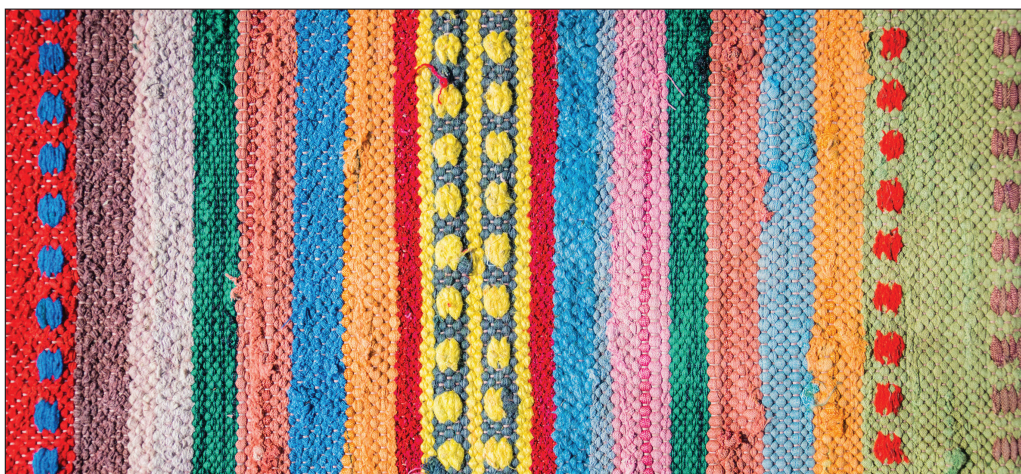


39<sup>TH</sup> ANNUAL

# NONPROFIT ORGANIZATIONS INSTITUTE



FUNDAMENTALS

January 12, 2022

INSTITUTE

January 13–14, 2022

Four Seasons Hotel ■ Austin, Texas

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2022

# NONPROFIT ORGANIZATIONS FUNDAMENTALS

January 12, 2022 ■ Four Seasons Hotel ■ Austin, Texas

Earn up to 4.00 Hours of Credit

Specialization Credit Approved for: Estate Planning and Probate Law, Tax Law

*Times listed are in Central Time*

## WEDNESDAY AFTERNOON, JAN. 12, 2022

**12:30 p.m. Registration Opens** Includes light refreshments.

**1:20 p.m. Welcoming Remarks**

### CONCURRENT SESSIONS

Please select one 1:30 p.m., one 2:45 p.m., one 4:00 p.m., and one 5:15 p.m. session on registration form.

#### FUNDAMENTALS PRESENTATIONS (Main Ballroom)

**Presiding Officer:**  
**Hillary Evans, Philanthropy Southwest, Dallas, TX**

#### FINANCIAL & GOVERNANCE LITERACY WORKSHOPS (Small-Group Breakouts)

These workshops provides opportunities during the day for instruction and discussion in a small-group format. NOTE: These two sessions are repeated four times throughout the day. Select only one session time for each workshop on the order form.

**1:30 p.m. Organized Exclusively for Charitable Purposes:**  
**1.00 hr Nonprofit Formation and Formalities from an Accounting and Legal Point of View**  
This session focuses on start-up considerations, federal and state laws; choice of entity; articles of incorporation and bylaws; and applying for tax exemption. Provide insight on how different legal structures will impact financial statements and metrics.  
Christina N. Cahill, Polsinelli PC, New York, NY  
Neely D. Duncan, BKD, LLP, Dallas, TX

**Financial Literacy for Nonprofits**  
Understanding financial statements is the key to understanding the financial health of your organization. Review the basic financial statements and common disclosures, and examine NFP financials to learn how to leverage the new formats for basic analysis.  
Jillian Bergman, Armanino, LLP, Austin, TX  
Ruth Snell, Armanino, LLP, Austin, TX

