



**Chancellor's Cabinet Meeting Minutes  
January 20, 2026, 2:00 p.m. – 4:00 p.m.**

*The Chancellor's Cabinet advises the Chancellor by providing guidance and support for the university's highest priorities and governance processes.*

**In attendance:** Chancellor Stefani Hicswa, Paula Highlander, Kathy Kotecki, Mike Bazemore, Suzette Nynas, Kathleen Thatcher, Krista Montague, Dan Carter, and Lee Vartanian  
**Absent:** Kim Hayworth and Leslie Weldon

**INFORMATION**

**Meeting Free Days**

Chancellor Hicswa asked for input about limiting meetings on days when classes are not in session. Cabinet members agreed that meeting free days will be March 2-6 (spring break) and April 3.

**Retention**

Chancellor Hicswa provided an overview of fall to spring retention. While numbers are not final until census on February 4, retention is looking good for spring. Cabinet members shared their efforts to improve and maintain student retention this semester.

**MSUB Foundation Gift Acceptance**

Krista Montague, MSUB Foundation & Alumni CEO, gave an overview of the Foundation's updated gift acceptance policy so Cabinet members are informed about types of gifts the Foundation can or cannot accept. Krista provided information about how the Foundation processes donations and how they impact the university.

**Working Together for Impact**

Chancellor Hicswa explained the importance of ensuring that all donations are processed through the Foundation. This benefits the university, the donors, and the Foundation staff. Discussion followed.

**DISCUSSION - Big Sky Room - 3:00 p.m.**

**Strategic Planning Kick-off with Delta Jackets**

Cabinet members participated in the Strategic Planning Kick-off session with the planning committee known as the "Delta Jackets."

## **UPDATES (Reprinted as submitted)**

### **Krista Monatgue, CEO of MSUB Foundation & Alumni**

The Next Is Now Campaign has secured \$5,795,369 in commitments, with \$1,291,778 in cash received to date. We have reached 23% of the Sculpture and Ceramic Studio fundraising goal: \$2,555,000. We will host the Athletics Hall of Fame inductees for breakfast at the Foundation House on the morning of February 21. Planning for Jacket Giving Day is underway, with events scheduled for March 18–19. The Annual Alumni Powwow Breakfast will be held on April 11 in the Glacier Room, and we are assisting the NAAC with sponsor solicitation for the event. We are also supporting sponsor outreach for the Science Expo, which is March 14. The MSUB Wine Fest is scheduled for April 16–17. Tickets for this year's event go on sale February 1. [1. Schedule of Events - Montana State University Billings Foundation & Alumni](#)

### **Paula Highlander, Director of Human Resources**

Board of Regents voted to transition the Workers' Compensation Program to Montana State Fund. There will be a shift in how claims are processed. I will provide updates as we receive information.

We are currently working on a process to implement Annual Performance Evaluations through DocuSign. HR will be providing information in March regarding the process.

### **Kathy Kotecki, Dean of Students**

Housing:

We opened the residence halls with 333 students for Spring semester, which is up 43 students from last Spring. The Housing application for Fall 2026 opens January 16<sup>th</sup> and the team is creating many incentives and promotional strategies to continue to build our on campus housing population with new and current students.

RA Hiring Dates and Activities:

January 26<sup>th</sup> – Applications Open

February 3<sup>rd</sup> – RA Hiring Social Events

February 8<sup>th</sup> – RA Apps are due

February 18<sup>th</sup> – 20<sup>th</sup> – RA Interviews

UPD:

The Active Shooter and Safety resources training has gone live. Chief Gatlin is working through a lot of small kinks and issues, which unfortunately he didn't know would be issues until the training went live. Some of the challenges are also within Canvas so he is working with the CTL to try and address.

### **Dan Carter, Director of University Communications and Marketing**

The migration of the current CMS to a new system will take place in the summer of 2026. Once we get more certainty on dates from MSU, we will communicate training opportunities for web users. In the meantime, departments are urged to comb their web pages to delete unneeded material and mediate any inaccessibility issues.

# Montana State University Billings Foundation & Alumni

Title	<b>Gift Acceptance Policy</b>		
Purpose	Guides the acceptance of charitable gifts that support MSUB and can be responsibly managed in alignment with MSUB's mission.		
	<input checked="" type="checkbox"/> <b>Policy</b>	<input type="checkbox"/> <b>Procedure</b>	<input type="checkbox"/> <b>Guideline</b>
			<input checked="" type="checkbox"/> <b>REVISION</b>
Origination Date	<b>02.17.2020</b>	Revision Date	<b>12.9.2025</b>
Approval Authority	<b>MSUB Foundation &amp; Alumni Board</b>		
Custodian	<b>Chief Executive Officer</b>		

