

**BUSINESS AFFAIRS AND HUMAN RESOURCES  
DECEMBER 10, 2009**

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<b>TAB</b>	<b>DESCRIPTION</b>	<b>ACTION</b>
1	<b>AMENDMENT TO BOARD POLICY SECTION I.N.1. – 1<sup>ST</sup> READING</b>	Motion to approve
2	<b>FY 2010 SOURCES &amp; USES REPORT</b>	Information item
3	<b>AMENDMENT TO BOARD POLICY SECTION V.W. – 1<sup>ST</sup> READING</b>	Motion to approve
4	<b>UNIVERSITY OF IDAHO</b> Wallace Residence Center Fire Detection, Alarm and Suppressions System Improvements	Motion to approve
5	<b>BOISE STATE UNIVERSITY</b> Multi-Media and Marketing Rights Agreement - Learfield Sports Marketing	Motion to approve
6	<b>STUDENT TUITION AND FEES</b>	Motion to approve

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**BUSINESS AFFAIRS AND HUMAN RESOURCES  
DECEMBER 10, 2009**

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**SUBJECT**

First Reading – Board Policy Section I.N.1.

**APPLICABLE STATUTES, RULE OR POLICY**

Idaho Code §33-104

Idaho Code §33-5213(6)

Idaho Code §59-509(h)

State Travel Policy and Procedures (SBEX Policy No. 442-50)

**BACKGROUND / DISCUSSION**

Pursuant to Idaho Code, members of the State Board of Education and Charter School Commission are entitled to honorarium for each day spent in the actual performance of duties and reimbursement for actual and necessary expenses.

State Board and Charter School Commission staff are also entitled to reimbursement for travel, lodging and per diem related to authorized official state travel pursuant to the State Travel Policy and Procedures.

The Legislative Audits Division of the Legislative Services Office has found in the past that “Idaho Code, Title 67, Chapters 35 and 36, define the purposes and periods of availability of legislative appropriations and spending authority. In general, appropriated funds are available for specific periods identified in the legislation and are ‘fixed amounts beyond which state officers, departments, bureaus, and institutions may not expend.’”

Board staff believes it would be useful to have Board policy which clearly requires all claims be submitted and corresponding liabilities be satisfied in the same fiscal year in which the service was performed and budgeted.

**IMPACT**

Approval of this proposed policy would ensure that honorariums and reimbursements are submitted and paid in a timely manner in accordance with Idaho Code.

**ATTACHMENTS**

Attachment 1 – Policies & Procedures, Section I.N.1.

Page 3

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends approval of Board policy, Section I. N.1.

**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**BOARD ACTION**

A motion to approve the first reading of the Idaho State Board of Education Governing Policies & Procedures, Section I.N.1. as submitted.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**Idaho State Board of Education**

**GOVERNING POLICIES AND PROCEDURES**

**Section: I. GENERAL GOVERNING POLICIES AND PROCEDURES**

**Subsection: N. Miscellaneous Provisions**

December 2009

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[Add new section 1, below]

1. Honorarium and Reimbursement for Actual and Necessary Expenses

State Board members, Charter School commissioners, and staff of either entity shall submit claims for honoraria and reimbursement for actual and necessary expenses in the fiscal year in which they were incurred. Likewise, all liabilities relating to said claims shall be satisfied in the fiscal year in which they were incurred. Claims which are not submitted in accordance with this policy will be denied.

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**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**SUBJECT**

FY 2010 College and University "Summary of Sources and Uses of Funds"

**APPLICABLE STATUTES, RULE OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Sections V.B.4.b.(1), V.B.5.c. and V.B.6.b.

**BACKGROUND/DISCUSSION**

Idaho's public higher education institutions receive funding from a variety of sources. General Fund and Endowment funds and student fees are appropriated annually by the Legislature. In addition, the College and Universities receive student activity fees, federal, state, and private grant funds, receipts from sales of products and services, and funds from other sources.

Most revenues are used for instruction, research, public service, academic support, libraries, student services, institutional support, physical plant, scholarships and fellowships, and auxiliary enterprises.

The operating budgets are listed for the years 2005 through 2010 excluding any mid-year adjustments (i.e. holdbacks).

Revenue types include:

Approp: General Funds – State appropriation of state funds

Approp: Federal Stimulus – American Recovery and Reinvestment Act of 2009

Approp: Endowment Funds – ISU, UI and LCSC are the beneficiaries of income from state endowment lands

Approp: Student Fees – Tuition and Fees approved by the Board; Legislature provides spending authority

Institutional Student Fees – Fees approved by the institution presidents

Federal Grants & Contracts – Grants and contracts awarded by the Federal government

State Grants & Contracts – Grants and contracts awarded by the State

Private Gifts, Grants & Contracts – Other non-governmental gifts, grants and contracts

Sales & Services of Educational Activities – Includes: (i) revenues that are related incidentally to the conduct of instruction, research, and public service and (ii) revenues of activities that exist to provide instructional and laboratory experience for students and that incidentally create goods and services that may be sold to students, faculty, staff, and the general public. Examples would include sales of scientific and literary publications, testing services, etc.