**Governance Literacy for Nonprofits**  
Governance at nonprofit organizations is often not a priority until something goes wrong. Gain practical tips to help board and staff members avoid problems, and review governance topics including fiduciary duties, governing documents, policies, procedures, and the roles of the board, officers, committees, and staff members.  
Gian F. Brosco, Esq., Nevada Community Foundation, Las Vegas, NV

**2:30 p.m. Break**

**2:45 p.m. Operated Exclusively for Charitable Purposes: Compliance and Operational Considerations and Structuring**  
**1.00 hr**  
This session focuses on the operating and compliance aspects of maintaining 501(c)(3) status, with a focus on permissible and impermissible activities.  
Darren B. Moore, Bourland, Wall & Wenzel, P.C., Fort Worth, TX  
Lauren Simpson, Morgan, Lewis & Bockius LLP, New York, NY

**Financial Literacy for Nonprofits**  
*This session is identical to the previous session at 1:30 p.m. Select only one on the order form. Space is limited.*  
Jillian Bergman, Armanino, LLP, Austin, TX  
Ruth Snell, Armanino, LLP, Austin, TX

**Governance Literacy for Nonprofits**  
*This session is identical to the previous session at 1:30 p.m. Select only one on the order form. Space is limited.*  
Gian F. Brosco, Esq., Nevada Community Foundation, Las Vegas, NV

**3:45 p.m. Break**

**4:00 p.m. Reporting Obligations for Section 501(c)(3) Organizations**  
**1.00 hr**  
Explore compliance requirements for charitable organizations with IRC section 501(c)(3) status. Provide a framework for the reporting obligations at the federal and state levels. The federal reporting discussion will concentrate on the key reporting items of the Form 990 and when other forms may be required. Discuss the high-level requirements for state registrations for nonprofits, charitable trusts and charitable solicitations.  
Jennifer Becker Harris, Clark Nuber PS, Bellevue, WA  
Hamish W. Nieh, Fizer Beck, Houston, TX

**Financial Literacy for Nonprofits**  
*This session is identical to the previous session at 1:30 p.m. Select only one on the order form. Space is limited.*  
Michaela J. Cromar, CliftonLarsonAllen LLP, Fort Worth, TX  
Mimi Holt, Blazek & Vetterling, Houston, TX

**Governance Literacy for Nonprofits**  
*This session is identical to the previous session at 1:30 p.m. Select only one on the order form. Space is limited.*  
Harrison M. Smith, Schmoey Reinhard LLP, Fort Worth, TX  
Chelsey E. Ziegler, John D. and Catherine T. MacArthur Foundation, Chicago, IL

**5:00 p.m. Break**

**5:15 p.m. IRS and AG Oversight**  
**1.00 hr**  
This session focuses on federal and state oversight and regulation of tax-exempts, regulatory powers and authority, and enforcement issues.  
Tama Brooks Klosek, Klosek & Associates PLLC, Houston, TX  
Susan K. Staricka, Staricka Law, PLLC, Austin, TX

**Financial Literacy for Nonprofits**  
*This session is identical to the previous session at 1:30 p.m. Select only one on the order form. Space is limited.*  
Michaela J. Cromar, CliftonLarsonAllen LLP, Fort Worth, TX  
Mimi Holt, Blazek & Vetterling, Houston, TX

**Governance Literacy for Nonprofits**  
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Harrison M. Smith, Schmoey Reinhard LLP, Fort Worth, TX  
Chelsey E. Ziegler, John D. and Catherine T. MacArthur Foundation, Chicago, IL

**6:15 p.m. Adjourn to Reception**

#### NETWORKING RECEPTION

**6:15 p.m. – 7:15 p.m.**

Join us for a networking opportunity with faculty and colleagues.

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Specialization Credit Approved for: Estate Planning and Probate Law, Tax Law

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## THURSDAY MORNING, JAN. 13, 2022

### Presiding Officer:

Tony Fundaro, Philanthropy Southwest,  
Dallas, TX

### 7:30 a.m. Registration Opens

Includes continental breakfast.