## 1. INTRODUCTIONS AND DEFINITIONS

- 1.1 Sole Affiliated Foundation.** Montana State University Billings Foundation & Alumni ("MSUBFA") is an independent nonprofit corporation, incorporated in the state of Montana, organized under Section 501(c)(3) of the Internal Revenue Code with the mission to support MSUB through philanthropy, stewardship and engagement. Montana State University Billings ("MSUB") recognizes MSUBFA as their sole affiliated foundation.
- 1.2 Gift Acceptance Responsibility.** As MSUB's sole affiliated foundation, MSUBFA has administrative responsibility for Gifts benefiting MSUB. Aligned with the *MSUB Fixed Asset Guide, Donations Policy*, gifts supporting MSUB are received and administered by MSUB Foundation & Alumni.
- 1.3 Extraordinary Circumstances**  
This policy guides the acceptance of gifts by MSUB Foundation & Alumni. The Gift Acceptance Committee reviews and recommends gifts for acceptance, and the MSUB Foundation & Alumni Board of Directors holds final approval authority. Under extraordinary circumstances, the Board reserves the right to make determinations on a case-by-case basis to ensure responsible stewardship and alignment with MSUB's mission.
- 1.4 MSUB Gifts Only.** MSUBFA only accepts Gifts for the benefit of MSUB and not on behalf of other separate legal entities such as other MSUB affiliated organizations or registered student organizations.
- 1.5 Agency Funds.** With a formal agreement, MSUBFA may manage and administer funds owned by MSUB; these funds are known as "Agency Funds." MSUBFA may accept and acknowledge Gifts of cash or publicly traded securities to Agency Funds on behalf of the fund owner. MSUBFA cannot accept Gifts of other asset types for Agency Funds.

- 1.6 Definition of a Gift.** A Gift is an asset voluntarily given by an individual or entity with philanthropic intent that also meets these criteria:
- 1.6.1** The donor has no right of return; a Gift is irrevocable.
  - 1.6.2** The donor relinquishes all control of the Gift beyond agreed-upon restrictions on the use of the Gift;
  - 1.6.3** The Gift is not restricted for use by or for a specific individual (e.g., MSUB student, staff, or faculty member).
- 1.7 Quid pro quo Gifts.** Gifts may occasionally be accepted in exchange for goods and services.
- 1.7.1** The full dollar amount of a *quid pro quo* Gift does not qualify for a charitable deduction, and donors should consult a tax advisor.
  - 1.7.2** MSUBFA shall provide the fair market value of the goods and services to the donor as per Internal Revenue Service (“IRS”) requirements.
  - 1.7.3** Donor-advised fund grants shall not be accepted for *quid pro quo* Gifts as per IRS regulations.
  - 1.7.4** Individual Retirement Account (“IRA”) qualified charitable distributions shall not be accepted for *quid pro quo* Gifts as per IRS regulations.
- 1.8 Definition of a Pledge.** A Pledge is a written commitment to make a Gift of a specified dollar amount with a defined payment schedule.
- 1.8.1** Pledge payment schedules are limited to five years or less; exceptions are subject to Gift Acceptance Committee approval.
  - 1.8.2** Donor-proposed contingencies and conditions on Pledge payments are subject to Gift Acceptance Committee approval.
  - 1.8.3** Amendments to unpaid Pledges that extend payments beyond five years or alter the donor’s Gift restrictions to move support to a different MSUB unit are subject to Gift Acceptance Committee approval.
  - 1.8.4** Other individuals or entities may make payments to another donor’s Pledge.
  - 1.8.5** Pledges are intended to be legally binding and shall include a statement to that effect.
  - 1.8.6** MSUBFA accepts matching gifts from donors’ employers, if the matching gift is guaranteed by the donor.
- 1.9 Legal and Tax Advice.** MSUBFA shall not provide legal, accounting, or tax advice to donors, nor can MSUBFA guarantee whether a Gift will be tax deductible for a particular donor. MSUBFA recommends all donors and prospective donors seek advice from professional advisors to ensure their proposed giving meets their charitable, financial and estate planning goals and complies with applicable IRS, state, and local documentation and reporting requirements.
- 1.10 Policy and Gift Agreement Conflicts.** In the event of a conflict between the terms and conditions of an executed gift agreement and this policy, the terms in the executed gift agreement shall prevail.

