

"GIFT INSTRUMENT" MEANS A WILL, DEED, GRANT, CONVEYANCE, AGREEMENT, MEMORANDUM, WRITING, OR OTHER GOVERNING DOCUMENT, INCLUDING THE TERMS OF ANY INSTITUTIONAL SOLICITATIONS FROM WHICH AN INSTITUTIONAL FUND RESULTS, UNDER WHICH PROPERTY IS TRANSFERRED TO OR HELD BY AN INSTITUTION AS AN INSTITUTIONAL FUND.

(D) GOVERNING BOARD.

"GOVERNING BOARD" MEANS THE BODY RESPONSIBLE FOR THE MANAGEMENT OF AN INSTITUTION OR OF AN INSTITUTIONAL FUND.

(E) HISTORIC DOLLAR VALUE.

"HISTORIC DOLLAR VALUE" MEANS THE AGGREGATE FAIR VALUE IN DOLLARS OF (1) AN ENDOWMENT FUND AT THE TIME IT BECAME AN ENDOWMENT FUND, (2) EACH SUBSEQUENT DONATION TO THE FUND AT THE TIME IT IS MADE, AND (3) EACH ACCUMULATION MADE PURSUANT TO A DIRECTION IN THE APPLICABLE GIFT INSTRUMENT AT THE TIME THE ACCUMULATION IS ADDED TO THE FUND. THE DETERMINATION OF HISTORIC DOLLAR VALUE MADE IN GOOD FAITH BY THE INSTITUTION IS CONCLUSIVE.

(F) INSTITUTIONAL.

"INSTITUTIONAL" MEANS AN INCORPORATED OR UNINCORPORATED ORGANIZATION ORGANIZED AND OPERATED EXCLUSIVELY FOR EDUCATIONAL, RELIGIOUS, CHARITABLE, OR OTHER ELEEMOSYNARY PURPOSES, OR A GOVERNMENTAL ORGANIZATION TO THE EXTENT THAT IT HOLDS FUNDS EXCLUSIVELY FOR ANY OF THESE PURPOSES.

(G) INSTITUTIONAL FUND.

"INSTITUTIONAL FUND" MEANS A FUND HELD BY AN INSTITUTION FOR ITS EXCLUSIVE USE, BENEFIT, OR PURPOSES BUT DOES NOT INCLUDE (1) A FUND HELD FOR AN INSTITUTION BY A TRUSTEE THAT IS NOT AN INSTITUTION OR (2) A FUND IN WHICH A BENEFICIARY THAT IS NOT AN INSTITUTION HAS AN INTEREST, OTHER THAN POSSIBLE RIGHTS THAT COULD ARISE UPON VIOLATION OR FAILURE OF THE PURPOSES OF THE FUND.

15-402. APPROPRIATION OF APPRECIATION.

THE GOVERNING BOARD MAY APPROPRIATE FOR EXPENDITURE FOR THE USES AND PURPOSES FOR WHICH AN ENDOWMENT FUND IS ESTABLISHED SO MUCH OF THE NET APPRECIATION, REALIZED AND UNREALIZED, IN THE FAIR VALUE OF THE ASSETS OF AN ENDOWMENT FUND OVER THE HISTORIC DOLLAR VALUE OF THE FUND AS IS PRUDENT UNDER THE STANDARD ESTABLISHED BY §15-406. THIS SECTION DOES NOT LIMIT THE AUTHORITY OF THE GOVERNING BOARD TO EXPEND FUNDS AS PERMITTED UNDER OTHER