

## **North Dakota University System Foundation Meeting Notice and Agenda**

The North Dakota University System Foundation will meet Wednesday, December 18, 2019 at 10:30a.m. CT. The meeting will be held by conference call and will originate in the Chancellor's Office, 600 E. Boulevard Ave. – 10th floor, State Capitol, Bismarck, ND, 58505.

### **To Call-In:**

**Dial 701-328-7950, Passcode 855187#**

1. Call to Order
2. #Approval of Agenda
3. #Approval of September 06, 2019 Meeting Minutes [pg. 2](#)
4. ND Career Builders Program – Ms. Brenda Zastoupil
  - a. Business Handout [pg. 7](#)
  - b. Donation Form [pg. 9](#)
5. Financial Report – Ms. Schock [pg. 11](#)
6. IRS Form 990 Filing Update – Ms. Schock
7. #NDUSO and NDUS Foundation Operating Agreement Review  
[pg. 13](#)
8. #Request for Funds – Dakota Nursing Program
  - a. Recruitment [pg. 16](#)
  - b. Faculty Development [pg. 17](#)
9. Chancellor Update
  - a. Dakota Digital Academy Initiative
  - b. Potential Donor
10. Candidates for 2020 Open Positions
  - a. Terms Ending: Mike Warner, Larry Skogen, Jon Backes
11. Questions/Comments
12. Adjournment  
**#action required**

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*Contact Patty Schock (701) 328-4129 or [patty.schock@ndus.edu](mailto:patty.schock@ndus.edu) prior to the scheduled meeting date if auxiliary aids or services are needed.*

## North Dakota University System Foundation Minutes

September 6, 2019 10:00a.m. CT.  
Conference Call

### Call to Order

Mr. Traynor called the meeting to order at 10:02 a.m. CT.

#### Members Present:

Mr. Dan Traynor  
Mr. Jon Backes  
Representative Cynthia Schreiber-Beck  
Mr. Mike Warner  
Dr. Larry Skogen  
Ms. Jill Louters  
Chancellor Mark Hagerott (ex officio)  
Ms. Tammy Dolan (Secretary/Treasurer)

#### Others present:

Ms. Patty Schock, Accounting Specialist  
Ms. Terry Meyer, Chief of Staff

#### Members absent:

Ms. Julie Traynor

### Agenda

**It was moved** by Rep. Schreiber-Beck, seconded by Mr. Backes to approve the agenda as written.

D. Traynor, Backes, Schreiber-Beck, Warner, Skogen and Louters voted aye. **Motion carried.**

President Traynor welcomed Ms. Jill Louters to the NDUS Foundation Board.

### March 28, 2019 Meeting Minutes

**It was moved** by Mr. Backes, seconded by Dr. Skogen to approve the March 28, 2019 minutes.

D. Traynor, Backes, Schreiber-Beck, Warner, Skogen and Louters voted aye. **Motion carried.**

### NDUS Foundation Financial Report

Ms. Schock presented the financial report as of July 31, 2019.

Balance in account = \$41,827.44

Unrestricted: \$15,882.23

Dakota Nursing Program: \$25,000.00

Faculty Award: \$96.80

Lumina Funds: \$848.41

August activity included a \$350,000 deposit from Palo Alto Networks and immediate disbursement to the BSC Foundation of same. The foundation also incurred a \$10 Secretary of State filing fee bringing the August balance to \$41,817.44.

### IRS Form 990 Filing

Ms. Schock presented the board with the below list of statewide firms that could potentially file the form 990 for the NDUS Foundation.

Firm	Phone	Location	Base Price	Includes	Comments
Brady, Martz & Associates	701-223-1717	Bismarck	\$750	990 and all schedules	Increases if form 990T is needed
Britsch & Associates PC	701-662-8724	Devils Lake	\$800	990 and all schedules	Can increase if time it takes to complete is lengthy
David Hance CPA	701-240-2410	Minot	\$600	990 and all schedules	Can increase if time it takes to complete is lengthy
Eide Bailly	701-255-1091	Statewide	\$1,800	990, A & B	Could be less if not as much time needed.
Haga Kommer	701-222-4100	Bismarck	\$500	990 and all schedules	Approx. \$130 an hour with a base of \$500 (approx 4 hours). If it takes more than that it goes up at \$130 an hour.
Hoerner Rodakowski, PC	701-483-1122	Dickinson	\$750	990	Base of \$750; Increases as Additional Forms are Needed
Karol Riedman	701-202-7051	Bismarck	\$700	990, A, B & O	Includes electronic filing. Additional \$50 per schedule if more are needed. If the 990 requires little time to prepare due to low activity the fee could be reduced accordingly.
Phil Condit, CPA	701-237-6364	Fargo	\$750	990 and all schedules	
Widmer Roel CPA	701-221-2655	Bismarck	\$1,200	990, A, B, D, I & O	

