


13TH ANNUAL
**HIGHER EDUCATION TAXATION
INSTITUTE**



June 5–6, 2025
The Otis Hotel Austin ■ Austin, Texas
 **Live Webcast June 5–6**

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Times listed are in Central Time

THURSDAY MORNING, JUNE 5, 2025

Presiding Officer:

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

7:30 a.m. Registration Opens

Includes continental breakfast.

8:20 a.m. Welcoming Remarks

8:30 a.m. 1.50 hrs

Recent Developments in College and University Tax Law

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

Benjamin A. Davidson, The University of North Carolina at Chapel Hill, Chapel Hill, NC
Edward J. Jennings, University of Michigan, Ann Arbor, MI

10:00 a.m. 15-Minute Break

10:15 a.m. 1.00 hr

Alternative Investment Tax Update

For colleges and universities, the highest-dollar tax issues when making alternative investments are unrelated business taxable income, or "UBTI", the net investment income excise tax, and foreign taxes. Accurately estimating US taxes and non-US tax drag can help investment offices model expected returns and choose when to use "blocked" and "unblocked" investment structures. This session focuses on these and other key tax issues to consider in common alternative investment contexts like private equity funds and hedge funds.

Brittany Cvetanovich, Massachusetts Institute of Technology, Cambridge, MA
Jackie Daniels, Massachusetts Institute of Technology, Cambridge, MA
Andrew J. Gray, Crowe LLP, Dallas, TX

11:15 a.m. 1.00 hr

IRA Energy Credits: Stories from the Trenches

Discuss the challenges, lessons learned and success stories when working with campus partners on various energy projects, including developing a strategic team, applying for, quantifying and documenting the credits and reaping their rewards. Also, address the future state of credits and how best to manage executive leadership's expectations.

Susan P. Clark, Emory University, Atlanta, GA
Edward J. Jennings, University of Michigan, Ann Arbor, MI

12:15 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

Brittany Cvetanovich, Massachusetts Institute of Technology, Cambridge, MA

LUNCHEON PRESENTATION

12:35 p.m. 1.50 hrs

Legislative and Policy Update, Learning to Deal with the Chaos that is 2025

Gain insight into various legislative proposals being discussed regarding taxation of universities, their endowments, and how school conduct and governance policies are influencing tax policy. Discuss the upcoming budget reconciliation process and timing for a significant tax bill.

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

2:05 p.m. 15-Minute Break

2:20 p.m. 1.00 hr

Anticipating the Impact of Tax Policy in 2025

In the ever-changing landscape it is imperative to be able to provide quick answers to university leadership on the impact to your institution of various executive orders, proposed tax legislation and policy, and be able to model financial impacts from tax changes. This session covers sorting through policy, communication plans, and practical modeling.

Jodi R. Kessler, Massachusetts Institute of Technology, Cambridge, MA
Joel Levenson, University of Central Florida, Orlando, FL
Alexander L. Reid, Baker & Hostetler LLP, Washington, DC

3:20 p.m. .75 hr

Nonresident Alien Tax Update

Discussion of the long-awaited final Treasury Regulations regarding digital content and cloud transactions as related to the international provisions of IRC section 861. These regulations are important in making income classifications, sourcing determinations, income tax treaty evaluations, as well as enable more accurate and consistent reporting of such transactions. The session also touches on the new electronic reporting requirements and the Voluntary Disclosure Program.

Donna Kepley, Arctic International LLC, Austin, TX

4:05 p.m. 10-Minute Break

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4:15 p.m. .50 hr

PBU Calculations – Beyond Compliance

PBU calculations for tax-exempt bonds are essential for organizations to ensure compliance with IRS regulations and prepare for potential audits, but they also serve as valuable tools for planning and decision-making as organizational needs evolve. This session discusses how accurate PBU calculations help organizations make informed decisions about the future use of their tax-exempt bond-financed facilities, potentially allowing activities that generate PBU while staying within compliance limits.

Alan Bond, BLX Group, New York, NY
Barbara Jane League, Orrick, Herrington & Sutcliffe LLP, Houston, TX

4:45 p.m. .75 hr

Loper Bright – Changing the Tax Paradigm

The impact of the Supreme Court's *Loper Bright* opinion, which overturned the *Chevron* doctrine that compelled federal courts to defer to a federal agency's reasonable interpretation of an ambiguous statute, continues to impact many areas within tax. This session focuses on practical considerations post-*Loper Bright*, including interpreting regulatory guidance, taking return positions, providing tax advice, and litigating tax controversies.

Robert W. Friz, PwC, Philadelphia, PA
Emily M. Lam, Skadden, Arps, Slate, Meagher & Flom LLP, Palo Alto, CA

5:30 p.m. Adjourn to Reception

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5:30 p.m. – 6:30 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees

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FRIDAY MORNING, JUNE 6, 2025

Presiding Officer:

Kyle R. ZumBerge, The University of Texas - Tax Services, Austin, TX

7:45 a.m. Conference Room Opens

Includes continental breakfast.