## **2. ACCEPTANCE GUIDELINES FOR ALL GIFTS**

- 2.1 Mission.** Gifts must be consistent with MSUB's mission, values, and priorities, as determined by MSUB in its sole discretion.
- 2.2 Financial Benefit.** Gifts shall provide a measurable financial benefit to advance MSUB.
- 2.3 Capital Project Asset Types.** Gifts of assets that cannot be easily and quickly liquidated, such as closely held stock, business interests, and real property, shall not be accepted for capital projects. Capital projects typically require a cash outlay in a short timeframe. Exceptions may be considered by the Gift Acceptance Committee.
- 2.4 Lack of Endorsement.** Acceptance of a Gift does not represent an express or implied endorsement by MSUBFA and MSUB of the donor's views, opinions, business practices or activities, or the related source of the Gift.
- 2.5 Right to Refuse or Rescind.** MSUBFA and MSUB, in their sole discretion, reserve the right to decline any proposed Gift or rescind acceptance of any Gift that presents a current or potential material risk.
- 2.6 Gifts Not Accepted.** MSUBFA shall not accept Gifts:
  - 2.6.1** That are discriminatory based on sex, race, religion or other impermissible restrictions;
  - 2.6.2** That impose overly burdensome administrative oversight, restrictions on use, costs, or financial risks;
  - 2.6.3** That inhibit MSUBFA or MSUB from seeking Gifts from other donors;
  - 2.6.4** That may risk the assets or reputation of MSUB and MSUBFA; or
  - 2.6.5** That violate the law or terms of this policy.

## **3. DONOR DESIGNATIONS AND RESTRICTIONS**

- 3.1 Endowed Gifts.** Only a donor can designate a Gift as permanently restricted to become part of the MSUBFA endowment. The donor's selection of a permanently restricted fund when making an online Gift or responding to a solicitation, or a permanent restriction included in a written gift agreement, gift form, or pledge form shall signify their intent to permanently restrict their Gift. If not so designated by the donor, clearly and in writing, Gifts will be assumed to be designated as unrestricted.
- 3.2 Research Gifts.** Gifts designated for MSUB research activities may be accepted, however, Gifts cannot be designated for exclusive use by a specific faculty member nor may MSUB faculty donate to their own research without approval from MSUB's Office of the Provost.

**3.3 Gift Restrictions.** As defined in MSUBFA's *Gift Management Fee Policy*, donors may propose restrictions on the use of their Gift which shall be considered and documented in a gift agreement. For all other Gifts that do not meet the policy or threshold or result from estate Gifts without a deferred gift agreement, MSUBFA shall make an effort to honor the donor's requested restrictions, however, where it is impossible, illegal, or administratively impractical to do so, MSUBFA shall identify an alternate Gift restriction that most closely aligns with the donor's intent.

**3.4 Scholarship Restrictions**

**3.4.1** Donors may not restrict Gifts for federally protected classes such as race, ethnicity, national origin, religion, sex, gender, age, family status, or disability as scholarship restrictions. See Appendix A for OCR guidelines.

**3.4.2** Donors may not restrict Gifts for use by a specific named individual, nor may they be involved in the selection of awardees for a scholarship they have funded.

**3.4.3** Depending on the dollar value of a Gift, donors may request restrictions based on college, degree, academic merit, student residency (e.g., Montana high school graduates by county, out-of-state students by state), US citizenship, veteran status, enrollment in a federally or state-recognized American Indian/Alaska Native tribe, and financial need.

**3.5 Changes to Restrictions.** All gift agreements and fund documents shall allow for the possibility of changed circumstances over time and include a contingency clause to provide the MSUBFA Board of Directors with the authority to adjust the terms of gift agreements and fund documents should they become impossible or impractical to administer in the future and the donor is unable to execute an amendment.

**4. GIFT ACCEPTANCE COMMITTEE**

**4.1 Committee Creation.** A standing Gift Acceptance Committee (GAC) with both MSUBFA and MSUB representation shall be formed to determine whether a Gift shall be accepted by MSUBFA. Recommendations from the GAC shall go to the MSUBFA Board for final approval. The Gift Acceptance Committee shall be administered by MSUBFA staff.

**4.2 Committee Responsibilities.**

**4.2.1** On a case-by-case basis, determine whether to accept Gifts not otherwise "pre-approved" in this policy.

**4.2.2** Determine whether to accept new or extend existing pledges requesting a payment schedule longer than five years.

**4.2.3** Determine whether to accept pledges with conditions or contingencies.

**4.2.4** Approve donor-initiated requests to change the agreed-upon restrictions on a previously received Gift when it would move support from one MSUB unit to another.

- 4.3 Committee Composition.** The Gift Acceptance Committee shall include the persons in these positions or their designees:
- 4.3.1** MSUBFA CEO
  - 4.3.2** MSUBFA CFO
  - 4.3.3** MSUB Chancellor
  - 4.3.4** MSUBFA Board of Directors Treasurer or Chairperson
- 4.4 Committee Advisors.** The Gift Acceptance Committee may also utilize external professionals in legal, real estate, finance, or other areas as needed to analyze and reach a decision on Gift acceptance.
- 4.5 Final Decision Authority.** Under extraordinary circumstances, the MSUBFA Board of Directors Executive Committee may override a decision of the Gift Acceptance Committee.