Though base prices varied the length of time and additional schedules possibly needed could drive the cost up from some of the lower priced firms. With that in mind, the recommendation was made to work with Karol Riedman, CPA as she is familiar with our operations, competitively priced and based in Bismarck for ease of collaboration on the filing.

**It was moved** by Ms. Louters, seconded by Mr. Warner to approve entering into an agreement with Karol Riedman, CPA for the filing of the NDUS Foundation Fiscal Year 2019 990 form.

D. Traynor, Backes, Schreiber-Beck, Warner, Skogen and Louters voted aye. **Motion carried.**

### Payment of BSC Invoice (Lumina Balance)

In May of 2019 an Envision 2030: AI and Privacy Summit occurred on the Bismarck State College Campus. The total cost of the event was \$3,458.27. The North Dakota University System Office paid \$2,609.86 of the total. Ms. Schock requested the NDUS Foundation Board approve use of the remaining \$848.41 in restricted Lumina Funds to pay the balance. Mr. Warner questioned if the activities of this conference were in line with what the restriction of the funds. Ms. Schock advised that the Envision 2030 program was supported by Lumina Funds in the past and this was in line with that activity.

**It was moved** by Mr. Backes, seconded by Rep. Schreiber-Beck to approve expending the remaining Lumina Funds to pay for the Envision 2030 event held at Bismarck State College.

D. Traynor, Backes, Schreiber-Beck, Warner, and Louters voted aye. Skogen abstained. **Motion carried.**

### Process for Disbursement of Funds

Ms. Schock presented a form template to be used by persons or entities wishing to request funds from the NDUS Foundation Board. Mr. Traynor advised no vote was

needed on the form as this would also require future changes to the form to come before the board. No concerns expressed with using the form from the NDUS Foundation board. Ms. Schock will proceed with the form.

#### **Update on Dakota Nursing Program**

Ms. Schock presented notes provided by Ms. Traynor. Though the Dakota Nursing Program was not awarded a Bush Foundation Innovation award Ms. Traynor did have an opportunity to visit with a member of the committee. The Dakota Nursing Program application was close to the finals and stimulated a lot of discussion. One member questioned how innovative the program was. Since the program was developed 15 years ago the committee suggested some questions to answer. How do they keep a culture of innovation going? How does it inform the field? Are other colleges taking the idea and running with it – whether in nursing or in other disciplines? The Dakota Nursing Program was urged to refine their application and submit again noting that many winners applied several times before making it to the finals.

Additionally, faculty and Ms. Traynor are making a final decision on a program wide use of the CHI St. Alexius Health donation. More information should be available at the next meeting.

Chancellor Hagerott noted that an executive for Hess is interested in the NDUS Foundation and the Dakota Nursing Program. Initially reached out to the ND Petroleum Council regarding energy field workers but the conversation redirected when they heard about the work with the Dakota Nursing Program.

#### **Update on Cybersecurity Initiative**

Chancellor Hagerott noted that we are still moving forward with the cybersecurity initiative and have other potential avenues to continue expanding this focus.

#### **Update on Manufacturing**

Prior to the meeting Representative Schreiber-Beck provided the board with information on commerce numbers and incentives provided for manufacturing. October 4 is National Manufacturing Day. There are 12 events scheduled in North Dakota. Rep. Schreiber-Beck contacted four individuals regarding what the foundation could do.

Spoke with Sandy Kashmark who is the Executive Director of Midwest Manufacturer's Association. Some comments – welding and machining seats are not filled. Marketing for students should occur. Training should occur quicker. Soft skills are needed. Leadership and management training is needed. Sandy indicated manufacturers might be interested in donating if they had some say in how the funds were used.