### 8:15 a.m. Welcoming Remarks

### 8:30 a.m. 1.00 hr

#### A View of the Sector

Kick off the conference with a rollercoaster ride through the good, the bad, and the ugly of recent legislative, regulatory, and judicial developments affecting exempt organizations. Presenters share their observations of recent notable trends in the sector, including disclosure of donors to state regulators, new investment vehicles, donor advised funds, tax reform, and much more. Come prepared for heart-stopping thrills!

Rosemary E. Fei, Adler & Colvin, San Francisco, CA  
Alexander L. Reid, BakerHostetler, Washington, DC

### 9:30 a.m. 1.00 hr

#### The Nonprofit Sector in the Age of COVID-19: Challenges, Opportunities and Responses

Review some of the strategies that nonprofit organizations have used to mitigate the disruption in their governance, finances, programs and operations during the pandemic. Topics will include: (i) revisiting mission statements and charitable purposes; (ii) revisiting age-old tensions between current payout and "rainy day" endowment funds; and (iii) managing attrition, recruitment/retention, and remote workforce issues. We will also suggest a possible silver lining of 2020—grant-makers' use of increasingly creative, efficient and flexible approaches to ensure mission-critical support to those in need (PRIs, individual grants, disaster relief grants, etc.).

Diara M. Holmes, Loeb & Loeb, Washington, DC  
Michelle Michalowski, PwC, Washington, DC  
Andrew Schulz, New Venture Fund, Washington, DC

### 10:30 a.m. Break

## CONCURRENT TRACKS

### TRACK A: IN TIMES OF CRISIS: GOVERNANCE AND INVESTING

#### Presiding Officer:

Kay Walther, Blazek & Vetterling,  
Houston, TX

### 10:50 a.m. .75 hr

#### Governance in a Time of Crisis

This panel will cover both proactive steps to prepare an organization for crisis and practical guidance for navigating through a crisis. Topics will include fiduciary issues, the tools available to allow board members and officers to exercise their fiduciary duties, the role of the board and management during a crisis, and challenging decisions involving funding and endowment management.

Katherine Karl, The Humane Society of the United States, Washington, DC  
Justin Zaremby, Patterson Belknap Webb & Tyler LLP, New York, NY

### 11:35 a.m. 5-Minute Break

### 11:40 a.m. .75 hr

#### Investing in a Time of Crisis

Turmoil in the Capital Markets caused by economic dislocations like the Covid Pandemic can create stress on the investment portfolios of Nonprofit organizations, but can also create opportunities if cool heads can prevail.

Kathleen (Katie) Gerber, Holland & Knight LLP, Dallas, TX  
Norman E. Nabhan, Graystone Consulting, Houston, TX

### 12:25 p.m. Break for Lunch

Included in registration.

### TRACK B: COVID-19 EMPLOYMENT ISSUES / ACTIVITIES AND EVENTS

#### Presiding Officer:

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

### 10:50 a.m. .75 hr

#### Employment Issues and the Pandemic

Discuss employment law and tax considerations for remote workforces; plus, a brief overview of other important considerations for employers during the pandemic.

Kaiser H. Chowdhry, Morgan, Lewis & Bockius LLP, Washington, DC  
Kenneth Hausser, Ernst & Young LLP, Iselin, NJ

### 11:35 a.m. 5-Minute Break

### 11:40 a.m. .75 hr

#### Business as Usual?: The Legal Challenges with In-Person Activities and Events

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.

Lawrence Mendenhall, American Academy of Ophthalmology and AAO Foundation, San Francisco, CA  
Jeffrey S. Tenenbaum, Esq., Tenenbaum Law Group PLLC, Washington, DC

### 12:25 p.m. Break for Lunch

Included in registration.