## **5. ASSET DISPOSITION**

- 5.1 Immediate Liquidation.** Non-cash assets, except for tangible personal property, shall be liquidated for cash as soon as practicable so the proceeds can be used for the benefit of MSUB. Timeframes for liquidation shall depend on the nature of the asset; publicly traded securities can be liquidated easily while privately held stock, intangible property, and real property may take months or years to liquidate.
- 5.2 Direct Costs.** All direct costs incurred for holding and liquidating an asset shall be deducted from the liquidation proceeds, reducing the net proceeds available for the donor's intended purpose. These may include, but are not limited to, costs such as property taxes, utilities, legal fees, closing costs, trading fees, and other outside professional services.
- 5.3 Exceptions.** The Gift Acceptance Committee may recommend exceptions to Section 5.1 to the MSUBFA Board of Directors Investment Committee. The Investment Committee shall make the final determination of whether to hold or liquidate an asset.
- 5.4 Tangible Personal Property.** Tangible personal property shall be accepted directly by MSUBFA and shall be transferred to MSUB as soon as practicable. MSUB, in its sole discretion, shall determine whether the tangible personal property shall be retained and used to advance its mission or if it shall be sold.

## 6. GIFT ACCEPTANCE DECISION MATRIX

Gift Type	Pre-approved	NEEDS Gift Acceptance Committee Approval	Not Accepted
Annuity Policy Proceeds as Beneficiary	X		
Art, Collections and Artifacts		X	
Cash, Check, or Credit Card	X		
<b>Charitable &amp; Deferred Gift Annuity</b>	X Cash	X Other assets	
<b>Charitable Lead Trust (CLT)</b>		X	
<b>Charitable Remainder Annuity Trust (CRAT)</b>		X	
<b>Charitable Remainder Unitrust (CRUT)</b>		X	
Commodities		X	
Cryptocurrencies		X	
Donor-Advised Fund (DAF) – Mgmt of			X
Donor-Advised Fund (DAF) – Grants from	X		
Intangible Property – Other (e.g., patents, trademarks)		X	
IRA Qualified Charitable Distribution (QCD)	X		
Life Insurance Policy – Term Life			X
<b>Life Insurance Policy – Whole Life</b>		X	
Life Insurance Proceeds as Beneficiary	X		
Livestock and Embryos		MSUB Units Recommendation prior to GAC Approval	X
Mineral Rights (undeveloped)		X	
Oil, Gas or Mineral Working/Operating Interest			X
Pooled Income Fund			X
<b>Real Property</b>		X	
<b>Real Property – Bargain Sale</b>		X	
<b>Retained Life Estate</b>		X	
Retirement Account Distribution	X		
Royalties, Assignment of	X		
Securities – Privately Held and Business Interests			X
Securities – Publicly Traded	X		
Services and Price Discounts		MSUB Units Recommendation prior to GAC Approval	
<b>Services, Gifts of</b>		MSUB Units Recommendation prior to GAC Approval	
Tangible Personal Property – Loans of		MSUB Units Recommendation prior to GAC Approval	
<b>Tangible Personal Property</b>		MSUB Units Recommendation prior to GAC Approval	
Timeshares			X
Water Rights		X	



## **7. CHARITABLE & DEFERRED GIFT ANNUITY**

**7.1 Definition.** A Gift Annuity is a contract between MSUBFA and the donor, whereby MSUBFA agrees to pay the donor (or other person named by the donor) an annual annuity in return for an irrevocable outright gift of cash, marketable securities, or other property.

**7.2 Acceptance.** Refer to **MSUBFA Gift Annuity Acceptance Policy**.

**7.2.1** The minimum age for payments to begin is seventy-five (75) years old, regardless of whether the annuity is immediate, deferred, or has a flexible starting date. Any exceptions require prior approval by the CEO and CFO.

**7.2.2** Deferred Gift Annuity (DGA) minimum gift amount is \$5,000.

**7.2.3** Charitable Gift Annuity (CGA) minimum gift amount is \$25,000.

## **8. CHARITABLE LEAD TRUST**

**8.1 Definition.** A charitable lead trust (**CLT**) pays a "lead interest" to MSUBFA, with the remainder interest given to one or more non-charitable beneficiaries (e.g., the donor or family members). The amount paid to MSUBFA may be either a fixed sum (an annuity interest) or a percentage of trust assets as valued each year (a unitrust amount).

## **9. CHARITABLE REMAINDER ANNUITY TRUST**

**9.1 Definition.** A charitable remainder annuity trust ("**CRAT**") pays a fixed amount to the donor for the entire trust term based on a fixed percentage (at least 5%) of the fair market value of the assets on the date the trust was funded. The annuity amount does not change, and no additional gifts can be made after the CRAT is established. The annual payout rate shall, by law, be at least 5% and can range higher depending on the circumstances, including but not limited to: size of trust, age of donors, and beneficiary income needs. Typically, payout rates range from 5% to 7%. These rates may change depending on the current and predicted future stock market conditions.

