

7th Annual Higher Education Taxation Institute
June 3-4, 2019 • AT&T Conference Center • Austin, TX

Monday Morning, June 3, 2019

Presiding Officer:

Kyle R. ZumBerge, The University of Texas System Office of General Counsel - Austin, TX

7:30 am	Registration Opens Includes continental breakfast.
8:20 am	Opening Remarks
8:30 am 1.25 hrs	Recent Developments in College and University Tax Law A review of recent tax law developments that affect institutions of higher education including recent tax law changes, IRS rulings and other guidance, and judicial decisions. Bertrand M. Harding Jr., Law Offices of Bertrand M. Harding Jr. - Alexandria, VA Donald E. Rich Jr., Greensboro, NC
9:45 am 1.00 hr	Multi-State Tax Issues and Compliance Wayfair happened, now what do we do? A practical approach to sales tax compliance as well as insight from the legal side. Also discuss employment, UBI, and other tax compliance issues institutions face when crossing state lines and how to determine when those lines have been crossed. Kara Newcomb, Texas Tech University - Lubbock, TX Kevin Spiegel, Crowe LLP - Chicago, IL Kevin Walker, Brigham Young University - Provo, UT
10:45 am	Break
11:00 am 1.00 hr	International Tax Compliance Hear an overview of recent developments to be aware of in tax related areas when conducting business in another country. After an introduction to the various aspects of international tax compliance, apply the principles to conducting business in India and discover an approach to common scenarios experienced by higher ed institutions. Bob Lammey, Ernst & Young LLP - Boston, MA Roshan Samuel, Ernst & Young LLP - Chicago, IL Julia Shanahan, Columbia University - New York, NY
12:00 pm	Break to Pick Up Lunch Included in registration.

Monday Afternoon, June 3, 2019

Presiding Officer:

Kyle Richard, University of Washington - Seattle, WA

LUNCHEON PRESENTATION

	Thank You to Our Luncheon Sponsor Crowe LLP
12:20 pm 1.00 hr	Behind the Curtain: Recent Legislative and Policy Developments Understanding the rationale of congressional policymakers may help organizations in explaining new rules to their communities and employees, and assist with compliance. This presentation provides unique access and background on various changes, as well as insight into some of the conflicting goals that Treasury and IRS will need to address in their upcoming guidance. Richard A. Grafmeyer, Capitol Tax Partners - Washington, DC
1:20 pm	Break
1:35 pm 1.25 hrs	Nonresident Alien Tax Issues Recent tax law changes have impacted the area of nonresident alien tax compliance. Attendees should ensure that their institution is up to speed on any new requirements. In addition, we'll dig a bit deeper into payments to foreign entities – which forms are necessary, how the forms should be completed, and how to withhold from and report the payments. Donna Kepley, Arctic International LLC - Austin, TX
2:50 pm 1.00 hr	Executive Compensation in Higher Education: Tax Issues and Opportunities Recruitment and retention of talented employees are crucial for the success of both public and private colleges and universities. Executive compensation can be complex and involve important tax and legal considerations. Review the tax aspects of different forms of executive compensation, including enhanced use of deferred compensation plans, presidential housing, and noncommercial air travel, as well as the new excise tax on compensation paid to certain highly compensated employees. Karen Field, RSM LLP - Washington, DC Wendy M. Swary, The Ohio State University - Columbus, OH
3:50 pm	Break

4:00 pm
1.50 hrs

Siloing and Unrelated Business Income Activity

As if UBIT weren't complicated enough, new rules require nonprofits to compute gains and losses from one unrelated trade or business separately from every other unrelated trade or business. So what, exactly, is a trade or business? And what does one do about UBIT that does not derive from a trade or business? Are there structuring opportunities that colleges and universities can use to get better results? This panel will discuss these and many other issues implicated by the new rules.

Moderator:

Alexander L. Reid, Morgan, Lewis & Bockius LLP - Washington, DC

Panelists:

Erin Couture, PwC - Boston, MA

Jodi R. Kessler, Massachusetts Institute of Technology - Cambridge, MA

Kyle R. ZumBerge, The University of Texas System Office of General Counsel - Austin, TX

5:30 pm

Adjourn

**Thank You to Our Welcome to Texas Reception Sponsor
KPMG LLP**



Tuesday Morning, June 4, 2019

Presiding Officer:

Alexandra O. Mitchell, RSM US LLP - Washington, DC

7:45 am

Conference Room Opens

Includes continental breakfast.

8:00 am
0.50 hr

Parking and Transportation Tax: Legal Update

The new tax on parking and transportation expenses continues to be one of the more controversial tax reform provisions. Two experts on the new law will discuss what is settled, and what questions remain.

Benjamin A. Davidson, The University of North Carolina at Chapel Hill - Chapel Hill, NC

Bertrand M. Harding Jr., Law Offices of Bertrand M. Harding Jr. - Alexandria, VA

8:30 am 1.00 hr	<p>Parking and Transportation Tax: Practical Implications</p> <p>Universities across the country are examining their parking and transportation programs to minimize tax exposure and still be in compliance with the new tax law. Three campus experts will discuss how their institutions have responded in the face of ongoing uncertainty in this area of the tax law.</p> <p>Moderator: Benjamin A. Davidson, The University of North Carolina at Chapel Hill - Chapel Hill, NC</p> <p>Panelists: Kelly Farmer, University of Minnesota System - Minneapolis, MN Kyle Richard, University of Washington - Seattle, WA Kyle R. ZumBerge, The University of Texas System Office of General Counsel - Austin, TX</p>
9:30 am 1.00 hr	<p>Sponsored Research - Managing Compliance and Maximizing Revenues</p> <p>Sponsored research undertaken by higher ed institutions continues to be an area of growth and can be a substantial source of revenue, albeit with some hefty compliance requirements. Discuss the IRS safe harbor rules regarding sponsored research as provided in Rev Proc 2007-47 and hear from a higher ed representative on internal policies and procedures relating to the management of sponsored research on a campus that utilizes both tax-exempt and other sources of financing.</p> <p>Moderator: Alan Bond, BLX Group - New York, NY</p> <p>Panelists: Charles C. Cardall, Orrick, Herrington & Sutcliffe LLP - San Francisco, CA Edwin Oswald, Orrick, Herrington & Sutcliffe LLP - Washington, DC John Sanchez, Tufts University - Somerville, MA</p>
10:30 am	Break
10:45 am 1.00 hr	<p>Tax and Legal Issues Related to Charitable Contributions</p> <p>Universities want to keep their donors happy, but also need to be aware of the tax and legal issues related to gifts. Discuss the recent changes to athletic seating rights, gift acceptance policies, gift agreements, and other issues related to complex gifts.</p> <p>Joseph R. Irvine, The Ohio State University - Columbus, OH Sean P. Scally, Vanderbilt University - Nashville, TN</p>
11:45 am 1.00 hr ethics	<p>Ethical Issues in Practicing Before the IRS</p> <p>Focus on ethical responsibilities and considerations in representing non-profits before the IRS. In particular, the session will address the practical impact of Circular 230, the intersection between Circular 230 and state rules for both attorneys and CPAs, and managing IRS exams and other encounters with the IRS.</p> <p>Meghan R. Biss, Caplin & Drysdale, Chartered - Washington, DC Ruth M. Madrigal, KPMG LLP - Washington, DC</p>
12:45 pm	Adjourn