Spoke with Reza Maleki, a Senior Business Advisor at Impact Dakota and President of Minn-Dak Manufacturer's Association. His comments related to four year institutions and manufacturing. He felt performance measures needed to change for faculty. Performance is based on the number of papers that are turned out and not the skills taught. Other comments include don't waste resources, reward faculty, currently a slump in ag manufacturing so funds may be limited, important to communicate with parents as well as potential students. Stated "If you can't grow it, import it." Believes that references marketing to get more students in the chairs to learn.

Spoke with two people at NDSCS, Precision Machining Technology faculty member Jay Schimelfenig and Department Chair Steve Johnson. Similar situation – seats are not filled. Students enrolled are not prepared. Lack of basic skills in math and reading so not able to succeed in program. Students and parents don't really have an idea what manufacturing is which ties back into marketing. Instruction should be top priority for faculty meaning faculty are tasked to do many other things besides focus on instruction. Southeast part of the U.S. where large manufacturers exist they are providing high tech training at advanced training centers. Limited traction with TrainND somewhat due to geography – manufacturing is very spread out across the state. Equipment to train on is needed and very expensive. Larger manufacturers would probably be approachable. Dr. Richman has a manufacturer's group that meets every quarter and it was suggested that the foundation work with that group as a starting point.

Rep. Schreiber-Beck indicated we need to think out of the box and beyond scholarships. Define where we want to go and need direction from manufacturer's as well.

Mr. Warner asked Dr. Hagerott if there had been any substantive research on the future of manufacturing as it affects North Dakota – is the market expanding or shrinking. Dr. Hagerott stated that is where we look forward to partnering with manufacturers. Envision 2030 did some research and indicated that manufacturing is expanding in North Dakota.

Mr. Warner talked about the changing nature of manufacturing. Competing against a workforce that will work at a lower rate and the technology taking over the industry. Do we need to rethink what skills are needed in manufacturing? Does it need to be more technology focused versus mechanical type work.

Dr. Skogen noted that BSC has been tasked with coming up with a Bachelor of Applied Science in Advanced Manufacturing. After reviewing the landscape of manufacturing developed a BAS in Automation and Management. Worked with NDSCS and their two-

year degrees will feed right into this four-year program. The BSC program for instrumentation and control will also feed into it. Welding at BSC is full. One problem is that it is a limited enrollment program. Also working with DSU, BSC has a welding trailer that they can take over there so BSC can start delivering some welding in the Dickinson area as well. Trying to be responsive to advanced manufacturing and expanding welding.

Ms. Louters was interested in the comments regarding student preparedness. Now using the Choice Ready program. Could benefit secondary institutions to understand what post-secondary is looking for in terms of identifying measures of success.

#### **Donor Interest in Humanities**

Dr. Hagerott had the opportunity to meet with someone that is concerned about supporting the humanities in North Dakota. Asked the board to think about wanting humanities as a focus. Also mentioned the unrestricted funds that the foundation has and consider donating to a faculty award or the North Dakota Science Foundation that is all 11 campuses. Would the foundation consider giving \$500 as an award for one of these items.

Mr. Warner noted that one of the downsides in our four-year institutions is that the focus is on technology but that a college isn't just to prepare you for a job but to prepare you as a person and the humanities play a large role in that. Mr. Warner is in support of the humanities.

#### **December Meeting Location**

Once a date is determined for the meeting a discussion of location can take place.

#### **Adjournment**

Mr. Traynor adjourned the meeting at 10:50a.m. CT.



### Informational Sheet – Businesses

**ND Career Builders is a skilled-workforce program designed to recruit individuals into high-need and emerging occupations in the state.**

**This *NEW* opportunity is a partnership between the state, businesses, colleges and students!**

#### ■ What programs qualify?

- Those listed on the high-need and emerging occupations list.
- Qualifying certificate or degree programs from a ND college.
  - **Scholarship:** Programs must be 4 semesters or 6 quarters or less in length to be considered. This provides for a quick turn-around opportunity for business to fill vacant ND positions of high need!
  - **Loan Repayment:** Qualifying programs may be any degree or certificate from a ND college or university.
- The high-need & emerging occupations list and qualifying programs can be found at <https://ndus.edu/career-builders/>.