## **10. CHARITABLE REMAINDER UNITRUST**

**10.1 Definition.** A charitable remainder unitrust ("**CRUT**") is a separately administered charitable trust established by a donor. It provides for payments to the donor, or other named beneficiaries, either for life, a term of years (not exceeding 20 years), or a combination of life and a term of years. At the end of the trust term, the remaining assets (remainder) are distributed to MSUBFA. Since a CRUT provides income to the donor based on a fixed percentage of the fair market value of trust assets, valued annually, the payments will vary each year as the value of assets in the CRUT changes. The donor may make additional contributions to the CRUT after it is established.

**10.2** The "Standard" Charitable Remainder Unitrust ("**SCRUT**") pays a fixed percentage of the value of the trust assets each year, even if it is necessary to invade trust principal to do so.

## **11. LIFE INSURANCE – WHOLE LIFE POLICY**

- 11.1 Requirements.** MSUBFA may accept a whole life insurance policy if **(1)** MSUBFA is named as both owner and beneficiary and **(2)** it is paid in full and does not require additional premiums. Donor shall provide a copy of the life insurance policy prior to acceptance.

## **12. REAL PROPERTY**

- 12.1 Definition.** Real property is defined as land, its natural resources, and any permanent buildings on it.
- 12.2 Types.** Subject to approval by the Gift Acceptance Committee, MSUBFA may accept residential or commercial developed or undeveloped property, farms and ranches, and property subject to a retained life estate interest.
- 12.3 Fee Simple.** Gifts of real property shall be made by giving the property in fee simple via warranty deed, an unqualified ownership of the property.
- 12.4 Charitable Gift Annuity.** Real property may be given to MSUBFA in exchange for a charitable gift annuity, but only under the following circumstances.
- 12.4.1** Property must be marketable, as determined by MSUBFA in its sole discretion.
- 12.4.2** A prospective buyer must be identified for immediate sale, or the annuity payout must be deferred a minimum of one year.
- 12.4.3** The annuity payout rate shall be discounted according to industry standards.
- 12.4.4** The value of the annuity shall be the lesser of the value as determined by a qualified appraiser (as defined by the IRS) retained by the donor or the average value of multiple qualified appraisals if additional appraisals are needed.
- 12.4.5** In alignment with **MSUBFA Gift Annuity Acceptance Policy**.
- 12.5 Trust.** The preferred method for donating real property in exchange for life income is to give the real property in trust. Gifts of real property may be made to MSUBFA via irrevocable trusts, charitable remainder unitrusts, and charitable lead trusts. However, IRS rules prohibit the acceptance of mortgaged property to fund charitable remainder trusts.
- 12.6 Bargain Sale.** A bargain sale is defined as a donor selling real property to MSUBFA at less than fair market value. The difference between the donor's sale price and the fair market value of the property shall be considered a Gift. Special valuation and tax rules apply to bargain sales.

- 12.7 Partial Interest.** Where donors are not the sole owners of real property or do not want to gift the entire property to MSUBFA, they may make MSUBFA a part owner of the property by transferring all of their ownership interest in a portion of the property to MSUBFA without reservation or the withholding of any ownership right. MSUBFA shall receive these types of gifts in limited situations and only as a tenant in common with the additional owner(s) without restriction on MSUBFA's ability to sell the interest. Due to strict IRS regulations, this type of Gift is rare, and donors are strongly encouraged to seek professional tax and legal advice.
- 12.8 Retained Life Estate.** Gifts subject to a retained life estate interest in a primary or secondary personal residence, farm or ranch may be accepted by MSUBFA subject to the following terms.
- 12.8.1** The donor is responsible for taxes, insurance, maintenance, and upkeep of the property for the duration of the life estate or until the donor surrenders his/her right to enjoy and use the property.
- 12.8.2** MSUBFA generally does not accept a retained life estate arrangement if MSUBFA is required to retain the property in perpetuity following the termination of the life estate.
- 12.8.3** Special valuation and tax rules apply to retained life estate arrangements. Donors are strongly advised to seek professional tax and legal advice when making a Gift of property with a retained life estate.
- 12.9 Property Subject to Restrictions.** MSUBFA may accept real property even if it is subject to easements, covenants, or other contractual restrictions such as rights of first refusal and leasing or rental agreements if the agreements are not in default and are assignable by the landlord to MSUBFA. If the property could be accepted pursuant to established guidelines absent the restriction, a thorough investigation as to the impact of the restriction will be conducted prior to acceptance.
- 12.10 Encumbered Real Property.** Property that is subject to liens (tax lien, mechanic's lien, judgment lien, etc.), unpaid mortgages, deeds of trust, unpaid taxes or assessments, or other encumbrances may be accepted by MSUBFA only in exceptional cases. If accepted, encumbered property shall be evaluated as a "bargain sale" whereby the donor is treated as offering property to MSUBFA for an amount less than its current fair market value. Generally, this amount is equivalent to the property's fair market value less the liability value of the encumbrance. Special valuation and tax rules apply to bargain sales. Donors are strongly advised to seek professional tax and legal advice when making a Gift of property that is subject to any encumbrance.

