

POLICY PROPOSAL
TITLE 4, CHAPTER 10, SECTION 4(3)
Management Fee

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Amend Title 4, Chapter 10, Section 4(3) to add a subsection (e) as follows:

Subject to Board of Regents approval of an institutional request, an annual fee of 1.5% of the institution's portion of the NSHE endowment pool, calculated and distributed in the same manner as the dividend, will be transmitted to that institution in consideration of additional foundation management, stewardship and development activities. Any transfer of such funds directly to the foundation for such activities is subject to the institution having an operating agreement in place between the institution and the foundation providing for adequate accounting and oversight of such funds consistent with Board of Regents requirements specified in Title 4, Chapter 10, Section 9. After the management fee has been approved by the Board of Regents, the management fee may only be suspended or revoked by the Board of Regents: 1) due to a material breach of the operating agreement, 2) the declaration of a financial exigency by the Board of Regents, or 3) without cause and effective June 30 upon written notice to the institution no later than March 1 of the preceding year.

POLICY PROPOSAL
TITLE 4, CHAPTER 10, SECTION 8(II)(A)
Institution Gifts

Additions appear in *boldface italics*; deletions are [~~stricken~~ and bracketed]

Amend Title 4, Chapter 10, Section 8 (II)(A) to add a subsection 10 as follows:

On a going forward basis, gifts to an institution, gifts to the Board of Regents on behalf of an institution, or gifts that can otherwise be determined to be for the benefit of a particular institution, will be transmitted to the institution for management as part of the institution's foundation endowment accounts, unless such transmittal is contrary to the express wishes of the donor. If the institution's foundation does not maintain endowment accounts, the NSHE shall manage the funds on behalf of the institution as part of the NSHE endowment pool. Any transfer of such funds to the foundation for such activities is subject to the institution having an operating agreement in place between the institution and the foundation providing for adequate accounting and oversight of such funds consistent with Board of Regents requirements specified in Title 4, Chapter 10, Section 9, and shall further provide that the institution or NSHE may obtain the return of the principal and income of these funds for the purpose of depositing such funds in the NSHE endowment pool, subject to any investment restrictions that limit when such funds may be liquidated, under the following circumstances: 1) a material breach of the operating agreement, 2) the declaration of a financial exigency by the Board of Regents, or 3) without cause and effective June 30 upon written notice to the institution no later than March 1 of the preceding year.