### MASTER CLASS: DISASTER RELIEF ORGANIZATIONS (Limited Capacity)

### 10:50 a.m. 1.50 hr

#### MASTER CLASS: Disaster Relief Funds: An Overview of Potential Structures, Related Tax Issues, and Practical Considerations

An in-depth review of the structures available to house a charitable disaster relief fund, including a 501(c)(3) organization, a fund at a larger charity (such as a community foundation), and other outsourced options. Discuss legal structure and impact, tax implications, and practical considerations, with a particular focus on employer-related funds. Staff from the Greater Houston Community Foundation will share their expertise in administering employer-related funds, and also share insights from their role with city-wide relief in recent years.

Stephanie Blair, Greater Houston Community Foundation, Houston, TX  
Danika Hudik Mendrygal, Mendrygal Law, PLLC, Dallas, TX  
Nadia Valliani, Greater Houston Community Foundation, Houston, TX

### 12:25 p.m. Break for Lunch

Included in registration.

## THURSDAY AFTERNOON

### Presiding Officer:

Megan E. Bell, Morgan, Lewis & Bockius  
LLP, New York, NY

### THANK YOU TO OUR LUNCHEON PRESENTATION SPONSOR



12:55 p.m. .75 hr

### Keynote Luncheon Presentation:

#### A Conversation with Brittany K. Barnett

Hear attorney, author, and entrepreneur, Brittany K. Barnett, discuss her experience and advice for others as a founder of two nonprofit organizations, as *pro bono* counsel representing clients incarcerated in federal prison, and as founder of social enterprises devoted to providing supports and resources to formerly incarcerated individuals.

Brittany K. Barnett, Buried Alive Project and Girls  
Embracing Mothers, Inc., Dallas, TX

#### Moderator

Elizabeth Henneke, Lone Star Justice Alliance, Austin, TX

1:40 p.m. Break

1:55 p.m. 1.00 hr

### GC Roundtable: Diversity, Equity and Inclusion

Panelists will discuss how they navigate the many legal issues that arise in the pursuit of diversity, equity and inclusion both in the US and overseas.

#### Moderator:

Megan E. Bell, Morgan, Lewis & Bockius LLP,  
New York, NY

#### Panelists:

Ricardo A. Castro, International Rescue Committee,  
New York, NY  
Nishka Chandrasoma, Ford Foundation, New York, NY  
Christie Yang, Walton Family Foundation,  
Washington, DC

2:55 p.m. Break

## CONCURRENT TRACKS

### TRACK C: DEI AND CHARITABILITY / ESG INVESTING

### Presiding Officer:

Megan E. Bell, Morgan, Lewis & Bockius  
LLP, New York, NY

3:15 p.m. .75 hr

### Charitability and Section 1981

Understand the legal guardrails for grants and PRIs that, in an effort to advance diversity and inclusion, prioritize or limit eligibility on the basis of race or other protected characteristics. Discuss pros and cons of race-exclusive grantmaking and PRIs and ways to mitigate the risks under anti-discrimination laws.

Emily Cuneo DeSmedt, Morgan, Lewis & Bockius LLP,  
Princeton, NJ  
Joshua J. Mintz, John D. and Catherine T. MacArthur  
Foundation, Chicago, IL

4:00 p.m. 5-Minute Break

4:05 p.m. .75 hr

### ESG Investing

Environmental, social and governance (ESG) and impact investing continues to grow from a field of interest to a robust investment discipline. This discussion will demystify the broad ESG investing landscape and provide insights on effective and actionable ways to incorporate ESG and impact investing into nonprofit portfolios, including both legal and investment perspectives.

Nancy E. McGlamery, Adler & Colvin,  
San Francisco, CA  
Abigail Pohlman, Goldman Sachs, New York, NY

4:50 p.m. Break

### TRACK D: ACTIVISM AND ENGAGEMENT / EMPLOYERS AND DEI

### Presiding Officer:

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

3:15 p.m. .75 hr

### Activism and Engagement

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.