### **13. SERVICES (GIFTS OF)**

**13.1 Definition.** A gift of services includes significant price discounts for services performed by professionals and tradespeople with specialized skills.

**13.2 Acceptance.** Gifts of services shall be reviewed by the Gift Acceptance Committee following a recommendation from the appropriate MSUB unit.

**13.2.1** The VC/Dean or Designee is responsible for confirming MSUB can make use of the service and for coordinating all related logistics and costs.

### **14. TANGIBLE PERSONAL PROPERTY**

**14.1 Definition.** A tangible personal property gift should have an educational or institutional value to MSUB.

**14.2 Acceptance.** Tangible personal property gifts shall be reviewed by the Gift Acceptance Committee following a recommendation from the appropriate MSUB unit. Once accepted by MSUBFA, the item shall be transferred to MSUB as soon as practicable.

**14.2.1** The VC/Dean or Designee is responsible for confirming MSUB can receive and use the item and for coordinating all related logistics and costs.

## **APPENDIX A**

### **Protected-Class Gift Restrictions (OCR Guidance)**

**MSU Billings** and **MSUB Foundation & Alumni** are committed to providing an environment that emphasizes the dignity and worth of every member of the University community and that is free from discrimination **based** upon race, color, religion, national origin, creed, service in the uniformed services, veteran status, sex, age, political ideas, marital or family status, pregnancy, physical or mental disability, genetic information, gender identity, gender expression, or sexual orientation.

Specific statutes under enforcement scrutiny include:

#### **Title VI of the Civil Rights Act of 1964**

- Prohibits discrimination based on race, ethnicity, and national origin in programs and activities receiving federal financial assistance, including those at educational institutions.

#### **Title IX of the Education Amendments of 1972**

- Prohibits discrimination based on sex in education by institutions that receive federal financial assistance from the U.S. Department of Education.

#### **Section 504 of the Rehabilitation Act of 1973**

- Prohibits discrimination based on handicap or disability in several contexts, including education.

Donor-imposed restrictions that reference any protected class in gift agreement documents must comply with applicable laws. The table below is a guide for MSU Billings Foundation & Alumni Development Officers to engage donors in crafting allowable restrictions for gift funds.

<b>Donor Restriction</b>	<b>Examples</b>	<b>Alternative</b>
Protected Class (general)	Scholarships restricted to a protected class <b>are not allowed</b> unless otherwise defined in this table.	Donors may apply allowable restrictions (academic unit, merit, geography, etc.) AND may further restrict award to students that are members of an official University Registered Student Organization.
Academic Discipline or Interest	Scholarships restricted to academic discipline <b>are allowed</b> (enrollment in a specific college or degree program).	
Age	Scholarships restricted by age <b>are not allowed</b> including traditional (under age 25) and non-traditional (age 25 and older).	If donor interest is in non-traditional students, direct programmatic funds to MSU Billings Academic Support Center.

Donor Restriction	Examples	Alternative
Disability	Scholarships restricted to students with specific disabilities such as visual impairment, attention deficit disorder, or other <b><u>are not allowed</u></b> .	Direct programmatic funds to Disability Support Services for broad support of students with disabilities.
Employment	<p>Scholarships restricted to students employed with specific employers <b><u>are not allowed</u></b>.</p> <p>Scholarships restricted to students whose family members are employees of specific employers <b><u>are not allowed</u></b>.</p> <p>Scholarship restrictions that require scholarship recipients to work for any specific employer <b><u>are not allowed</u></b>.</p>	<p>Scholarships may be restricted to a specific program or college to which an employer has an affinity.</p> <p>Scholarships may be restricted to a specific program or college to which an employer has an affinity.</p> <p>Scholarships may be restricted to a specific program or college to which an employer has an affinity.</p>
Familial Status	Scholarships restricted to single parents, students with children, or married students <b><u>are not allowed</u></b> .	Direct programmatic funds to the Academic Support Center with a preference to support working students who are primary caregivers.
Intercollegiate Student Athletes	Scholarships restricted to intercollegiate student athletes <b><u>are allowed</u></b> and may be further restricted to sport (e.g., football, women's basketball, etc.).	Note that private scholarships that fund intercollegiate athletes are authorized by Yellowjacket Athletics who is charged with demonstrating Title IX compliance.
Legacy Status	Scholarships restricted to legacy status (children or relation to University alumni, faculty, and staff) <b><u>are allowed</u></b> .	
Merit	Scholarships restricted by GPA or other academic performance or involvement <b><u>are allowed</u></b> .	