Sales & Services of Auxiliary Enterprises – An institutional an entity that exists predominantly to furnish goods or services to students, faculty, or staff, and that charges a fee directly related to the cost of the goods or services. Examples include residence halls, food services, student unions, bookstores, copy centers, health centers, etc.

**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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Indirect Costs/Other – Also known as Facilities and Administrative (F&A) Cost recovery, on many grants an institution may charge a grantor for indirect costs. The expense to the grant is not a specifically identifiable cash outlay but a “recovery” of general overhead costs.

Expenditure functional categories include:

Instruction -- expenses for all activities that are part of an institution’s instruction program (credit and noncredit courses; academic, vocational, and technical instruction; remedial and tutorial instruction; etc.)

Research -- all expenses for individual and/or project research as well as that of institutes and research centers

Public Service -- expenses for activities established primarily to provide non-instructional services beneficial to individuals and groups external to the institution (e.g. conferences, institutes, radio and television, consulting, etc.)

Library – expenses for retention, preservation, and display of educational materials and organized activities that directly support the operation of a catalogued or otherwise classified collection

Student Services – expenses incurred for offices of admissions, registrar and financial aid, student activities, cultural events, student newspapers, intramural athletics, student organizations, etc.

Physical Plant -- all expenses for the administration, supervision, operation, maintenance, preservation, and protection of the institution’s physical plant.

Institutional Support -- expenses for central, executive-level activities concerned with management and long-range planning for the entire institution, such as planning and programming operations and legal services; fiscal operations; activities concerned with community and alumni relations, including development and fund raising; etc.

Academic Support -- expenses incurred to provide support services for the institution’s primary missions: instruction, research, and public service (includes academic administration, museums, galleries, A-V services, etc.)

Athletics – expenses for intercollegiate sports programs are a separately budgeted auxiliary enterprise

Auxiliary Enterprises -- an enterprise which exists to furnish goods or services to students, faculty, staff, other institutional departments, or incidentally to the general public, and charges a fee directly related to, although not necessarily equal to, the cost of the goods or services. The distinguishing characteristic of an auxiliary enterprise is that it is managed to operate as a self-supporting activity. Examples include residence halls, food services, student unions, bookstores, copy centers, health centers, etc.

Scholarships/Fellowships -- includes expenses for scholarships and fellowships—from restricted or unrestricted funds—in the form of grants to students.

**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**IMPACT**

These worksheets provide a high level overview of the institutions' sources of funding and expenditures by standard functional classification. A trend analysis was included this year to show how the allocation of revenues and expenditures has changed since fiscal year 2005.

**STAFF COMMENTS AND RECOMMENDATIONS**

Institutional staff will be available to answers questions from the Board. Highlights from the summary report show state appropriations have increased but not to the extent of student fees. Federal grants have increased 42% at the same time state grants have decreased 41%. For expenditures, the cost of instruction has gone up 12% at the same time as increases for the following:

Research	7%
Public Service	43%
Student Services	26%
Physical Plant	46%
Institutional Support	53%
Academic Support	13%
Athletics	69%
Auxiliary Enterprises (other than Athletics)	3%
Scholarships	53%

**ATTACHMENTS**

Attachment 1 – Summary Report	Page 5
Attachment 2 – Boise State University	Page 6
Attachment 3 – Idaho State University	Page 7
Attachment 4 – University of Idaho	Page 8
Attachment 5 – Lewis-Clark State College	Page 9

**BOARD ACTION**

This item is for informational purposes only. Any action will be at the Board's discretion.

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College and Universities  
Sources and Uses of Funds