#### ■ What are “matching private sector dollars” and where will the funding come from?

- This is a dollar-for-dollar public/private match program. The North Dakota University System (NDUS) may only make payment to the extent that one dollar of private funds for each dollar of public funds is received.
- 50% comes from the private sector (business) and 50% will be matched with state dollars.

#### ■ How much could recipients qualify for?

- Businesses can contribute up to \$8,500 per recipient under either the scholarship or loan repayment. The state will match the contribution dollar-for-dollar! Combined this is up to \$17,000!
- For the scholarship, awards may not exceed tuition, fees, books and supplies.
- Loan Repayment recipients may qualify for up to \$5,667 per year for a maximum of 3 years on qualifying student loan balances.
- Individuals may only qualify for the scholarship or loan repayment, not both.

#### ■ Does the recipient of the scholarship have any obligation?

- Yes, as indicated, this program is a partnership. The student will sign a legally binding *Scholarship Award Agreement*. Failing to meet the terms of the Agreement will result in the scholarship funds being repaid by the student.
- Live and work in ND in a high-need or emerging occupation for 3 years following program completion.
- Repaid funds are returned to the ND Career Builders program.

#### ■ What is the benefit to &/or the responsibility of the business?

- This is an opportunity for business to grow its workforce and fill vacant positions.
- Businesses provide the matching funds as this is a partnership – either a scholarship on the front-end or loan repayment on the back end.
- Participating businesses provide employment verification information for recipients prior to payment, as well as the private sector matching dollars.

### NEXT STEPS:

- 1. Review & Commit** – Are there positions that you need to fill? Consider using ND Career Builders to attract & retain employees. Review the High-Need and Emerging Occupations list for qualifying positions and degrees and then commit to the opportunity!
- 2. Apply & Contribute** – YOU are in control of how funds are used! Your business can designate a specific institution, a specific program, and even a specific student. Applications & donation forms are located on the website.
  - **Scholarship Application:** Student/Business start the discussion with the college financial aid office. The college will guide the application process.
  - **Loan Repayment Application:** Employees hired in 2019 or later and the employer discuss the opportunity and then complete the application located on the NDUS website.

**The high-need and emerging occupations list, application and private sector donation form are all located on the website at <https://ndus.edu/career-builders/>.**



## Scholarship Program Specifics

- Businesses can partner with a college, funding specific programs and even specific students!
- Students must be admitted into a qualifying program in the state.
- The college will initiate the scholarship application process with the student and business.
- Payments may not exceed the cost of tuition, fees, books and supplies; the scholarship may supplement other scholarships/grants up to total cost of attendance.
- Total scholarship can be up to \$17,000, depending on the amount of the matching dollars received.
- Payments to colleges will be made on a semester, quarter or term basis once matching private dollars are received by NDUS.
- Recipients have the obligation to reside and work (in a high need or emerging occupation) in North Dakota for at least 3 years following program completion.
- Students accepted into the program will be required to sign a *Scholarship Award Agreement*, which will be legally binding. Failure to meet the terms of the Agreement will result in the scholarship funds being repaid by the student.
- Repayment of the funds received could be triggered by:
  - ✓ Failure to enroll full time according to program requirements;
  - ✓ Failure to maintain a 2.50 cumulative GPA, or other academic progress;
  - ✓ Withdrawing from the program prior to completion, either voluntarily or involuntarily;
  - ✓ Failing to meet the residency and occupation requirements for 3 years following program completion.

## Loan Repayment Specifics

- Applicants newly hired in 2019 or later into qualifying occupations within ND can apply by downloading the application on the ND Career Builders website at [ndus.edu/career-builders/](https://ndus.edu/career-builders/).
- An applicant's employer (or other business entity) must have committed matching dollars; payments will not be made without matching dollars being received by NDUS.
- Applicants will be required to provide proof of ND residency, employment verification, proof of degree completion, and a current student loan billing statement from the lender.
- Payments may not exceed \$5,667 per year, or one-third of the applicant's outstanding student loan principal balance at the time of application, whichever is less.
- Total student loan repayment, over 3 years, can be up to \$17,000, depending on the amount of matching dollars received.
- Payments are made directly to the student loan servicing agency/lender.
- Eligible loans include FEDERAL Subsidized, Unsubsidized, Consolidated and Perkins, the Bank of ND DEAL Loan; other private alternative student loans may be considered; private loans that are not "student loans", such as a home equity, will not be considered.
- Recipients must reside and work in a high need or emerging occupation in North Dakota; eligibility criteria will be verified prior to each payment.

