

2021

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June 15–17, 2021

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TUESDAY AFTERNOON, JUNE 15, 2021

Presiding Officer:

**Brittany Cvetanovich, Ropes & Gray,
Chicago, IL**

12:20 p.m. Welcoming Remarks

12:30 p.m. 1.00 hr

Recent Developments in College and University Tax Law

Review recent tax law developments that affect the higher education community, such as Congressional legislation, including the pandemic relief acts, IRS enforcement measures and pronouncements as well as judicial decisions and will discuss their impact on prevalent tax issues, including unrelated business taxable income (UBTI), compensation and fringe benefits, international activities, charitable contributions, endowments, and reporting requirements.

Bertrand M. Harding Jr., Law Offices of Bertrand M. Harding Jr., Alexandria, VA
Edward J. Jennings, University of Michigan, Ann Arbor, MI

1:30 p.m. 10-Minute Break

1:40 p.m. 1.00 hr

Select Topics In Charitable Contributions Including Gift Acceptance and Naming Policies

Examine issues that arise in conjunction with charitable contributions at an educational institution including the importance of gift acceptance policies and the items they should address in order to create a robust policy. Areas covered include the use of donor gift agreements, establishing minimum contributions for endowments, naming rights and removal criteria, noncash or in-kind gifts, and related issues which typically arise with college and university gifts.

Joseph R. Irvine, The Ohio State University, Columbus, OH
Sean P. Scally, Vanderbilt University, Nashville, TN

2:40 p.m. 10-Minute Break

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2:50 p.m. 1.00 hr

Update on Final Regulations under Section 512(a)(6) and 4968

An overview of the final regulations implementing the UBTI "silo" rule in Code Section 512(a)(6) and the final regulations implementing the college & university endowment tax under Code Section 4968. Highlight key takeaways from the final regulations, identify areas requiring further guidance and discuss practical implications of the new regulations.

Franziska Hertel, Ropes & Gray LLP, Boston, MA
Preston J. Quesenberry, KPMG LLP, Washington, DC

3:50 p.m. Adjourn

WEDNESDAY AFTERNOON, JUNE 16, 2021

Presiding Officer:

**Alexandra O. Mitchell, RSM LLP,
Washington, DC (Invited)**

12:30 p.m. 1.00 hr

Section 4960: Who, When and How Much?

Examine methods to properly identify covered employees, the existence of deferred compensation arrangements, and ensure that compensation is properly measured for relevant reporting periods.

Glenn Christofides, Rutgers University, Piscataway, NJ
Karen Field, RSM LLP, Washington, DC

1:30 p.m. 10-Minute Break

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 9.00 hours. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

1:40 p.m. 1.00 hr

Worker Classification: An Overview and Current Developments

Correctly classifying employees and independent contractors is critically important to ensuring compliance with both tax and employment laws. Tax practitioners are often on the front lines of this classification determination and can help protect the institution by knowing not only the IRS rules, but the DOL rules as well. Come join Kyle and Joel to understand these considerations from Counsel's Office and the Accounting department.

Joel Levenson, University of Central Florida, Orlando, FL
Mindy Mayo, KPMG LLP, San Jose, CA
Kyle Richard, University of Washington, Seattle, WA

2:40 p.m. 10-Minute Break

2:50 p.m. 1.00 hr

Recent Legislative and Policy Developments

Understanding the rationale of congressional policymakers may help organizations in explaining new tax rules to their communities and employees and assist with compliance and communication. This presentation provides unique access and background on recent law changes as well as various potential tax and benefit changes that could assist or harm institutions in this crazy post-pandemic world.

Richard A. Grafmeyer, Capitol Tax Partners, Washington, DC

3:50 p.m. Adjourn

THURSDAY AFTERNOON, JUNE 17, 2021

Presiding Officer:

Jackie Coburn, Crowe LLP, Dallas, TX

12:30 p.m. 1.00 hr

Nonresident Alien Tax Updates

Update on how payments to foreign nationals and foreign entities have been impacted by issues related to the pandemic. Gain insight on: What questions to ask; Which forms to collect; How much tax to withhold; What to report; and Which information to maintain. Explore the "new normal" and how it impacts your institution's responsibilities.

Donna Kepley, Arctic International LLC, Austin, TX

1:30 p.m. 10-Minute Break

1:40 p.m.

1.25 hrs

Remote Work Force

In the wake of the COVID-19 pandemic, higher education employers are fielding increased requests from employees, ranging from faculty to operations, to work on a remote, multi-jurisdictional basis. Balancing talent retention goals against the risks associated with such arrangements -- including employment, workplace safety, benefits, payroll, immigration, intellectual property, state and local taxes and permanent establishment -- is critical for a long-term, sustainable approach to these requests. Please submit your questions in advance to ConferenceQA@utcle.org.

Joel Levenson, University of Central Florida, Orlando, FL
Diana J. Nehro, Ogletree, Deakins, Nash, Smoak & Stewart, P.C., Stamford, CT
Julia Shanahan, Columbia University, New York, NY
Kevin Spiegel, Crowe LLP, Chicago, IL

2:55 p.m.

10-Minute Break

3:05 p.m.

.75 hr

Sales Taxation of Online Education

Several states impose sales tax on the sale or license of online videos. Do colleges and universities need to charge sales tax for online classes? The answer may surprise you. Review representative legislation, including efforts by several legislatures to exempt online classes from tax.

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

3:50 p.m.

Adjourn

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LIVE WEBCAST

June 15–17, 2021

KEY DATES

June 11, 2021

Last day for full refund cancellation

June 14, 2021

Last day for partial refund cancellation
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June 15, 2021, 12:20 p.m., CT

Webcast begins

June 17, 2021

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