

(Please prepare (3) three original copies: one for the donor, one for the office of the institutional President and one for The University System of Maryland Foundation, Inc.)

**MEMORANDUM OF UNDERSTANDING
CONCERNING THE ESTABLISHMENT OF THE
DR. JOHN S. AND JANE M. DOE MEMORIAL FUND**

It is the intention of Dr. John S. and Jane M. Doe to establish an endowed fund through the University System of Maryland Foundation, Inc., (USM Foundation), for the benefit of the *Name of Institution* (University) to be used according to the following terms and conditions:

(If the fund is being established in tribute or in honor or in memory of someone, you should include that information in this section.)

1. **NAME**: The name of the Fund shall be:

THE DR. JOHN S. AND JANE M. DOE MEMORIAL FUND (Fund)

2. **PURPOSE**: The purpose of this Fund shall be to provide scholarships for undergraduate students enrolled in the College of Agriculture at the University of Maryland, College Park.

(A simple statement of purpose is adequate; However if award is to be a specific amount note here. Do not include details of funding here.)

3. **FUNDING**: The Fund is being established with a **(gift, pledge, or bequest)** by **(Name of donor or other description)**, with the first payment received **(Date)**. The Fund shall be an open fund, capable of receiving additional contributions at any time. **(If this is to be funded with the proceeds of a trust or annuity, special language is required).**

(All funding information belongs in this section. If the fund is initiated with a small amount with expectation of growth to endowment level, you may want to add a statement which indicates the disposition of funds if endowment level is not reached in five years.

4. ADMINISTRATION:

The Fund shall be invested in accordance with the investment policies of the USM Foundation. The assets of the fund may be commingled with other endowment assets for the purpose of investing same, but separate accounting shall be maintained so that the principal and the appreciation shall be clearly identified at all times.

Fund shall be managed by the USM Foundation under guidelines established by the Board of Directors. These guidelines may provide for the assessment of reasonable administrative fees and expenses to be charged against the fund and other charges and assessments deemed necessary and appropriate for the advancement of the Fund and the advancement of the University.

Distributions (Spendable Income) from the Fund will commence at the beginning of the fiscal year (July 1) following one year's investment after reaching endowment level (**\$10,000 or what ever level is determined by the University**) and will continue each new fiscal year thereafter. Spendable Income will be computed in accordance with the then current spending policy of the USM Foundation. *[If the market value of the fund falls below "historic dollar value" and there are insufficient earnings to fund the annual payout, distributions may be made from the Fund's principal or the donor will supplement the amount available. Historic dollar value means the total of the donors; contributions.]* **The italicized section is optional, so it is advisable to discuss with the donor the ramifications of including or not including it.**

All distributions from the Fund shall be used in accordance with the purposes described in Section 2 of this document. The (**Name of person(s)**) will review and approve all expenditures and administer the Fund. (**This does not have to be the same person**).

(All details regarding administration belong only in this section. Who will make decisions regarding disbursement of funds? Who will make determinations about recipients of scholarships or funds, and on what basis? Will a recipient be able to receive more than one award? Remember that the donor may not make the selection.)

5. RECOGNITION, PROMOTION, AND REPORTING: To express the appreciation of the University to the donor, to enhance the Fund, and to help attract gifts for similar purposes, the University and the USM Foundation may make appropriate announcements through internal and external publications and to the media and give other recognition as suitable.

(If you want a report given to the donor regarding expenditure of funds or announcement of recipients, then state that the Dean or appropriate official of the particular college will do the

reporting. The USM Foundation has agreed not to report to individual donors.)

6. **CHANGED CONDITIONS**: If, in the unlikely event that at some time in the future it becomes impossible to fulfill the requirements of this Memorandum of Understanding, the Board of Directors of the USM Foundation, in consultation with the University and the Donor, if available, shall utilize this fund so as to most nearly fulfill the donor's original intent.

7. **FORMAL ACCEPTANCE**: The foregoing terms and conditions shall become effective upon an acceptance thereof by the University, the USM Foundation, and the donor.

(This section should not include any administration information. Its only purpose is to state the parties whose signatures make this MOU a legally-executed document.)

**ACCEPTED FOR THE UNIVERSITY
OF MARYLAND, COLLEGE PARK:**

President

Date

Dean, College of Life Sciences

Date

**ACCEPTED FOR THE UNIVERSITY
SYSTEM OF MARYLAND FOUNDATION,
INC.:**

Leonard R. Raley
President and CEO

Date

ACCEPTED BY THE DONOR(S):

Dr. John S. Doe

Date

Jane M. Doe

Date

NOTE:

- *If the signer represents a company, Foundation, estate, etc., modify the heading to read "ACCEPTED FOR THE DONOR"*
- *Include signer's title, if applicable*

Please note that the Foundation name is written this way:

University System of Maryland Foundation, Inc.