**Donations to the scholarship can be made to NDUS or through the college.**

**Donations to the loan repayment program can be made to the NDUS.**

**Please download the donation form at <https://ndus.edu/career-builders/>.**

**The ND Career Builders Donation Form must accompany the payment.**



Thank you for your donation to the **ND Career Builders Scholarship & Loan Repayment Program**. Your contribution will help grow business across North Dakota by filling positions that are in high-demand in the state, possibly even your own! Students will also benefit through reduced loan indebtedness as a result of the scholarship or loan repayment. This is a win-win for business and students!

- ✓ Your contribution will be matched dollar-for-dollar by the state up to \$8,500 total per recipient.
- ✓ Payments will be accepted directly by the North Dakota University System (NDUS) on behalf of the program. Donors may also contact a participating college in ND to inquire on how to contribute toward this program through the college or foundation.

Contact the program administrator, NDUS, with questions at [ndfinaid@ndus.edu](mailto:ndfinaid@ndus.edu) or at 701-328-2906.

## Program Donation Form

### DONOR INFORMATION:

Date: \_\_\_\_\_

Name of Business or Individual: \_\_\_\_\_

Chief Officer (if business): \_\_\_\_\_

Address/City/State/Zip Code: \_\_\_\_\_

Phone #: \_\_\_\_\_

Email Address: \_\_\_\_\_

### Instructions:

- Identify below as either a business, individual, &/or college/foundation representative.
- Enter the amount of the donation for the scholarship in **Section A**, or the loan repayment in **Section B**.
- Designate funds toward a specific college, program, or to the general ND Career Builders Program (no designation). Note that donations do not have to identify specific programs or students.
- After reading the **Statement of Understanding** on the reverse side, sign/date this form. A donor signature is REQUIRED.
- If you are submitting funds directly to NDUS for the benefit of ND Career Builders, send this form and your donation to the program administrator, NDUS.
- If you are submitting funds to a college or foundation for the benefit of ND Career Builders, send this form to the college for submittal to NDUS, along with your donation.

☐ I am a business

☐ I am an individual

☐ I am a college/foundation  
submitting funds on behalf of a donor

### SECTION A - SCHOLARSHIP in the amount of \$ \_\_\_\_\_

Designated for College (insert college name if applicable): \_\_\_\_\_

Designated for Program of Study (insert program name if applicable): \_\_\_\_\_

Designated for Recipient (insert student name if applicable): \_\_\_\_\_

*("Individual" donors may not designate a recipient.)*

General Scholarship Program *(NO DESIGNATION - Funds must be sent directly to NDUS by the donor)* – **CHECK THIS BOX:**

☐

## SECTION B - LOAN REPAYMENT in the amount of \$ \_\_\_\_\_

Designated for Program of Study (insert program name if applicable):

Designated for Recipient (insert recipient name if applicable):

*("Individual" donors may not designate a recipient.)*

General Loan Repayment Program *(NO DESIGNATION-Funds must be sent directly to NDUS by donor)*-CHECK THIS BOX:

☐

### DONOR SIGNATURE REQUIRED on all donation forms submitted:

#### **STATEMENT OF UNDERSTANDING/SIGNATURE - As a donor, I understand that:**

- My donation to the ND Career Builders program is a state-sponsored program codified under statute N.D.C.C. 15-10-38.1 and N.D.C.C. 15-10-38.2;
- I should contact my tax preparer for guidance regarding tax implications of donating to a state-sponsored program, including a donation made for the benefit of a specific individual;
- If I am an individual, I may not direct the use of the funds toward a specific recipient, however, I may contribute to the general scholarship or general loan repayment program, to an institution, or to a specific program of study;
- Once funds are remitted to the NDUS for the benefit of the ND Career Builders Scholarship or Loan Repayment Program, I may not request a return of funds, and I expect no benefit in return for my donation;
- Donations received into the program that go unused or that are repaid by a recipient will not be returned to the donor;
- To provide equal access to the program across the state, donations made with a designation will be matched with the state funds at the point in time a student application is approved and finalized by the NDUS;
- Donations made for the general good of the program without designation of institution, program, or student will be matched with state funds immediately. Funds with no designation should be sent directly to NDUS by the donor.