Donor Restriction	Examples	Alternative
Membership in an officially Registered Student Organization	<p>Scholarships to students based on membership in an official Registered Student Organization <b><u>are allowed</u></b>.</p> <p>Unless restricted specifically for faculty support, gifts restricted for the programs and activities of an official Registered Student Organization may be accepted by the MSU Billings Foundation and will be passed through directly to the Registered Student Organization (less gift fee) for all receipting and financial management.</p> <p>Gifts restricted to support students participating in an official Registered Student Organization must be restricted to educational purposes including, but not limited, to educational competitions, leadership training, conference attendance, training, or study abroad programs, support for student research, and stipends for unpaid internships.</p>	<p>Student scholarships are the preferred purpose for all gifts made to Registered Student Organizations.</p> <p>Alternately, gifts may be made directly to the Registered Student Organization.</p> <p>Spending authority for all gifts made to Registered Student Organizations and managed by the Foundation shall be the Center for Engagement.</p>
Race, Ethnicity and National Origin	<p>Scholarships restricted by race, ethnicity or national origin <b><u>are not allowed</u></b>.</p> <p>Scholarship restrictions for enrolled members of a federally recognized American Indian/Alaska Native tribe <b><u>are allowed</u></b>, and may indicate specific Tribal affiliations (i.e., Crow, Northern Cheyenne, Rocky Boy, etc.). AI/AN are sovereign nations and regulated as a political, rather than racial, class.</p> <p>Scholarships restricted to citizens of the US <b><u>are allowed</u></b>.</p> <p>Scholarships restricted to international students <b><u>are allowed</u></b> if they are not restricted to specific countries.</p>	<p>Direct programmatic gift funds to MSU Billings Diversity Center.</p>

<b>Donor Restriction</b>	<b>Examples</b>	<b>Alternative</b>
Religious Affiliation	Scholarships restricted by creed or religious affiliation <b><u>are not allowed.</u></b>	Direct donor to appropriate outside entity.
Residence	<p>Scholarships restricted by geography <b><u>are allowed</u></b> including state, county or city of residency or high school attended.</p> <p>Scholarship restrictions that require scholarship recipients to work or live in any specific geographic region following scholarship awarding <b><u>are not allowed.</u></b></p>	Scholarships may be restricted to a specific program or college to which a donor has an affinity.
Sex, Gender Identity or Sexual Orientation	<p>Scholarships restricted to women or men <b><u>are not allowed.</u></b></p> <p>Scholarships restricted to students identifying as LGBTQ <b><u>are not allowed.</u></b></p>	<p>Direct programmatic gifts to Women's and Gender Studies Center.</p> <p>For LGBTQ, direct programmatic gift funds to the MSU Billings Diversity Center.</p>
Veteran Status	<p>Scholarships restricted to past or active service in the military <b><u>are allowed.</u></b></p> <p>Scholarships for students engaged in ROTC <b><u>are allowed.</u></b></p> <p>Scholarships restricted to spouses, children or other familial relations to Veterans <b><u>are not allowed.</u></b></p>	Direct programmatic funds to the Office of Veteran Services.

#####



# **Working Together for Impact: MSUB Foundation & Alumni Strengthens Giving to MSUB**

## **A Shared Commitment to MSUB's Success**

We all play a role in advancing Montana State University Billings through philanthropy. Whether it's scholarships that change lives, new facilities that inspire learning, or gifts that enhance Athletics, every contribution reflects the belief that MSUB makes a difference.

The MSUB Foundation & Alumni exists to ensure every gift, large or small, is managed with care, integrity, and transparency. By processing all charitable contributions through the Foundation, we protect donor intent, maintain accurate records, and strengthen relationships that last a lifetime.

---

## **Why All Charitable Gifts Must Go Through MSUB Foundation & Alumni**

### **Strengthening MSUB Through Stewardship, Accountability, and Partnership**

Montana State University Billings Foundation & Alumni exists to advance the mission of MSU Billings through philanthropy, stewardship, and engagement. Every charitable gift, whether for academic programs, Athletics, scholarships, or other initiatives, must be processed through the Foundation to make sure it is received, recorded, and stewarded in accordance with best practices, donor intent, and IRS regulations.

### **Accurate Accounting and Transparent Stewardship**

The University's business systems are not designed to manage or track charitable gifts in the way required for nonprofit and IRS compliance. While these systems work well for tuition, fees, and state appropriations, they do not have the tools to accurately account for fundraising dollars, document donor designations, or issue charitable tax receipts.

Gifts deposited directly through the University business office, can face several challenges:

- Donor intent may not be clearly documented or honored
- Funds can be miscategorized as general revenue rather than charitable support
- Donors may not receive a tax receipt, which can discourage future giving
- There is no consistent process for follow-up or long-term engagement

The Foundation safeguards against these issues. Every gift received through the Foundation is recorded in our CRM, receipted properly, acknowledged promptly, and stewarded in perpetuity. This ensures transparency for the donor and accountability for the institution.

### **Building Long-Term Relationships**

Philanthropy is about more than raising money. It's about building lasting relationships. The Foundation maintains a comprehensive database of alumni, donors, and friends to help keep supporters connected to the University for years to come.