a	b	c	d	e	f	g	g vs b	
	2005	2006	2007	2008	2009	2010		
	Amount	Amount	Amount	Amount	Amount	Amount	% Change	
<b>Revenues by Source:</b>								
1	Approp: General Funds	\$272,448,581	\$279,478,229	\$296,920,896	\$314,296,445	\$334,513,827	\$299,109,226	10%
2	Approp: Federal Stimulus	\$0	\$0	\$0	\$0	\$0	\$15,140,600	100%
3	Approp: Endowment Funds	10,020,500	9,519,600	7,624,800	7,851,500	8,595,000	9,616,400	-4%
4	Approp: Student Fees	108,825,988	119,816,276	125,321,912	127,109,732	133,817,937	147,923,452	36%
5	Institutional Student Fees	52,006,853	49,669,497	60,248,455	53,727,411	68,778,167	70,354,988	35%
6	Federal Grants & Contracts	233,298,750	239,722,559	238,265,986	253,035,778	292,749,636	331,450,919	42%
7	State Grants & Contracts	33,309,177	26,981,445	28,005,013	29,078,797	22,579,764	19,547,568	-41%
8	Private Gifts, Grants & Contr	35,258,587	41,039,617	42,875,928	43,797,552	51,434,827	59,712,799	69%
9	Sales & Serv of Educ Act	40,369,744	41,522,693	41,496,881	53,922,434	37,816,556	36,919,925	-9%
10	Sales & Serv of Aux Ent	89,412,979	95,170,625	94,717,922	100,955,358	115,589,376	106,988,207	20%
11	Indirect Costs/Other	25,993,662	24,137,408	36,981,057	35,718,609	48,810,956	47,808,142	84%
12	<b>Total Revenues</b>	<b>\$900,944,821</b>	<b>\$927,057,949</b>	<b>\$972,458,849</b>	<b>\$1,019,493,616</b>	<b>\$1,114,686,046</b>	<b>\$1,144,572,226</b>	<b>27%</b>
13								
<b>Expenditures by Function</b>								
15	Instruction	\$260,771,739	\$266,669,177	\$287,421,566	\$295,923,196	\$307,151,714	\$291,089,441	12%
16	Research	116,516,484	121,991,399	120,728,803	129,378,452	127,785,344	125,105,050	7%
17	Public Service	34,587,177	36,561,461	40,459,200	47,059,968	47,662,734	49,488,730	43%
18	Library	19,466,184	20,092,873	20,792,704	21,454,773	23,459,250	21,374,490	10%
19	Student Services	25,932,656	28,582,295	29,736,732	32,972,253	30,472,367	32,633,863	26%
20	Physical Plant	46,553,292	49,227,111	66,870,061	65,154,483	64,470,077	67,829,615	46%
21	Institutional Support	61,335,256	69,124,860	79,086,293	82,296,849	90,102,914	93,823,821	53%
22	Academic Support	45,847,818	38,197,897	40,115,889	45,332,876	51,544,254	51,721,310	13%
23	Athletics	28,520,021	30,367,783	36,593,287	40,657,009	47,590,708	48,275,554	69%
24	Auxiliary Enterprises	95,502,346	93,922,882	87,275,677	114,701,463	125,380,599	98,016,135	3%
25	Scholarships/Fellowships	164,407,479	170,763,376	163,651,500	169,710,847	218,966,700	251,478,277	53%
26	Other	0	0	0	0	0	13,334,237	100%
27								
28	<b>Total Bdgt by Function</b>	<b>\$899,440,452</b>	<b>\$925,501,114</b>	<b>\$972,731,712</b>	<b>\$1,044,642,169</b>	<b>\$1,134,586,661</b>	<b>\$1,144,170,523</b>	<b>27%</b>

Boise State University  
Sources and Uses of Funds

a	b	c	d	e	f	g	g vs b	
	2005	2006	2007	2008	2009	2010		
	Amount	Amount	Amount	Amount	Amount	Amount	% Change	
<b>Revenues by Source:</b>								
1	Approp: General Funds	\$74,953,295	\$77,159,390	\$82,700,657	\$87,917,018	\$95,700,847	\$78,835,980	5%
2	Approp: Federal Stimulus	\$0	\$0	\$0	\$0	\$0	\$4,856,400	100%
3	Approp: Endowment Funds	0	0	0	0	0	0	0%
4	Approp: Student Fees	36,546,100	41,320,900	44,221,300	46,870,800	50,322,017	55,165,000	51%
5	Institutional Student Fees	21,969,390	19,080,195	26,231,241	18,728,250	30,380,097	29,373,721	34%
6	Federal Grants & Contracts	52,019,563	55,016,949	58,133,999	59,296,679	84,068,486	89,641,739	72%
7	State Grants & Contracts	7,108,132	7,883,212	7,647,024	7,799,964	3,246,324	2,840,328	-60%
8	Private Gifts, Grants & Contr	8,199,105	5,596,314	7,378,471	10,021,346	13,309,333	22,489,477	174%
9	Sales & Serv of Educ Act	3,395,575	4,257,000	1,800,000	1,108,983	0	0	-100%
10	Sales & Serv of Aux Ent	39,704,308	40,977,493	40,194,638	42,643,084	56,966,521	49,268,011	24%
11	Indirect Costs/Other	7,052,582	5,391,625	16,049,705	14,466,121	18,679,149	18,356,568	160%
12	<b>Total Revenues</b>	<b>\$250,948,050</b>	<b>\$256,683,078</b>	<b>\$284,357,034</b>	<b>\$288,852,245</b>	<b>\$352,672,774</b>	<b>\$350,827,224</b>	<b>40%</b>
13								
<b>Expenditures by Function</b>								
15	Instruction	\$80,525,521	\$82,157,835	\$87,296,917	\$89,639,975	\$95,003,418	\$86,989,423	8%
16	Research	8,866,706	11,655,171	11,740,987	13,413,787	17,891,374	18,088,831	104%
17	Public Service	7,775,245	10,225,134	10,229,817	10,884,802	13,130,655	12,534,632	61%
18	Library	6,422,078	6,625,894	6,968,244	7,135,544	7,407,503	7,160,147	11%
19	Student Services	7,131,625	7,084,052	7,427,013	9,166,797	10,269,955	13,195,914	85%
20	Physical Plant	11,876,716	12,381,078	23,045,219	14,597,502	17,037,209	18,189,410	53%
21	Institutional Support	14,056,505	19,040,763	23,277,272	22,961,137	30,496,067	33,745,968	140%
22	Academic Support	19,848,699	13,584,601	14,300,067	14,708,294	18,854,391	22,050,035	11%
23	Athletics	13,969,848	14,934,908	16,889,631	19,719,525	25,584,503	26,312,240	88%
24	Auxiliary Enterprises	36,119,667	33,136,189	34,750,662	58,090,714	67,963,096	38,904,476	8%
25	Scholarships/Fellowships	42,907,184	45,635,561	49,034,486	50,787,808	68,285,664	72,646,006	69%
26	Other	0	0	0	0	0	800,000	100%
27								
28	<b>Total Bdgt by Function</b>	<b>\$249,499,794</b>	<b>\$256,461,186</b>	<b>\$284,960,315</b>	<b>\$311,105,885</b>	<b>\$371,923,835</b>	<b>\$350,617,082</b>	<b>41%</b>