\_\_\_\_\_  
Printed Name of Donor

\_\_\_\_\_  
Signature of Donor (Required)

\_\_\_\_\_  
Date

**College Use:** If a college or foundation representative is submitting funds on behalf of a business donor, complete this section.

**I certify that the funds donated are in accordance with the ND Career Builders program procedure and that I have communicated the terms of the donation to the donor.**

\_\_\_\_\_  
Printed Name of College/Foundation Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Phone # and Email of College/Foundation Representative

\_\_\_\_\_  
Signature of College/Foundation Representative

**North Dakota University System Foundation**  
**Statement of Revenue and Expenses**  
**For the five month period ending November 30, 2019**

Support and Revenue

Donations - Designated	\$350,000.00
Donations - Undesignated	\$0.00
Refunds/Other Deposits	<u>\$0.00</u>
 Total Support and Revenue	 \$350,000.00

Expenses

BSC Foundation	\$350,000.00
Strengthen ND (Grant Writing)	\$0.00
Annual Bank Fee	\$0.00
Secretary of State	\$10.00
Office Supplies	\$201.51
BSC - Envision Event (Lumina Funds)	\$848.41
	<u></u>
 Total Expenses	 \$351,059.92

Fund Balance, Beginning of Fiscal Year	<u>\$41,827.44</u>
Fund Balance, Fiscal Year to Date	<u>\$40,767.52</u>

**North Dakota University System Foundation**  
**Statement of Revenue and Expenses**  
**For the month ending November 30, 2019**

Support and Revenue

Donations - Designated	\$0.00
Donations - Undesignated	\$0.00
Refunds/Other Deposits	<u>\$0.00</u>
 Total Support and Revenue	 \$0.00

Expenses

Total Expenses	\$0.00
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Fund Balance, Beginning of Period	<u>\$40,767.52</u>
Fund Balance, End of Period	<u><u>\$40,767.52</u></u>

## **Agreement Between North Dakota University System and North Dakota University System Foundation**

WHEREAS, the North Dakota University System Foundation (NDUS Foundation) is a separate 501(c)(3) organization and was organized and incorporated in 1991 under the laws of the State of North Dakota. It is formed for exclusively charitable, scientific, and educational purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under section 501(c)(3) of the Internal Revenue Code, or corresponding section of any future tax code including, but not limited to, the support, enrichment, advancement, and improvement of higher education in the State of North Dakota; assistance of students, faculty, employees and officers in public higher education in North Dakota; and support of any of the programs, activities or services of the North Dakota University System (NDUS).

WHEREAS, recognizing that such activities support and assist the development and advancement of the NDUS; and, having the authority to enter into contracts which support and assist the development and advancement of the NDUS;

NOW, THEREFORE, in consideration of the premises, mutual covenants, and agreement contained herein, NDUS Foundation and the NDUS agree as follows:

1. **Use of the North Dakota University System Name.** The NDUS Foundation is granted the use of the name North Dakota University System and NDUS Foundation and is authorized to use NDUS logos, facsimiles, and other identifying marks in the promotion of its business and activities.
2. **NDUS Foundation Budget.** All NDUS Foundation budget decisions are within the purview of the NDUS Foundation Board of Trustees, consistent with the Foundation By-Laws and policies.
3. **Foundation Resources.** Any NDUS commitments which involve or obligate NDUS Foundation resources shall first be approved by the Foundation Board of Trustees, consistent with Foundation By-Laws and policies.
4. **Foundation Funding for the NDUS.** NDUS Foundation will provide funds for program services which benefit the NDUS, including:
  - a. Student scholarships
  - b. Recognition of deserving students
  - c. Recognition of employees
  - d. Grants for worthy projects
  - e. Development and promotion of the NDUS
  - f. Such other worthy projects as deemed appropriate by the NDUS Foundation Trustees.
5. **Funding for Foundation Operations.** NDUS recognizes that fund raising and program services have both current and long-range financial advantages to the NDUS, its member institutions, and its students and employees. The NDUS recognizes that it has an obligation to support the NDUS