8:00 a.m. 1.00 hr

People Payments

Discuss issues that come up with compensation, especially executive compensation, and payroll tax reporting and withholding. Topics include specific timing issues that arise with 457(b) and (f) plans, Section 4960-related compensation reporting issues, Sabbaticals and even 403(b) plans.

James Damon, Esq., University of Pennsylvania,
Office of General Counsel, Philadelphia, PA
Karen Field, RSM US LLP, Washington, DC

9:00 a.m. 1.00 hr

When Excludable Programs Aren't Excludable: IRS Audit Defense Planning for Executive Benefits and Other Fringe Benefits

This panel discussion covers what happens when you think your noncash employee programs are excludable from income but they aren't. Explore big ticket items for senior administrators and faculty as well as small ticket items whose volume can really add up. Evaluate programs through the lens of audit defense planning. Topics include business use of personal residences, dependent tuition remission, university-provided lodging and meals, travel (private/charter and spousal), business expense reimbursements, and use of gift cards. Also, touch on potential legislative changes that may be coming in these areas.

Mary B. Hevener, Morgan, Lewis & Bockius LLP,
New York, NY
Steven P. Johnson, Morgan, Lewis & Bockius LLP,
Washington, DC
Abigail Meyer, Ropes & Gray LLP, Boston, MA

10:00 a.m. 15-Minute Break

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.00 hours, of which 1.00 credit hours will apply to legal ethics/professional responsibility credit. 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).

10:15 a.m. 1.00 hr

Name, Image, and Likeness Tax Issues

Name, Image & Likeness (NIL) is an emerging issue for Colleges and Universities. This session discusses the latest developments on NIL's impact on contracts, information reporting and impact to universities and stakeholders.

Lauren Haverlock, Moss Adams, Los Angeles, CA
Joel Levenson, University of Central Florida,
Orlando, FL
Donald Neal Jr., University of Nebraska System,
Lincoln, NE

11:15 a.m. 1.00 hr ethics

Ethics Potpourri: 10 Tips to Help You Sleep at Night

Regardless of their credentials, experience, and the setting in which they work, tax professionals risk uncertainty and sleepless nights in balancing duties to their clients, companies, and the community at large. This session offers 10 tips to mitigate tax ethics insomnia, from confirming who your client is, what professional standards apply, how to keep up to date and safeguard confidences, when to rely on outside experts, and what your obligations — and options — are when conflicts arise or when you, your client, or an outside expert makes a mistake. Attending this session may not eliminate the risk of tax insomnia, but it is designed to reduce the potential for sleepless nights.

Timothy J. McCormally, Arlington, VA

12:15 p.m. Adjourn

INSTITUTE ACCREDITATION

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Field of Study: Specialized Knowledge and Taxes

Delivery Method: Group-Live

Program Level: Intermediate and Advance

Preparation and Prerequisite: None

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REGISTRATION BENEFITS

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Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 6–8 weeks after the event.

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EVENT REGISTRATION

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

☐ Live, In-Person Event Registration \$675 | \$775 after May 21

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Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Friday, June 6, 2025

Please note that the printed binder will arrive 2–3 weeks after the conclusion of the live event. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

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AUSTIN

June 5–6, 2025

CONFERENCE LOCATION



The Otis Hotel Austin
1901 San Antonio St.
Austin, TX 78705
512.473.8900 (reservations)

Special Room Rate: \$209
good through May 14, 2025
reference "Higher Education Tax Institute"
(subject to availability)

Parking:

Daily self-parking: \$25
Daily overnight self-parking: \$35
Valet Parking: \$55

KEY DATES

May 21, 2025

Last day for standard registration rates

May 30, 2025

Last day for full refund cancellation

June 2, 2025

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

June 5, 2025 8:20 a.m., CT
Institute begins

June 6, 2025

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course binder with conference registration.*

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REASONS TO ATTEND AND LEARNING OBJECTIVES

The **Higher Education Taxation Institute (HETI)** provides a unique forum for college and university tax professionals from around the country to examine and discuss federal tax issues and compliance, as well as legislative, judicial, regulatory, and administrative changes affecting colleges and universities. This year's conference will be held on a **Thursday – Friday** date pattern. Highlights :

- *Recent Developments in College and University Tax Law* reviews recent tax law developments that affect the higher education community, such as Congressional legislation, IRS enforcement measures and pronouncements as well as judicial decisions.
- *Legislative and Policy Update, Learning to Deal With the Chaos that is 2025*, provides insight into various legislative proposals being discussed regarding taxation of universities, their endowments, and how school conduct and governance policies are influencing tax policy.
- *Nonresident Alien Tax Update* discusses the long-awaited final Treasury Regulations regarding digital content and cloud transactions as related to the international provisions of IRC section 861.
- *Ethics Potpourri: 10 Tips to Help You Sleep at Night* provides 10 tips to mitigate tax ethics insomnia, from confirming who your client is, what professional standards apply, how to keep up to date and safeguard confidences, when to rely on outside experts, and what your obligations — and options — are when conflicts arise or when you, your client, or an outside expert makes a mistake.

Plus, join faculty, planning committee, and attendees at the **Thursday Evening Reception**.