**Idaho State University  
Sources and Uses of Funds**

a	b 2005	c 2006	d 2007	e 2008	f 2009	g 2010	g vs b	
	Amount	Amount	Amount	Amount	Amount	Amount	% Change	
<b>Revenues by Source:</b>								
1	Approp: General Funds	\$70,887,006	\$73,388,911	\$77,670,511	\$82,812,633	\$87,622,446	\$78,598,679	11%
2	Approp: Federal Stimulus	\$0	\$0	\$0	\$0	\$0	\$4,126,300	100%
3	Approp: Endowment Funds	2,121,200	1,602,800	1,697,400	1,843,500	2,020,700	2,121,300	0%
4	Approp: Student Fees	29,382,188	32,442,976	32,294,712	32,365,532	34,013,220	37,588,552	28%
5	Institutional Student Fees	14,920,315	14,414,106	16,071,314	17,184,861	18,281,770	19,699,467	32%
6	Federal Grants & Contracts	80,065,987	81,665,610	80,075,287	85,056,199	89,146,950	103,935,280	30%
7	State Grants & Contracts	8,934,945	7,389,933	7,174,189	7,229,833	7,560,240	8,034,740	-10%
8	Private Gifts, Grants & Contr	10,355,432	12,623,178	11,726,432	10,911,881	12,012,194	13,366,222	29%
9	Sales & Serv of Educ Act	1,605,669	3,324,093	3,779,481	4,462,051	4,930,056	5,146,525	221%
10	Sales & Serv of Aux Ent	17,110,969	20,061,353	21,152,209	21,976,328	22,222,614	20,371,796	19%
11	Indirect Costs/Other	5,080,880	5,709,483	7,785,852	8,405,673	9,560,307	8,728,874	72%
12	<b>Total Revenues</b>	<b>\$240,464,591</b>	<b>\$252,622,443</b>	<b>\$259,427,387</b>	<b>\$272,248,491</b>	<b>\$287,370,497</b>	<b>\$301,717,735</b>	<b>25%</b>
13								
<b>Expenditures by Function</b>								
15	Instruction	\$76,601,885	\$80,248,202	\$85,772,004	\$88,505,670	\$92,765,539	\$89,304,998	17%
16	Research	21,526,358	23,988,606	25,473,180	26,517,682	29,973,932	30,392,481	41%
17	Public Service	4,764,332	4,219,670	4,024,912	4,512,895	4,826,166	3,851,861	-19%
18	Library	4,671,191	4,892,400	5,111,275	5,372,714	5,390,026	4,939,251	6%
19	Student Services	7,133,083	8,158,477	7,985,965	8,144,786	8,455,009	7,804,741	9%
20	Physical Plant	12,041,190	13,648,045	14,192,706	15,045,944	15,576,677	18,031,943	50%
21	Institutional Support	14,464,158	15,539,433	17,009,000	16,998,353	18,575,992	18,432,015	27%
22	Academic Support	9,806,524	9,757,741	10,216,285	11,792,910	13,319,827	12,668,776	29%
23	Athletics	4,753,597	4,239,977	7,800,380	7,935,703	8,019,039	7,949,803	67%
24	Auxiliary Enterprises	17,023,428	17,939,811	16,061,787	18,208,958	17,470,121	16,583,859	-3%
25	Scholarships/Fellowships	68,144,732	69,206,302	66,368,825	71,621,259	74,518,868	89,821,109	32%
26	Other	0	0	0	0	0	2,534,237	100%
27								
28	<b>Total Bdgt by Function</b>	<b>\$240,930,478</b>	<b>\$251,838,664</b>	<b>\$260,016,319</b>	<b>\$274,656,874</b>	<b>\$288,891,196</b>	<b>\$302,315,074</b>	<b>25%</b>