Foundation operations in consideration of the program services provided to the NDUS by the NDUS Foundation, and agrees that the value of NDUS Foundation services and contributions, including funding described in section 4, is significantly greater than the value of NDUS support provided for NDUS Foundation operations. Therefore, NDUS will annually contribute the following to the NDUS Foundation:

- a. Accounting services, at no cost;
  - b. Technology support services, storage of electronic records, and online access, at no cost;
  - c. Access to files that are relevant to the business and purpose of the NDUS Foundation;
  - d. Administrative (i.e., secretarial) support, at no cost.
  - e. Travel expense reimbursement until NDUS Foundation funds are sufficient to cover expenses.
6. **Bequests and Donations to the NDUS.** NDUS agrees to assist NDUS Foundation fundraising activities and encourage donors and prospective donors to make donations and bequests to the NDUS Foundation and not directly to the NDUS. However, NDUS must retain ownership and control of donations and bequests made to the NDUS and may not transfer ownership or title of NDUS donations and bequests to the NDUS Foundation.
7. **NDUS Representation on the NDUS Foundation Board of Trustees.**  
The NDUS Chancellor shall be seated as an ex officio, nonvoting member of the NDUS Foundation Board of Trustees.
8. **Reporting Relationships and Appointing Authority.**  
a. *Executive Vice President.* The NDUS Foundation Board of Trustees appoints an Executive Vice President, responsible for administration, management and operation of the Foundation, under the direction of the Board of Trustees. The duties and responsibilities of this position are set forth in the Foundation By-Laws. Tradition is that the Executive Vice President of the NDUS Foundation is the Chancellor of the NDUS.  
b. *Secretary-Treasurer.* Tradition is that the Secretary-Treasurer of the NDUS Foundation is the Chief Financial Officer of the NDUS. This position is directly accountable and responsible to the Chancellor. The appointment of the Secretary-Treasurer is determined by the NDUS Foundation Board of Trustees. The duties and responsibilities of this position are set forth in the Foundation By-Laws.
9. **North Dakota Open Records.** North Dakota's open record laws apply to NDUS Foundation activities paid for in whole or in part by public funds, when expending public funds, exercising public authority or performing a government function delegated to the NDUS Foundation. However, payment of a fee by the NDUS for services provided by the NDUS Foundation that constitutes an exchange for value received does not constitute public support of the NDUS Foundation and the use of those funds does not give rise to a claim that the NDUS Foundation expends public funds. The NDUS Foundation agrees that to the extent it is determined that North Dakota's open records laws apply to the NDUS Foundation activities, it will cooperate with NDUS and make its records related to those activities available as required by law.
10. **Foundation Audit.** Gifts, grants and endowments shall be accepted and accounted for using generally accepted accounting principles and FASB Standards 116 and 117 on Development

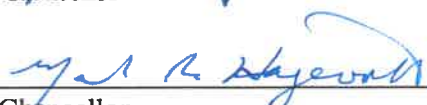
Operations. The NDUS Foundation shall comply with requirements in SBHE policy 340.2 related to GAAP compliant financial statements and an annual GAAP audit, including submission by September 15 of each year.