Once someone gives to MSUB, they become part of Yellowjacket Nation. Through newsletters, impact updates, and invitations, we keep them engaged with the programs and people they care about most. This connection transforms one-time contributions into lifelong partnerships.

Because all gifts are processed through the Foundation, we can accurately track a donor's **total lifetime giving** to MSUB, whether their support goes to Athletics, scholarships, or academic programs. This complete picture allows us to recognize donors appropriately, celebrate their cumulative impact, and ensure their generosity is honored over time.

Accurate tracking also makes it possible to celebrate donors through **giving societies**, such as the **Chancellor's Circle** and the **1927 Society**, which recognize cumulative giving and leadership-level support. These societies help donors feel appreciated and connected to the broader mission of MSUB, reinforcing that their generosity has a lasting impact on students and the university community.

When gifts bypass the Foundation, that record is lost. Without accurate giving histories, recognition opportunities, or contact information, it becomes nearly impossible to steward donors effectively or strengthen their relationship with the University.

### **Shared Donor Relationships, Shared Success**

MSUB's donors give because they believe in the University's mission, its students, and its impact. While many have strong ties to a particular program, team, or department, they are first and foremost **MSU Billings donors**. Their generosity supports the collective success of our campus community.

The Foundation encourages collaboration rather than competition. When we work together, we can introduce donors to additional opportunities that align with their interests and passions. This approach doesn't dilute their giving. It deepens it. When donors understand the broader picture of MSUB's needs and vision, their overall giving often grows rather than simply shifting from one area to another.

By viewing donors as shared partners in our mission, rather than as individual program supporters, we create a more unified and sustainable approach to philanthropy.

### **Coordinated Fundraising Builds Donor Confidence and Increases Impact**

A thoughtful, campus-wide fundraising strategy helps ensure that every donor conversation feels intentional and aligned with their interests. When outreach is coordinated through the Foundation, we can develop a shared plan that balances donor capacity, timing, and interest, so each request contributes to a stronger overall relationship rather than creating fatigue.

Without coordination, donors may receive multiple, unconnected requests from different areas of campus. When that happens, the combined result is often smaller, transactional giving spread across too many appeals. For example, twenty separate \$100 asks may add up to \$2,000, but a unified strategy could inspire a single \$10,000 annual gift that grows year after year.

That coordinated \$10,000 gift can still support several areas of campus, Athletics, scholarships, and academic programs, ensuring everyone benefits while giving the donor a clear sense of their total impact.

Central coordination doesn't limit opportunities to engage donors, it amplifies them. By working together, we can identify natural connections between programs and priorities, allowing donors to invest in what matters most to them while ensuring their experience with MSUB feels personalized, respectful, and inspiring.

## Professional Systems, Shared Resources, and the Gift Fee

The Foundation's ability to serve MSUB depends on a sustainable operating budget supported in part by a one-time 5% gift fee, approved by the Board of Directors. This modest fee is not about taking away from donor gifts; it's about ensuring the Foundation can continue to provide the professional services, systems, and support that make those gifts possible in the first place.

The MSUB Foundation does not receive state funding. Our operating budget is sustained through lease revenue, a small university stipend, investment income, unrestricted giving, and the gift fee.

This investment helps ensure we can:

- **Discover, cultivate, and steward** donor contributions responsibly
- **Manage endowed funds** effectively and in compliance with donor intent
- **Provide professional gift processing, receipting, and stewardship systems** to ensure donors are properly acknowledged and credited
- **Track lifetime giving** so supporters can be recognized for the full scope of their impact
- **Offer access to Foundation staff** who can assist with corporate sponsorships, marketing materials, and donor communications
- **Cover administrative costs** such as postage, supplies, and receipting, funded through the Foundation's operating budget
- **Protect donor intent** and ensure every dollar is used exactly as promised

Approximately 15% of the Foundation's annual operating budget depends on revenue generated by the one-time gift fee.

While the 5% fee can seem challenging at first, especially when budgets are tight, it allows the Foundation to maintain the expertise, systems, and accountability that protect the University and its donors. In practice, this shared investment helps all of us raise more and raise it more effectively, by ensuring gifts are processed accurately, recognized quickly, and stewarded with care.

Every dollar of this fee helps sustain the Foundation's mission: to support and grow MSUB through philanthropy, stewardship, and engagement.

## The Bottom Line

Requiring all charitable gifts to go through MSUB Foundation & Alumni is about integrity, accuracy, and long-term sustainability.

It ensures that:

- Every donor is thanked and receipted properly
- Every dollar is used as intended
- Every fund is tracked and reported accurately
- Every donor's full giving history is maintained and celebrated
- Every relationship is nurtured for the future
- Every opportunity to expand donor support is recognized and encouraged

Together, we build trust, accountability, and opportunity for the students and programs we serve. The Foundation's role is to make sure every gift supports MSUB's mission today while helping strengthen its future for years to come.