

2022 Nonprofit Organizations Institute: Tracks B, D, F, and H

January 13-14, 2022 • Live Webcast

Thursday Morning, Jan. 13, 2022

Presiding Officer:

Nicola Fuentes Toubia, Fuentes Toubia, PLLC - Houston, TX

10:50 am 0.75 hr	<p>Track B: Employment Issues and the Pandemic</p> <p>Discuss employment law and tax considerations for remote workforces; plus, a brief overview of other important considerations for employers during the pandemic.</p> <p>E. Pierce Blue, Morgan, Lewis & Bockius LLP - Washington, DC Kenneth Hausser, Ernst & Young LLP - Iselin, NJ</p>
11:35 am	5-Minute Break
11:40 am 0.75 hr	<p>Track B: Business as Usual?: The Legal Challenges with In-Person Activities and Events</p> <p>As force majeure meeting, conference, and event terminations have become virtually impossible anymore, and as nonprofits move ahead with their 2022 events with an expectation of significantly reduced attendance and with COVID still very much a factor, explore how to mitigate your organization's contractual and liability risks in connection with your in-person and hybrid events. From attrition penalties to vaccine mandates (and exceptions) to COVID protocols to contracting for your and your clients' future meetings and conferences, this session will offer real-time, practical advice and guidance, best practices, and suggestions for dealing with the daunting challenges inherent in your 2022 events.</p> <p>Lawrence Mendenhall, American Academy of Ophthalmology and AAO Foundation - San Francisco, CA Jeffrey S. Tenenbaum Esq., Tenenbaum Law Group PLLC - Washington, DC</p>
12:25 pm	<p>Break for Lunch—Presentations Resume at 12:55 p.m. Central on the main webcast stream—www.utcle.org/webcasts/NO22</p>

Thursday Afternoon, Jan. 13, 2022

Presiding Officer:

Karey Dubiel Dye, Goldman Sachs Philanthropy Fund - Houston, TX

3:15 pm 0.75 hr	<p>Track D: Activism and Engagement</p> <p>Private foundations can and do play a significant role in funding strong advocacy and the development of more equitable communities. Discussions will cover an overview of laws that impact foundation support of advocacy; the use of general operating, special purpose and expenditure responsibility grantmaking to help all types of organizations pursue civic engagement; the ways foundations can support community engagement beyond funding; and specific initiatives where foundations are engaging in advocacy and evaluating their own grantmaking practices in an effort to build communities that support all people.</p> <p>Jen Powis, Alliance for Justice - Houston, TX Tim Racer, Ewing Marion Kauffman Foundation - Kansas City, MO</p>
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4:00 pm	5-Minute Break
4:05 pm 0.75 hr	Track D: Data and Measurement: The Secret to Intentional and Impactful DEI Initiatives Data-based DEI approach is key for long-term, systemic transformation. Explore best practices on how to move the needle in DEI and discuss actionable interventions, measurement, benchmarking, and more. Learn how nonprofit leaders must intentionally leverage all three parts of diversity, equity, and inclusion in order to bring about lasting change. Starlett (Star) Carter, Kanarys, Inc. - Dallas, TX
4:50 pm	Track D Adjourns—Presentations Resume at 5:00 p.m. Central on the main webcast stream—www.utcle.org/webcasts/NO22

Friday Morning, Jan. 14, 2022

Presiding Officer:

Joyce Hellums, Ernst & Young LLP - Austin, TX

11:10 am	Track F will begin at 11:15 a.m. Central
11:15 am 0.75 hr	Track F: Lifecycle of Public Charity Engagement: PART 1 Gain insight into the spectrum of public charity representation, from structuring a new public charity through terminating its existence. Explore strategies for addressing common tax and legal issues faced by public charities throughout their life cycles, including meeting the public support test, managing and minimizing unrelated business income tax, avoiding intermediate sanctions and prohibited private benefit and inurement, facing Form 990 reporting challenges, and structuring transactions with taxable organizations and insiders. Stephen M. Clarke, Ernst & Young LLP - Washington, DC Elinor Ramey, Steptoe & Johnson LLP - Washington, DC Chelsea R. Rubin, Morgan, Lewis & Bockius LLP - Washington, DC Bridget M. Weiss, Arnold & Porter Kaye Scholer LLP - Washington, DC
12:00 pm	5-Minute Break
12:05 pm 0.75 hr	Track F: Lifecycle of Public Charity Engagement: PART 2
12:50 pm	Break for Lunch—Presentations Resume at 1:20 p.m. Central on the main webcast stream—www.utcle.org/webcasts/NO22

Friday Afternoon, Jan. 14, 2022

Presiding Officer:

Andrea L. March, Texas Rio Grande Legal Aid - Austin, TX

2:20 pm	Track H will begin at 2:25 p.m. Central
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2:25 pm 0.75 hr	<p>Track H: Utility of Non-Charitable Entities</p> <p>Sometimes, changing the world requires philanthropist to use more entities than just public charities and private foundations. Explore the use 501(c)(4) organizations and other tax-exempt, non-charitable entities, as well as LLCs, taxable nonprofits, and foreign affiliates. Understanding the pros and cons of these various entities, along with the impact they will have on a related entity's external financial reporting, and a potential donor's tax.</p> <p>James P. Joseph, Arnold & Porter Kaye Scholer LLP - Washington, DC Kay Walther, Blazek & Vetterling - Houston, TX</p>
3:10 pm	5-Minute Break
3:15 pm 0.75 hr	<p>Case Study on Charitability, Structure and Compliance: Affordable Housing</p> <p>Few charitable activities can be as complex and challenging as affordable housing. Charities that develop and maintain affordable housing (and their funders) must contend with the limitations of traditional definitions of charity in a modern context, as well as the private benefit and other tax implications that flow from complex financing, such as tax credits, capital stacks, and joint ventures. All of this makes for a great study on how charities can innovate to meet crucial needs in a changing world while staying true to 501(c)(3) status, regardless of the issues area.</p> <p>Edward T. Chaney, Schell Bray PLLC - Chapel Hill, NC Walter Moreau, Foundation Communities - Austin, TX</p>
4:00 pm	Adjourn