with emphasis on: qualification for exemption, application process, public charity rules, IRS audit and compliance check activity, governance, unrelated business, joint ventures, private inurement and private benefit, intermediate sanctions, legislative and political activity, supporting organizations, donor-advised funds, endowments, and planned and other charitable giving.

Bruce R. Hopkins, Kansas City, MO

12:35 p.m. Break

Concurrent Sessions

EFFECTIVE OVERSIGHT

Presiding Officer:
Norman E. Nabhan, Graystone Consulting, Houston, TX

12:50 p.m. .75 hr

Fiduciary Duty: The Dos and Don'ts of Nonprofit Board Service and Their Advisers

Discuss the basic fiduciary duties and obligations applicable to Board members of a nonprofit corporation, training new Board members on their fiduciary duties and advising Boards on their obligations.

Jay M. Chadha, Houston, TX

1:35 p.m. .75 hr

Risky Business: A Guide to Minimizing the Perils of Nonprofit Management

Identify the most risky areas of nonprofit operations, discuss internal controls to mitigate these risks and outline the role that good governance plays in risk management.

Rachel Luna, Austin, TX
Nicola Fuentes Toubia, Houston, TX

2:20 p.m. .75 hr

Executive Compensation, Related Party Transactions and Intermediate Sanctions

Analyze the issues organizations face in reviewing, deciding and documenting executive compensation and related party transactions.

Edward T. Chaney, Chapel Hill, NC
James F. Wynn II, Washington, DC

3:05 p.m. Adjourn

NEW FRONTIERS

Presiding Officer:
Andrea L. March, Texas Rio Grande Legal Aid, Austin, TX

12:50 p.m. .75 hr

Commercializing and Protecting Intellectual Property in an Increasingly Open and Fluid World

Charities are faced with many opportunities to license their intellectual property in fundraising and fulfilling their missions. Learn best practices for licensing and protecting a charity's intellectual property, and the potential unrelated business income tax implications to a charity from licensing its intellectual property.

Terri Helge, Fort Worth, TX
Deborah L. Lively, Dallas, TX

1:35 p.m. .75 hr

The Tensions at the Frontiers of Charitability: Education, Agriculture, Energy and Social Entrepreneurship

Evolving approaches to charitable behavior in the charitable sector and finding the end of the envelope.

James P. Joseph, Washington, DC

2:20 p.m. .75 hr

Outcome-Based Philanthropy

How do we know if the dollars we invest actually make a difference in the lives of those we reach? A look at the processes and practices around meaningful measurement—using the Michael and Susan Dell Foundation as a case-study—including strategies for measuring the success of grant-making efforts and the role of data collection and dissemination in achieving real and thoughtful results.

Semonti Basu, Austin, TX

3:05 p.m. Adjourn

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3. Wednesday Evening Concurrent Sessions—Select One

❑ The Components of Form 990-PF
❑ The Components of Form 990

Primer Registration Total . . . . $________

INSTITUTE—NO15

Includes Course Materials, Wednesday Welcome Reception, Thursday and Friday Luncheon Presentations and Thursday Evening Reception

1. Select Registration Type

❑ Individual registration by Wednesday, January 7 . . . . $545
❑ Individual registration after Wednesday, January 7 . . . . $595

2. Select Course Materials Format

❑ Electronic Course Binder on USB Key ONLY
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3. Thursday Morning Concurrent Sessions—Select One

❑ Charitable Giving ❑ Investment Management

4. Thursday Afternoon Concurrent Sessions—Select One

❑ Private Foundation Issues ❑ Structuring and Operating

5. Friday Afternoon Concurrent Sessions—Select One

❑ Effective Oversight ❑ New Frontiers

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January 14, 15–16, 2015

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KEY DATES

January 7, 2015
last day for early registration
add $50 for registrations
received after this time

January 9, 2015
last day for cancellation (full refund)

January 12, 2015
last day for cancellation (partial refund)
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January 14, 2015, 3:25 p.m.
Primer begins

January 15, 2015, 8:10 a.m.
Institute begins

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