Jen Powis, Alliance for Justice, Houston, TX  
Tim Racer, Ewing Marion Kauffman Foundation,  
Kansas City, MO

4:00 p.m. 5-Minute Break

4:05 p.m. .75 hr

### 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 p.m. Break

### MASTER CLASS: ANATOMY OF A GRANT AGREEMENT (Limited Capacity)

3:15 p.m. 1.50 hrs

### MASTER CLASS: Anatomy of Grant Agreement

Review the key components of a grant agreement, including provisions unique to private foundations, considerations for advocacy organizations, and how to structure grants to fiscal sponsors, non-charitable organizations, and individuals. Expect practical advice from the perspective of both the grantor and the grantee, a lively discussion, and sample language.

Vanessa Goodwin, Arnold Ventures LLC, Houston, TX  
Kristy Bernard Tsadick, The William and Flora Hewlett  
Foundation, Menlo Park, CA

4:50 p.m. Break

5:00 p.m. 1.00 hr ethics

### Professional Opinions and Tax-Exempt Organizations

There are different types and reasons for opinions: comfort (e.g., it's exempt from UBIT, it's a program-related investment), contractual condition (e.g., required for a bond offering), escape hatch (e.g., right to terminate joint venture if counsel opines that tax-exempt status is at risk), proper tax reporting (e.g., 990 and 1023EZ), and, the one our clients are often most concerned with, penalty protection (e.g., reliance on a reasoned written legal opinion of counsel – IRC 4941, 4944, 4945, 4958). Address the legal, ethical, comical and practical considerations involved in assessing the need for an opinion, how to arrive at any given "comfort level," and how much (or little) it takes for a written legal opinion to be "reasoned."

Offer Lion, Seyfarth Shaw LLP, Los Angeles, CA  
LaVerne Woods, Davis Wright Tremaine LLP,  
Seattle, WA

6:00 p.m. Adjourn to Reception

### THANK YOU TO OUR NETWORKING RECEPTION SPONSOR



6:00 p.m. – 7:00 p.m.

Join us for a networking opportunity  
with faculty and colleagues.

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Learn how we as lawyers can join the  
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**Presiding Officer:**

Joyce Hellums, Ernst & Young LLP,  
Austin, TX

**8:30 a.m. Conference Room Opens**
**9:00 a.m.**
**BRUCE R. HOPKINS  
REMEMBRANCE AND DEDICATION**

We dedicate this year's conference to Bruce R. Hopkins, whose involvement and commitment to this program was instrumental in its success for many years.

**9:10 a.m. .75 hr**
**Texas Legislative and Public Policy Update**

Challenges and disasters of all sorts kept the leadership of the 2021 Texas Legislature chasing solutions for a rapidly-changing state. Nonprofit entities increasingly partner with governments in policy and program development. Two veteran observers review legislative, regulatory and policy trends that made news.

Richard W. Meyer, Attorney at Law, Austin, TX  
Ross Ramsey, The Texas Tribune, Austin, TX

**9:55 a.m. 1.00 hr**
**Commercial/Market Based Approaches to Impact Intervention**

Impact and profit are not mutually exclusive; indeed, the lines between investment and impact continue to blur. Investments can have impact-like results, and grants can have investment-like results. Discuss the variety of commercial, market-based options exempt organizations (and their funders) should have in mind as they pursue their missions.

Samuel Greenberg, Ernst & Young LLP,  
Los Angeles, CA  
Ruth M. Madrigal, KPMG LLP, Washington, DC  
John Tyler, Ewing Marion Kauffman Foundation,  
Kansas City, MO

**10:55 a.m. Break**
**UT Law CLE is committed to Practice Excellence.**

We are here to support our community while we navigate the coronavirus pandemic together. Information and updates regarding our in-person conferences and live webcasts will be posted at [www.utcle.org](http://www.utcle.org).

In addition, we continue to offer multiple educational opportunities online—both live and on-demand—by bringing practitioners together virtually. We are fortunate to serve so many of you who strive for excellence in the practice of law.