11. **Soliciting Input.** NDUS and the NDUS Foundation will solicit input from each other and consider that input in good faith before defining needs and priorities that affect the other.
12. **Coordination of Fundraising.** The NDUS Foundation and NDUS shall foster cooperation and coordination of fund raising efforts to maintain continuity of purpose. Such coordination shall include donor relations, publications and public relations, where funds will be distributed to NDUS for expenditure. The coordination includes the use of personnel, expertise, facilities for the common interest and good faith of both parties. The NDUS Foundation shall have continuing authority and access to solicit NDUS employees for routine fund raising as well as special projects.
13. **Delegation of Government Functions.** It is acknowledged and agreed that NDUS retains ultimate authority regarding government functions delegated to the NDUS Foundation. It is further agreed and understood that no government functions will be delegated to the NDUS Foundation without written agreement by both parties and such agreement must be approved by the NDUS Foundation Board of Trustees and included as part of this Agreement.
14. **Conflicts of Interest.** It is in the best interest of NDUS and the NDUS Foundation to be aware of the role of the various college and university foundations and properly manage all conflicts of interest and appearances of a conflict of interest. Conflicts of interest or potential conflicts of interest involving NDUS and the NDUS Foundation Board of Trustees or employees must be disclosed in a timely manner.
15. **Agreement Renewal.** The term of this agreement is two years, beginning on the date signed by both parties. This agreement shall be reviewed annually and, subject to required annual review and agreement on amendments or revisions or a termination by a party with the required notice, shall be automatically renewed for a like term. The agreement may be terminated by either party with written notice of at least 60 days to the other party. A copy of the agreement shall be filed with the North Dakota Attorney General's Office.

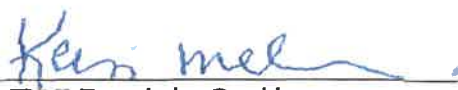
In WITNESS THEREOF, this agreement is first executed on behalf of North Dakota University System and the North Dakota University System Foundation on the Second day of June, 2016.

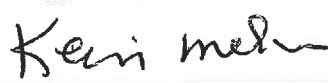
NORTH DAKOTA UNIVERSITY SYSTEM:

  
Chancellor

  
Chancellor  
Date Signed: 11/16/18

NORTH DAKOTA UNIVERSITY SYSTEM  
FOUNDATION:

  
NDUS Foundation President

  
NDUS Foundation President  
Date Signed: 01/12/2018





# NORTH DAKOTA UNIVERSITY SYSTEM FOUNDATION

## Sponsorship/Donation Request Form

*Please fill out as much information as possible . Your request will be reviewed in a timely fashion.*

Organization Name: Dakota Nursing Program

Please describe your intended use of funds: We intend to use \$20,000 toward recruitment efforts.

Current students state that they found out about the program mostly via word of mouth  
and sometimes by their employers. We want to make sure potential students in ND  
know about all of our nursing program around the state.

Amount Requested: \$20,000 Estimated Total Project Cost: \$20,000

Date funds are needed: January 15, 2020

Time frame in which funds will be used: January 2020 to May 2020

Primary Contact person: Julie Traynor Telephone No.: 701-662-1492

Organization Mailing Address: 1801 College Drive North

City: Devils Lake State: ND Zip: 58301

Has the NDUS Foundation provided a donation for your organization in the past? Yes No

Is your group/organization a nonprofit 501(c)3? Yes No

Additional information or comments: The marketing teams from the four partner colleges will  
meet in December or January to formulate a plan for recruitment that will benefit the partners  
in a equal way.

Thank you for your request. The NDUS Foundation is dedicated to serving higher education in North Dakota.



# NORTH DAKOTA UNIVERSITY SYSTEM FOUNDATION

## Sponsorship/Donation Request Form

*Please fill out as much information as possible . Your request will be reviewed in a timely fashion.*

Organization Name: Dakota Nursing Program

Please describe your intended use of funds: We intend to use \$5,000 toward bring a nurse educator into the state to bring information on retention of students to our faculty. The Dakota Nursing Program has 28 full-time and 25 part-time faculty and it is more cost effective for us to bring someone in versus sending our 53 faculty to a conference out of state.

Amount Requested: \$5,000 Estimated Total Project Cost: \$5,000

Date funds are needed: May 1, 2020

Time frame in which funds will be used: June 8, 2020 to June 8, 2020

Primary Contact person: Julie Traynor Telephone No.: 701-662-1492

Organization Mailing Address: 1801 College Drive North

City: Devils Lake State: ND Zip: 58301

Has the NDUS Foundation provided a donation for your organization in the past? Yes No

Is your group/organization a nonprofit 501(c)3? Yes No

Additional information or comments: The Dakota Nursing Program leadership team will contract will Dr. Tim Bristol to present information on NextGen testing and how to teach students to apply nursing judgement in clinical decision making.

\_\_\_\_\_  
\_\_\_\_\_

Thank you for your request. The NDUS Foundation is dedicated to serving higher education in North Dakota.