



RESOLUTION

concerning

AMENDED LETTER OF AGREEMENT

between

SOUTHERN CONNECTICUT STATE UNIVERSITY

and

THE SOUTHERN CONNECTICUT STATE UNIVERSITY FOUNDATION, INC.

December 2, 1994

WHEREAS, The Board of Trustees of the Connecticut State University system, as the authorized state agent, is responsible for the oversight of the general relationships between the CSU system office/universities and their corresponding private development foundations in accordance with Sections 4-37e through 4-37i of the Connecticut General Statutes (Public Act 89-267) and Board Resolution #93-81; and

WHEREAS, In accordance with Section 4-37f of the Connecticut General Statutes, and Section II. A. of Board Resolution #93-81, the Board is responsible for approving the letters of agreement between the system office/universities and their corresponding private development foundations; and

WHEREAS, The letter of agreement between Southern Connecticut State University and the Southern Connecticut State University Foundation, Inc. has been amended to reflect the agreed upon services rendered by a university employee to the Foundation and the associated compensation; THEREFORE BE IT

RESOLVED: That the Connecticut State University Board of Trustees does hereby ratify the amended letter of agreement between Southern Connecticut State University and the Southern Connecticut State University Foundation, Inc.

A Certified True Copy:

\_\_\_\_\_  
William J. Cibes, Jr.  
President



An Equal Opportunity Employer



Telephone:

***LETTER OF AGREEMENT BY AND BETWEEN SCSU AND SCSU FOUNDATION, INC.***

This Letter of Agreement establishes the relationship between Southern Connecticut State University (the "University"), and Southern Connecticut State University Foundation, Inc. (the "Foundation") in accordance with Public Act 89-267 and Board Resolution #89-180. 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to the law and policy cited above and to the provisions contained herein until such time as this Letter of Agreement is rescinded or modified by written consent of all parties and approval of the Board of Trustees.

1. **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.

2. **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. In addition to such specific reimbursement, the Foundation shall provide monthly general reimbursement of \$100.00 to cover overhead costs, and reimbursement for the use of the services of an employee in an amount not to exceed \$2,400 annually in accordance with the terms outlined under a university assistantship covering the period from February 16, 1994 through February 15, 1995. (See copy of Minutes attached.)

3. **Liability**

Neither the University nor the Board of Trustees for Connecticut State University shall be liable for the obligations, acts or omissions of the Foundation. Likewise, the

Foundation shall not be liable for the obligations, acts or omissions of either the University or the Board of Trustees for Connecticut State University.

4. 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) after payment of all its liabilities and obligations, transfer title of all its remaining assets to the Board of Trustees for the benefit of the University in accordance with Section 10a-150 of the Connecticut General Statutes and Board Resolution 87-192, EXCEPT to the extent there is restriction on an asset which prohibits the transfer of such asset to the University or where the University does not want the asset, in which case such asset shall be distributed by the Foundation, upon the approval of its Board of Directors, to any non-profit, charitable or educational organization that promotes purposes similar to the Foundation.

AGREED AND ACCEPTED:

*SOUTHERN CONNECTICUT STATE UNIVERSITY*

\_\_\_\_\_  
By its President

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

*SOUTHERN CONNECTICUT STATE UNIVERSITY  
FOUNDATION, INC.*

\_\_\_\_\_  
By its Chairman

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