University of Idaho  
Sources and Uses of Funds

a	b	c	d	e	f	g	g vs b	
	2005	2006	2007	2008	2009	2010		
	Amount	Amount	Amount	Amount	Amount	Amount	% Change	
<b>Revenues by Source:</b>								
1	Approp: General Funds	\$111,820,100	\$114,000,200	\$120,350,000	\$126,053,100	\$130,916,100	\$124,207,900	11%
2	Approp: Federal Stimulus	\$0	\$0	\$0	\$0	\$0	\$5,320,600	100%
3	Approp: Endowment Funds	6,528,600	6,314,000	4,859,600	4,853,000	5,307,300	6,164,400	-6%
4	Approp: Student Fees	36,454,400	38,737,000	40,956,300	39,755,400	40,948,900	45,653,000	25%
5	Institutional Student Fees	11,248,048	12,241,396	12,938,400	12,851,500	15,100,300	16,279,600	45%
6	Federal Grants & Contracts	98,200,400	99,966,700	98,064,100	106,582,900	117,534,200	131,373,900	34%
7	State Grants & Contracts	15,199,400	9,600,000	10,445,700	11,649,000	9,373,200	5,672,500	-63%
8	Private Gifts, Grants & Contr	15,391,850	21,481,525	23,131,525	22,364,325	25,713,300	23,757,100	54%
9	Sales & Serv of Educ Act	34,072,500	32,619,500	33,733,400	46,151,400	30,586,500	30,473,400	-11%
10	Sales & Serv of Aux Ent	31,364,902	32,911,179	32,578,575	34,080,385	34,199,300	34,999,600	12%
11	Indirect Costs/Other	12,074,600	11,239,800	10,577,100	10,695,690	18,569,800	18,762,300	55%
12	<b>Total Revenues</b>	<b>\$372,354,800</b>	<b>\$379,111,300</b>	<b>\$387,634,700</b>	<b>\$415,036,700</b>	<b>\$428,248,900</b>	<b>\$442,664,300</b>	<b>19%</b>
13								
<b>Expenditures by Function</b>								
15	Instruction	\$87,665,978	\$87,769,191	\$96,354,214	\$99,357,680	\$99,274,538	\$94,752,796	8%
16	Research	85,765,685	85,945,821	83,192,118	89,093,982	79,583,577	76,425,138	-11%
17	Public Service	20,860,200	20,923,357	23,473,500	29,259,100	27,589,351	31,426,724	51%
18	Library	7,303,216	7,455,866	7,750,978	7,940,553	8,267,702	8,220,580	13%
19	Student Services	9,111,614	10,806,744	11,418,175	12,519,033	9,371,106	8,647,739	-5%
20	Physical Plant	19,952,438	20,458,277	26,534,082	31,917,175	28,670,636	27,406,419	37%
21	Institutional Support	29,492,620	30,792,442	34,455,803	37,728,185	35,397,800	36,563,262	24%
22	Academic Support	13,673,289	12,094,574	12,868,570	15,972,232	16,833,129	14,393,349	5%
23	Athletics	9,116,746	10,504,469	11,102,793	12,144,504	13,086,274	13,213,731	45%
24	Auxiliary Enterprises	39,056,051	39,544,882	32,002,928	33,099,076	34,460,919	37,284,100	-5%
25	Scholarships/Fellowships	49,988,863	52,538,013	48,193,989	47,203,780	76,068,868	83,854,362	68%
26	Other	0	0	0	0	0	10,000,000	100%
27								
28	<b>Total Bdgt by Function</b>	<b>\$371,986,700</b>	<b>\$378,833,636</b>	<b>\$387,347,150</b>	<b>\$416,235,300</b>	<b>\$428,603,900</b>	<b>\$442,188,200</b>	<b>19%</b>

Lewis-Clark State College  
Sources and Uses of Funds

a	b	c	d	e	f	g	g vs b	
	2005	2006	2007	2008	2009	2010		
	Amount	Amount	Amount	Amount	Amount	Amount	% Change	
<b>Revenues by Source:</b>								
1	Approp: General Funds	\$14,788,180	\$14,929,728	\$16,199,728	\$17,513,694	\$20,274,434	\$17,466,667	18%
2	Approp: Federal Stimulus	\$0	\$0	\$0	\$0	\$0	\$837,300	100%
3	Approp: Endowment Funds	1,370,700	1,602,800	1,067,800	1,155,000	1,267,000	1,330,700	-3%
4	Approp: Student Fees	6,443,300	7,315,400	7,849,600	8,118,000	8,533,800	9,516,900	48%
5	Institutional Student Fees	3,869,100	3,933,800	5,007,500	4,962,800	5,016,000	5,002,200	29%
6	Federal Grants & Contracts	3,012,800	3,073,300	1,992,600	2,100,000	2,000,000	6,500,000	116%
7	State Grants & Contracts	2,066,700	2,108,300	2,738,100	2,400,000	2,400,000	3,000,000	45%
8	Private Gifts, Grants & Contr	1,312,200	1,338,600	639,500	500,000	400,000	100,000	-92%
9	Sales & Serv of Educ Act	1,296,000	1,322,100	2,184,000	2,200,000	2,300,000	1,300,000	0%
10	Sales & Serv of Aux Ent	1,232,800	1,220,600	792,500	2,255,561	2,200,941	2,348,800	91%
11	Indirect Costs/Other	1,785,600	1,796,500	2,568,400	2,151,125	2,001,700	1,960,400	10%
12	<b>Total Revenues</b>	<b>\$37,177,380</b>	<b>\$38,641,128</b>	<b>\$41,039,728</b>	<b>\$43,356,180</b>	<b>\$46,393,875</b>	<b>\$49,362,967</b>	<b>33%</b>
13								
<b>Expenditures by Function</b>								
15	Instruction	\$15,978,355	\$16,493,949	\$17,998,431	\$18,419,871	\$20,108,219	\$20,042,224	25%
16	Research	357,735	401,801	322,518	353,001	336,461	198,600	-44%
17	Public Service	1,187,400	1,193,300	2,730,971	2,403,171	2,116,562	1,675,513	41%
18	Library	1,069,699	1,118,713	962,207	1,005,962	2,394,019	1,054,512	-1%
19	Student Services	2,556,334	2,533,022	2,905,579	3,141,637	2,376,297	2,985,469	17%
20	Physical Plant	2,682,948	2,739,711	3,098,054	3,593,862	3,185,555	4,201,843	57%
21	Institutional Support	3,321,973	3,752,222	4,344,218	4,609,174	5,633,055	5,082,576	53%
22	Academic Support	2,519,306	2,760,981	2,730,967	2,859,440	2,536,907	2,609,150	4%
23	Athletics	679,830	688,429	800,483	857,277	900,892	799,780	18%
24	Auxiliary Enterprises	3,303,200	3,302,000	4,460,300	5,302,715	5,486,463	5,243,700	59%
25	Scholarships/Fellowships	3,366,700	3,383,500	54,200	98,000	93,300	5,156,800	53%
26	Other	0	0	0	0	0	0	0%
27								
28	<b>Total Bdgt by Function</b>	<b>\$37,023,480</b>	<b>\$38,367,628</b>	<b>\$40,407,928</b>	<b>\$42,644,110</b>	<b>\$45,167,730</b>	<b>\$49,050,167</b>	<b>32%</b>