**CONCURRENT TRACKS**
**TRACK E: LIFECYCLE OF PRIVATE FOUNDATION ENGAGEMENT**
**Presiding Officer:**

Lucille DiDomenico, DiDomenico Group,  
Dallas, TX

**11:15 a.m. .75 hr**
**Lifecycle of Private Foundation Engagement and Compliance Concerns: PART 1**

A practical guide to navigating the Chapter 42 excise tax regime from a legal and accounting perspective. Comprehensively review the rules applicable to private foundations and common traps for the unwary. Discuss issues to consider and share with persons considering creation of a new foundation. Gain insight to ensure compliance in the areas of complex grant-making, direct programmatic activities and investing. Understand the reporting and excise tax implications of violations.

Joel Beck-Coon, Humanity United, San Francisco, CA  
Jody Blazek, Blazek & Vetterling, Houston, TX  
Emiliano Martinez, Chan Zuckerberg Initiative,  
Redwood City, CA  
Maura L. Whelan, Simpson Thacher & Bartlett LLP,  
New York, NY

**12:00 p.m. 5-Minute Break**
**12:05 p.m. .75 hr**
**Lifecycle of Private Foundation Engagement and Compliance Concerns: PART 2**
**12:50 p.m. Break for Lunch**

Included in registration.

**TRACK F: LIFECYCLE OF PUBLIC CHARITY ENGAGEMENT**
**Presiding Officer:**

Joyce Hellums, Ernst & Young LLP,  
Austin, TX

**11:15 a.m. .75 hr**
**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 p.m. 5-Minute Break**
**12:05 p.m. .75 hr**
**Lifecycle of Public Charity Engagement: PART 2**
**12:50 p.m. Break for Lunch**

Included in registration.

**MASTER CLASS: ALTERNATIVE STRUCTURES (Limited Capacity)**
**11:15 a.m. 1.50 hrs**
**MASTER CLASS: The Tapestry of Strategically (and Legally) Using Commercial Enterprises to Achieve Charitable Ends**

Opportunities for exempt organizations to work with and through market-oriented enterprises and interventions to pursue their charitable purposes are increasing. Doing so involves a variety of factors and attention to the pros and cons of different approaches. Strategically balancing charity, private benefit, tax considerations, structures and forms, licensing, data, decision-making, assessments, and more are among the inter-related threads that run through these approaches. Instead of hanging loosely, these threads together create a tapestry of strategic decisions and opportunities. This master class focuses on how these considerations fit together.

Laura E. Butzel, Patterson Belknap Webb & Tyler LLP,  
New York, NY  
Tomer Inbar, Morgan, Lewis & Bockius LLP,  
New York, NY

**12:50 p.m. Break for Lunch**

Included in registration.

**FRIDAY AFTERNOON**
**Presiding Officer:**

Mia Hsu Burton, Michael & Susan Dell  
Foundation, Austin, TX

**THANK YOU TO OUR LUNCHEON PRESENTATION SPONSOR**

**1:20 p.m. .75 hr**
**Ask the Experts**

Gain insight on key issues and common challenges facing public charities and private foundations and share your own questions with conference faculty and fellow colleagues in this interactive session.

Hillary Bounds, Gates Ventures, Seattle, WA  
John Sare, Patterson Belknap Webb & Tyler LLP, New  
York, NY  
Nicola Fuentes Toubia, Fuentes Toubia, PLLC,  
Houston, TX

**2:05 p.m. Break**

## CONCURRENT TRACKS

### TRACK G: DAFS / ADVANCED ISSUES IN FUNDRAISING

#### Presiding Officer:

Mia Hsu Burton, Michael & Susan Dell Foundation, Austin, TX

2:25 p.m. .75 hr

#### Donor Advised Funds: Past, Present and Future

This session will provide an overview of donor advised funds (DAFs) and their uses, both common and creative; recent litigation on the relationship between donors and DAFs; and proposed legislation and IRS guidance that could affect DAFs in the future.

