

March 7-8, 2019

ITEM 182-1901-R0319

Amendment to Operating Agreement between Helena College and the Helena College Foundation, Inc.

THAT

The Montana Board of Regents of Higher Education authorizes Helena College University of Montana to amend the April 2017 operating agreement with its affiliated foundation, the Helena College Foundation, Inc. This amendment extends the existing agreement presented to the Board of Regents in January 2018.

EXPLANATION

In 2014, Helena College University of Montana entered into a relationship with the Helena College Foundation, Inc., a private and independent Montana non-profit corporation organized to support the mission of the College through private support. As per Board of Regents Policy 901.9 Campus-Affiliated Foundations, "campuses of the Montana University System and their affiliated foundations shall enter into a public, written operating agreement that (1) outlines the relationship between the two entities; (2) incorporates an appropriate balance of foundation independence and Board of Regents' oversight; and (3) defines appropriate foundation activities. This agreement shall be reviewed and approved by the Board of Regents at least every two years." This agreement was renewed in April 2017 and expires in March of 2019.

The Office of the Commissioner of Higher Education is in the process of moving all foundation agreement renewals to a 2-year cycle to be approved in January of even numbered years. The Helena College Foundation agreement is due to expire next month, thus is due for renewal at the March BOR meeting. To align with the approval schedule requested by OCHE, the current agreement will be amended to expire January 31, 2020. At that time, the Board of Regents will look at approving a new 2-year agreement for the Helena College Foundation until January 31, 2022.

Helena College recognizes the Helena College Foundation, Inc., as its sole affiliated foundation and seeks approval of the Operating Agreement between the College and the Foundation.

ATTACHMENTS

Attachment #1 – Amendment to April 2017 Operating Agreement