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**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**SUBJECT**

First reading Board Policy V.W. Litigation

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedures, Section V.I.7.

**BACKGROUND / DISCUSSION**

Periodically the institutions are required to initiate litigation, and to settle claims or matters already in litigation. Current policy only allows the chief executive officer of each institution or agency to negotiate settlements or claims up to \$50,000.

The proposed revision to the litigation policy would delegate authority to the chief executive officer to initiate litigation where the amount in controversy does not exceed \$100,000, and up to \$200,000 with the prior approval of the Executive Director. Any litigation with an amount in controversy over \$200,000 would need the prior approval of the Board. The policy would also delegate authority to the chief executive officer to settle claims/litigation where the payment or receipt does not exceed \$100,000, and up to \$200,000 with the prior approval of the Executive Director.

An additional proposed revision to the litigation policy authorizes designated individuals to accept service of process and other legal notice documents on behalf of the Board.

**IMPACT**

The attached policy will document service of process procedures, increase the threshold for Chief Executive Officer approval for settlements, allow for Executive Director approval up to \$200,000 and increase the threshold requiring Board approval to amounts over \$200,000. This should decrease the number of agenda items submitted to the Board for action, allowing for more expedient resolution for the institutions. It also would permit the institution to initiate litigation without prior Board approval up to these thresholds.

**ATTACHMENTS**

Attachment 1 - Governing Policy Section V.W

Page 3

**STAFF COMMENTS AND RECOMMENDATIONS**

The revised policies will assist the Board and Executive Director in maintaining their level of oversight while reducing the number of approvals, and permit the institutions the opportunity to act in a more timely fashion on certain matters.

**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**BOARD ACTION**

A motion to approve the first reading of Board Policy V.W. – Litigation as submitted.

Moved \_\_\_\_\_ Seconded \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**Idaho State Board of Education**  
**GOVERNING POLICIES AND PROCEDURES**

**SECTION: V. FINANCIAL AFFAIRS**  
**Subsection: W. Litigation**

**December 2008**

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1. General

When a lawsuit, legal document, or other official notice is instituted against an institution and/or the Board, an institution's president or its general counsel, or the executive director of the Board, is authorized to accept service of process of such matter on behalf of the institution and/or Board. This authority to accept service pertains only to attempted service upon the institution and/or Board, and not to any attempt to serve the Idaho secretary of state or the Idaho attorney general. An institution president or general counsel who accepts service of any matter on behalf of such institution and/or the Board pursuant to this authority must promptly forward a copy of any such matter to the Board office, and in appropriate circumstances, should also forward a copy of such matter to the State of Idaho Department of Administration, Division of Internal Management Systems, Risk Management Program.

42. Initiation of Litigation

An institution or agency under the governance of the Board may initiate a legal action with respect to any matter in which the amount in controversy does not exceed fifty one hundred thousand dollars (\$5100,000). ~~Any initiation of litigation of a legal matter that is in excess of fifty thousand dollars (\$50,000) must be approved by the Board prior to such initiation of litigation.~~ With the prior approval of the executive director, an institution, agency, or school under the governance of the Board may initiate a legal action with respect to any matter in which the amount in controversy does not exceed two hundred thousand dollars (\$200,000). Any other proposed legal action may not be instituted without the prior approval and authorization of the Board.

- a. Notwithstanding the authority to initiate litigation provided above, any legal action involving the exercise of the right of eminent domain must have the prior approval of the Board.
- b. Pursuant to Idaho Code §33-3804, an institution is permitted to initiate legal action in its own name.