Dahlia B. Doumar, Patterson Belknap Webb & Tyler LLP, New York, NY  
Justin J. Lowe, Ernst & Young LLP, Washington, DC

3:10 p.m. 5-Minute Break

3:15 p.m. .75 hr

#### Advanced Issues in Fundraising

With the effects of the novel coronavirus, nonprofits were forced to adapt and invent novel methods of fundraising. Evaluate the practical and technical implications of the changes and trends affecting the fundraising landscape.

Meghan R. Biss, Caplin & Drysdale, Chartered, Washington, DC  
Jonathan S. Blum, Polsinelli PC, Dallas, TX

4:00 p.m. Adjourn

### TRACK H: NON-CHARITABLE ENTITIES / AFFORDABLE HOUSING CASE STUDY

#### Presiding Officer:

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

2:25 p.m. .75 hr

#### Utility of Non-Charitable Entities

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.

James P. Joseph, Arnold & Porter Kaye Scholer LLP, Washington, DC  
Kay Walther, Blazek & Vetterling, Houston, TX

3:10 p.m. 5-Minute Break

3:15 p.m. .75 hr

#### Case Study on Charitability, Structure and Compliance: Affordable Housing

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.

Edward T. Chaney, Schell Bray PLLC, Chapel Hill, NC  
Walter Moreau, Foundation Communities, Austin, TX

4:00 p.m. Adjourn

### MASTER CLASS: DATA PROTECTION AND CYBERSECURITY (Limited Capacity)

2:25 p.m. 1.50 hrs

#### MASTER CLASS: Data Protection and Cybersecurity

Learn about the latest cybersecurity threats and trends impacting nonprofits, and actions that can be taken today in furtherance of compliance and in support of the overall data privacy and security mission.

Shawn E. Tuma, Spencer Fane, Plano, TX

4:00 p.m. Adjourn

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Pre-order the recorded eConference, which will include presentations from ALL tracks and classes, and watch on your time. (Available to all attendees within 4-6 weeks.) The eConference is accredited for MCLE in Texas and California.

**Please Note: The recorded eConference is INCLUDED with a conference registration.**

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ATTN: Registration  
PO Box 7759  
Austin, TX 78713-7759

**Fax:**  
512.475.6876

**Questions?**  
512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 business days prior to the conference.

## PLEASE PRINT CLEARLY

NP22/NO22

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## CONFERENCE REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

### NONPROFIT FUNDAMENTALS REGISTRATION

☐ Individual Registration . . . . . \$225 | \$275 after Jan 5, 2022

#### 1:30 p.m. Concurrent Sessions – SELECT ONE

- ☐ 1A: Nonprofit Formation
- ☐ 1B: Financial Literacy Workshop (limited capacity – choose 1)
- ☐ 1C: Governance Literacy Workshop (limited capacity – choose 1)

#### 2:45 p.m. Concurrent Sessions – SELECT ONE

- ☐ 2A: Nonprofit Compliance
- ☐ 2B: Financial Literacy Workshop (limited capacity – choose 1)
- ☐ 2C: Governance Literacy Workshop (limited capacity – choose 1)

#### 4:00 p.m. Concurrent Sessions – SELECT ONE

- ☐ 3A: Reporting
- ☐ 3B: Financial Literacy Workshop (limited capacity – choose 1)
- ☐ 3C: Governance Literacy Workshop (limited capacity – choose 1)

#### 5:15 p.m. Concurrent Sessions – SELECT ONE

- ☐ 4A: IRS and AG Oversight
- ☐ 4B: Financial Literacy Workshop (limited capacity – choose 1)
- ☐ 4C: Governance Literacy Workshop (limited capacity – choose 1)

**Printed & Shipped Binder with Registration (Shipping Included)** – Available through Jan. 14  
Please Note: Printed binder will arrive 2–3 weeks after live event. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

☐ Printed and Shipped Course Binder . . . . . \$70.36 (\$65\*)

