

**6<sup>th</sup> Annual Higher Education Taxation Institute**  
**June 4-5, 2018 • AT&T Conference Center • Austin, TX**

**Monday Morning, June 4, 2018**

**Presiding Officer:**

**Rick Klee**, University of Notre Dame - Notre Dame, IN

7:30 am	<b>Registration Opens</b>  <i>Includes continental breakfast.</i>
8:20 am	<b>Welcoming Remarks</b>
8:30 am 1.50 hrs	<b>Recent Developments in College and University Tax Law</b>  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., KPMG LLP - Greensboro, NC
10:00 am 0.75 hr	<b>Navigating the IRS's New Data-Driven Selection Approach for Exempt Organizations Examinations</b>  Understand the IRS's new data-driven case selection method, using Form 990 data, and how colleges and universities can prepare for and minimize the risks from an IRS examination.  Stephen M. Clarke, Ernst & Young LLP - Washington, DC Bob Lammey, Ernst & Young LLP - Boston, MA
10:45 am	<b>Break</b>
11:00 am 1.00 hr	<b>Advanced UBIT in the Wake of Tax Reform</b>  Review how the recent tax legislation impacts the unrelated business income (UBI) of colleges and universities. The new law provides for "silo-ing" of unrelated activities so that losses from one activity cannot offset income from another activity. Also, the law requires an institution to include an amount in unrelated business income associated with certain fringe benefits. How expenses are allocated will be important with the new rules as will the use of net operating losses generated in prior years. Hear about the latest positions of the IRS and Treasury and some planning ideas.  Laura Kalick, BDO USA, LLP - Washington, DC Amy Goodreau Williams, Duke University - Durham, NC Kyle R. ZumBerge, The University of Texas System Office of General Counsel - Austin, TX
12:00 pm	<b>Break to Pick Up Lunch</b>  <i>Included in registration.</i>

## Monday Afternoon, June 4, 2018

### Presiding Officer:

**Sean P. Scally**, Vanderbilt University and Medical Center - Nashville, TN

### LUNCHEON PRESENTATION

	<b>Thank You to Our Luncheon Sponsor</b>  Crowe Horwath LLP
12:20 pm 1.00 hr	<b>Behind the Curtain: Recent Legislative and Policy Developments</b>  The 2017 tax reform legislation had many significant changes for tax exempt organizations, encompassing employee fringe benefits and compensation, UBIT changes, and endowment taxation. However, many organizations still are searching for reasons behind many of the changes. Understanding the rationale of congressional policymakers may help organizations in explaining the new rules to their communities and employees, and assist with compliance. This presentation provides unique access and background on the 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	<b>Break</b>
1:35 pm 1.25 hrs	<b>Nonresident Alien Tax Issues</b>  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	<b>International Transactions</b>  Get the tools needed to review international activities, identify potential issues, and develop strategies for mitigating tax risk to a university. Hear a discussion of challenges and approaches to tax compliance in operating abroad, with a focus on developing and executing a practical framework for tax-risk management.  Bob Lammey, Ernst & Young LLP - Boston, MA Kyle Richard, University of Washington - Seattle, WA Julia Shanahan, Columbia University - New York, NY
3:50 pm	<b>Break</b>
4:00 pm 0.75 hr	<b>Settlement Taxation</b>  Settlements of legal action against the university are among the more sensitive and urgent transactions that practitioners encounter. Review the tax treatment of settlement payments and hear practical considerations for achieving compliance and avoiding surprises.  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

4:45 pm 1.00 hr	<p><b>Analyzing Fringe Benefits</b></p> <p>Recieve a framework for analysis of various types of fringe benefits provided by a typical college or university. After a discussion of the general approach, hear an analysis of various examples to illustrate the application of the process used to determine taxability.</p> <p>Joseph R. Irvine, The Ohio State University - Columbus, OH Donald E. Rich Jr., KPMG LLP - Greensboro, NC Julia Shanahan, Columbia University - New York, NY</p>
5:45 pm	<b>Adjourn to reception</b>
	<p><b>Thank You to Our Reception Sponsor</b></p> <p>KPMG LLP</p>

## Tuesday Morning, June 5, 2018

### Presiding Officer:

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

7:30 am	<p><b>Conference Room Opens</b></p> <p><i>Includes continental breakfast.</i></p>
8:00 am 1.00 hr	<p><b>Tax-Exempt Bond Compliance Strategies</b></p> <p>Discuss the new IRS safe-harbor management contract rules, and hear an overview of the 2017 Tax Act and its impact on tax-exempt bond financing, and the essential elements of building a post-issuance tax compliance program, including Schedule K reporting.</p> <p>Kelly Farmer, University of Minnesota System - Minneapolis, MN Cynthia Nethercut, Yale University - New Haven, CT Edwin Oswald, Orrick, Herrington &amp; Sutcliffe LLP - Washington, DC</p>
9:00 am 1.00 hr	<p><b>Alternative Investments: The Keys to Managing Tax Risks</b></p> <p>Alternative investments present tough challenges to tax advisers and tax professionals of colleges and universities and can be a strain on resources – including intensive information gathering, combing through complex Schedules K-1, communicating with investment advisors, and rigorous tax reporting. Learn best practices on how to manage the tax compliance process related to alternative investments, including leveraging relationships with campus resources including the offices of Investment, Treasury, and Accounting.</p> <p>John R. Barrett, University of California System - Oakland, CA Jackie Coburn, Crowe Horwath LLP - Dallas, TX Rick Klee, University of Notre Dame - Notre Dame, IN</p>
10:00 am	<b>Break</b>

10:15 am 1.00 hr	<p><b>People Payments: Executive Compensation Tax Issues</b></p> <p>Review tax aspects of different executive compensation options for public and private colleges and universities, including analysis of new excise tax on compensation to highly paid employees and intermediate sanctions. Common errors and pitfalls will be highlighted.</p> <p>Tara Schulstad Sciscoe, Ice Miller LLP - Indianapolis, IN Wendy M. Swary, The Ohio State University - Columbus, OH</p>
11:15 am 1.00 hr	<p><b>UBIT Work Papers - Getting Forms Together, Risk Management and Audit Preparedness</b></p> <p>Overview and discussion of two institutions' approaches on preparing the 990-T for filing, CFO review and potential IRS audit. See a demonstration of workpapers used in preparation of the return, including summary documents used to prepare your CFO for the 990-T.</p> <p>Jodi R. Kessler, Massachusetts Institute of Technology - Cambridge, MA Joel Levenson, University of Central Florida - Orlando, FL</p>
12:15 pm	<p><b>Adjourn</b></p>