23. Settlement of Litigation

The chief executive officer has authority to settle a legal matter involving the payment or receipt of up to fifty one hundred thousand dollars (\$5100,000) of institution or agency funds. The executive director may authorize the settlement of a

**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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legal matter involving the payment or receipt of up to two hundred thousand dollars (\$200,000) of institution, agency, or school funds. Any settlement of a legal matter that is in excess of  ~~fifty~~ two hundred thousand dollars (~~\$5~~200,000) in institution or agency funds must be approved by the Board prior to any binding settlement commitment.

**34. Litigation Reporting by Institutions**

Legal counsel for the institutions shall provide monthly attorney – client privileged litigation reports to the members of the Board, with a copy to the Board office (to the attention of the Board’s legal counsel). Such reports should include a description of all claims and legal actions filed against the institution since the date of the last report (and identify legal counsel for the parties involved, for conflict analysis purposes); a summary of the current status of all claims and pending litigation; risk analysis pertaining to all such claims and pending litigation; and the settlement of any legal claims or actions since the date of the last report, including settlements of matters handled by the State of Idaho Department of Administration, Division of Internal Management Systems, Risk Management Program. With respect to the reporting of a legal settlement, such report shall describe the amount of institution funds that were used, and the amount and source of any other funds that were provided in connection with such settlement, including funds from the Office of Insurance Management or from any other parties. Legal counsel for the institutions should also include in the report any significant incident occurring since the last report that is reasonably expected to give rise to a claim, as well as probable claims or legal actions the institution is aware of which have been threatened but not yet instituted.

**BUSINESS AFFAIRS AND STUDENT RESOURCES**  
**DECEMBER 10, 2009**

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**UNIVERSITY OF IDAHO**

**SUBJECT**

Capital Project Authorization Increase Request, Wallace Residence Center Fire Detection, Alarm and Suppressions System Improvements

**REFERENCE**

June 2009 Initial Capital Project Authorization Request for Planning and Design. Regular Board Meeting June 2009. Approved as noted in item 8, page 18 of the official meeting minutes.

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies & Procedure, Section, V.K.1 & V.K.2.

**BACKGROUND/DISCUSSION**

In June 2009, the University of Idaho, requested authorization to Plan and Design the Wallace Residence Center Fire Detection, Alarm and Suppression System Improvements.

The Initial Regent's Authorization level was set at \$75,000 for the Project Planning and Design Phase work, during the June 2009 Regular Board Meeting.

The Design Phase for the project is scheduled for completion in February 2010.

The University's Wallace Residence Center (WRC) was completed and occupied in 1964. The Fire Detection, Alarm and Suppressions Systems in the WRC are old, out-dated and many necessary replacement parts are no longer available.

The existing conditions are similar to those which the University experienced at Theophilus Tower. A highly successful retrofit and improvement to the systems in the Theophilus Tower was initiated in 2006 and completed in 2007. The University expects to pattern the anticipated improvements in the Wallace Residence Center after the work accomplished in Theophilus Tower.

At this time the University is requesting authorization to proceed with the Construction Phase for these improvements. Current Construction Costs and Design Costs in total are estimated to be \$1,540,000.

The estimate for the Construction Phase is based upon the cost information developed through fifty percent completion of the Planning and Design Phase.

The Construction Phase is scheduled for the end of summer 2010.

**BUSINESS AFFAIRS AND STUDENT RESOURCES**  
**DECEMBER 10, 2009**

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As the construction phase moves forward, the University will report any significant variations or deviations from this project cost estimate, if any, in accordance with Board policy.

The project is fully consistent with the university's strategic plan, and the university's Long Range Capital Development Plan (LRCDP).

**IMPACT**

The fiscal impact, of the total project is projected to be \$1,540,000. The project fund source is University Housing Reserves, set aside for this purpose. All project funding is in place.

**Capital Project Authorization History**

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June 2009	Original Project Authorization	\$ 75,000
Dec 2009	Additional Authorization Request	\$ 1,465,000
Total Authorization Request		<b>\$ 1,540,000</b>

**Funding**

**Estimate Budget**

State	\$ 0	Construction	\$ 1,186,710
Federal (Grant):	0	A/E & Consultant Fees	216,000
Other (State & UI)	<u>1,540,000</u>	Contingency	<u>137,290</u>
Total	<u>\$ 1,540,000</u>	Total	<u>\$ 1,540,000</u>

**ATTACHMENTS**

Attachment 1 – Capital Project Tracking Sheet

Page 3

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends approval.

**BOARD ACTION**

A motion to approve the University of Idaho's request to proceed with construction of the Wallace Residence Center Fire Detection, Alarm and Suppressions System Improvements, and to authorize the University to execute all of the necessary contracts to implement the construction phase of the project, for a total project budget not to exceed \$1,540,000.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

**Office of the Idaho State Board of Education  
Capital Project Tracking Sheet  
As of December, 2009**

**History Narrative**

- 1 **Institution/Agency:** University of Idaho      **Project:** Wallace Residence Center Fire Detection, Alarm and Suppressions System Improvements, University of Idaho, Moscow, Idaho
- 2 **Project Description:** Design and Construction Phase work towards an eventual series of improvements to the Fire Detection, Alarm and Suppressions Systems of the Wallace Residence Center located on the main campus of the University of Idaho, Moscow,
- 3 **Project Use:** Project will improve and upgrade the Fire Detection, Alarm and Suppressions Systems of the Wallace Residence Center, University of Idaho, Moscow, Idaho. The Additional Project Authorization request is for the Construction Phase. Total Project Cost including the Planning, Design and the Construction Phase is estimated to be \$1,540,000
- 4 **Project Size:** N/A