**Nonprofit Fundamentals Registration Total** . . . . . \$ \_\_\_\_\_

### NONPROFIT INSTITUTE REGISTRATION

☐ Individual Registration . . . . . \$695 | \$745 after Jan 5, 2022

#### Thursday 10:50 a.m. Concurrent Sessions – SELECT ONE

- ☐ TRACK A: In Times of Crisis: Governance & Investing
- ☐ TRACK B: COVID-19 Employment Issues / Activities and Events
- ☐ MASTER CLASS: Disaster Relief Organizations (limited capacity)

#### Thursday 3:15 p.m. Concurrent Sessions – SELECT ONE

- ☐ TRACK C: DEI and Charitability / ESG Investing
- ☐ TRACK D: Activism & Engagement / Employers & DEI
- ☐ MASTER CLASS: Anatomy of a Grant Agreement (at capacity; wait list only)

#### Friday 11:15 a.m. Concurrent Sessions – SELECT ONE

- ☐ TRACK E: Lifecycle of Private Foundation Engagement
- ☐ TRACK F: Lifecycle of Public Charity Engagement
- ☐ MASTER CLASS: Alternative Structures (limited capacity)

#### Friday 2:25 p.m. Concurrent Sessions – SELECT ONE

- ☐ TRACK G: DAFs / Advanced Issues in Fundraising
- ☐ TRACK H: Non-Charitable Entities / Affordable Housing Case Study
- ☐ MASTER CLASS: Data Protection and Cybersecurity (limited capacity)

**Printed & Shipped Binder with Registration (Shipping Included)** – Available through Jan. 14  
Please Note: Printed binder will arrive 2–3 weeks after live event. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

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**Nonprofit Institute Registration Total** . . . . . \$ \_\_\_\_\_

**REGISTRATION SUBTOTAL** . . . . . \$ \_\_\_\_\_

## POST-CONFERENCE PRODUCTS

**Nonprofit Fundamentals eConference** – For Texas and California MCLE Credit  
Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4–6 weeks after live event. Hours may vary depending on actual event runtime.

☐ Nonprofit Fundamentals eConference . . . . . \$275

**Nonprofit Fundamentals Post-Course Binder** – For Research and Self-Study  
Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

☐ Electronic Post-Course Download (PDF) . . . . . \$265.21 (\$245\*)  
☐ Printed Post-Course Binder . . . . . \$319.24 (\$295\*)

**Nonprofit Fundamentals Post-Conference Products Subtotal** . . . . . \$ \_\_\_\_\_

**Annual eLibrary Subscription** – For Research and Self-Study  
Extensive resources including audio, video, papers, and slides from UT Law CLE programs.

☐ eLibrary 12-Month Subscription . . . . . \$319.34 (\$295\*)

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\* Tax-exempt rate for, e.g., government employees and nonprofits. Include a Texas Sales and Use Tax Exemption Certificate with order.

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### SCAN TO VIEW OUR COVID-19 PROTOCOLS

See what we're doing differently this year to address the safety concerns of our staff and attendees at in-person events.



NP22/NO22

## AUSTIN

January 12, 13–14, 2022

### CONFERENCE LOCATION



#### Four Seasons Hotel

98 San Jacinto Blvd.  
Austin, TX

512.685.8100 (reservations)

#### Accommodations:

The room block at The Four Seasons has been exhausted. Please visit [www.utcle.org/conferences/NO22](http://www.utcle.org/conferences/NO22) for nearby hotel information.

#### Parking:

\$16 daily self-parking; \$18 daily valet  
\$50 overnight valet parking  
(subject to change)

### KEY DATES

**January 5, 2022**

*Last day for early registration rates*

**January 7, 2022**

*Last day for full refund cancellation*

**January 10, 2022**

*Last day for partial refund cancellation*  
\$50 processing fee applied

**January 12, 2022, 1:20 p.m., CT**

*Fundamentals begins*

**January 13, 2022, 8:15 a.m., CT**

*Institute begins*

**January 14, 2022**

*Last day to order a printed and shipped course binder with conference registration.*

Please review our current COVID-19 Protocols for in-person attendance to this conference.

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