



P.O. Box 2008, New Britain, Connecticut 06050
(203) 827-7700

RESOLUTION

adopting

EASTERN CONNECTICUT STATE UNIVERSITY'S
LETTER OF AGREEMENT

with

THE EASTERN CONNECTICUT STATE UNIVERSITY FOUNDATION, INC.

November 2, 1990

BE IT RESOLVED, that the letter of Agreement between Eastern Connecticut State University and the Eastern Connecticut State University Foundation, Inc. dated October 3, 1989 is rescinded, and be it further

RESOLVED, that the letter of Agreement between Eastern Connecticut State University and the Eastern Connecticut State University Foundation, Inc. dated October 11, 1990 and attached hereto be approved.

A Certified True Copy:

Lawrence J. Davidson
Lawrence J. Davidson
Chairperson



An Equal
Opportunity
Employer

Letter of Agreement

Between Eastern Connecticut State University on behalf of the Board of Trustees for the Connecticut State University and Eastern Connecticut State University Foundation, Inc.

The following letter of agreement establishes the relationship between Eastern Connecticut State University, hereinafter referred to as the University, and Eastern Connecticut State University Foundation, Inc., hereinafter referred to as the Foundation, in accordance with Public Act 89-267 and Board Resolution ~~89-180~~ ⁸⁹⁻³¹. Both the University and the Foundation agree to adhere to the law and policy cited above and to the provisions contained herein until such time as this letter of agreement is rescinded or modified by consent of all parties and approval of the Board of Trustees.

*11-8-90
Addressed
Pres. Office
Angela Collins*

Facilities and Resources

The University shall make available office space, storage space, office furniture and equipment, utilities, photocopying services, computer systems and space for the maintenance of the books and records of the Foundation. The reimbursement policies outlined below will be in place for those expenses that otherwise would not be incurred by the University as a result of Foundation operations.

The maintenance of such books and records at the University shall not cause them to be deemed public records nor shall such records be subject to disclosure pursuant to the provisions of section 1-19 of the Connecticut General Statutes.

Reimbursement

The Foundation shall reimburse the University for expenses, including the costs of personal services, which are incurred as a result of Foundation operations and which would not have been incurred otherwise by the University by customary University operations.

Liability

Neither the University, the Board of Trustees for Connecticut State University nor the Foundation shall have any liability for the obligations, acts or omissions of the other party.

Other

The Foundation shall insure that any monies received by the Foundation and defined in Section (3) of Public Act 89-267 as funds that should be deposited at the University are transferred to the University in a timely manner.

To the extent that it can do so, consistent with US Postal Service Statutes and Regulations, the Foundation may use the University intra-campus mail system.

The Foundation shall be responsible for retaining and compensating the independent auditing firm that is required by Section 2(7) of Public Act 89-267.

Dissolution

Should the Foundation cease to exist or cease to be a foundation as defined by Section 1 of Public Act 89-267, it shall

- (1) Be prohibited from using the name of the University;
- (2) Make available to the University, its records, or copies of such records provided that such records or copies thereof shall not be deemed to be public records and shall not be subject to disclosure pursuant to the provisions of Section 1-19 of the Connecticut General Statutes; and
- (3) Transfer title of all of its remaining assets to the Board of Trustees for the benefit of the University, in consultation with the University and consistent with donor intent. The Foundation shall specify applicable restrictions and transfer title in accordance with Section 10a-150 of the Connecticut General Statutes and Board Resolution 87-192.

Signature *David G. Carter* Signature *Donald K. Nozick*

Title President, ECSU Title Chairman of the Board

Date October 11, 1990 Date October 11, 1990

cc: Dallas K. Beal
President, CSU