	Sources of Funds				Use of Funds			
	PBF	ISBA	Other	Total Sources	Planning	Use of Funds Const	Other**	Total Uses
9 Initial Cost of Project	\$ -	\$ -	\$ 75,000	\$ 75,000	\$ 70,000	\$ -	\$ 5,000	\$ 75,000
11 <b>History of Revisions:</b>								
12 Additional Auth Request, December 09			\$ 1,465,000	\$ 1,465,000	\$ 146,000	\$ 1,186,710	\$ 132,290	\$ 1,465,000
16 <b>Total Project Costs</b>	\$ -	\$ -	\$ 1,540,000	\$ 1,540,000	\$ 216,000	\$ 1,186,710	\$ 137,290	\$ 1,540,000

History of Funding:	PBF	ISBA	* Other Sources of Funds				Total Other	Total Funding
			Institutional Funds (Gifts/Grants)	Student Revenue	Other			
20 Original Authorization Request, Design Phase Only,			\$ 75,000				\$ 75,000	\$ 75,000
21 Additional Auth Request, December 09			\$ 1,465,000				\$ 1,465,000	\$ 1,465,000
25 Total	\$ -	\$ -	\$ 1,540,000	\$ -	\$ -	\$ -	\$ 1,540,000	\$ 1,540,000

27 \* University of Idaho Housing reserve and maintenance funds set aside for this purpose . UI will report back to the Board of Regents any resulting revisions to the project estimate resulting from the bid process and seek additional project authorization as may be required.

28 \*\* Project Contingency

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**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**BOISE STATE UNIVERSITY**

**SUBJECT**

Revisions to Multi-Media and Marketing Rights for Boise State University Athletics

**APPLICABLE STATUTE, RULE, OR POLICY**

Idaho State Board of Education Governing Policies and Procedures Section V.I.6.b.

**BACKGROUND/DISCUSSION**

Following approval by the State Board of Education (SBOE) on October 15, 2009 of the Multi-media and Marketing Rights Agreement between Learfield Sports Marketing and Boise State, a few minor changes were made to the agreement in the final discussions before signature.

**IMPACT**

The attachment sets out the changes made. The most significant is that, as allowed by the SBOE approved contracts with certain head coaches, some of the compensation for such coaches may come from the University's designated media outlets. The change makes the Learfield agreement consistent with the SBOE approved employment contracts and ensures that such is allowed only at the direction of the University.

**ATTACHMENTS**

Attachment 1 – Summary of changes made to Agreement

Page 3

**STAFF COMMENTS AND RECOMMENDATIONS**

Staff recommends approval.

**BOARD ACTION**

A motion to approve the request by Boise State University to revise the previously approved multi-media and marketing rights agreement with Learfield Sports Marketing as submitted.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_

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**Multi-media and Marketing Rights Agreement between Learfield Sports Marketing / Bronco Sports Properties and Boise State University**

Following approval of the contract at the State Board of Education Meeting on October 15, 2009, the following changes were made to the Agreement with Learfield Sports regarding the outsourcing of the Media and Marketing Rights relating to the Athletics' Department

1. **Section 2.3B and Section 2.5B (Radio and TV Coaches' Shows):** Addition of a provision allowing Learfield, only at the request and direction of the University, to pay coaches' directly, in respect of their appearance on radio and/or TV coaches' shows.  
"Any compensation of the coaches in respect of such shows shall be in the sole discretion of the University but in no event shall Learfield be responsible for a coach's compensation. Notwithstanding the provisions of the preceding sentence to the contrary, if University wishes that Learfield pay part or all of a coach's compensation, it shall notify Learfield in writing of the amount of a coach's compensation that it wishes Learfield to pay ("Coach's Compensation Amount") and Learfield shall pay the Coach's Compensation Amount in two equal payments at the times that Learfield pays the University its Guaranteed Royalty Fee (December 31 and June 30). Learfield shall then deduct from the Guaranteed Royalty Fee the Coach's Compensation Amount which will be a credit against the Guaranteed Royalty Fee then owed by Learfield to the University."
2. **Section 2.6A and B (Television Broadcast Rights):** These provisions relating to local TV coverage of games were in the incorrect section and so were moved from Section 2.5 (relating to Coaches Shows) to Section 2.6 (relating to other Third Tier Television Rights)<sup>1</sup>. The wording was not changed.
3. **Section 2.9A (Athletics Internet Site and Internet Video Streaming and e-Commerce):** Clarification of language to provide that that University may consult with Learfield but shall in its sole discretion chose the company to whom it may contract the hosting services of the Official Athletics Website (OAS). The previous draft was not clear and implied that Learfield had a right to be involved in the decision.
4. **Section 2.10.2:** Clarification of number of gratis Game programs and other publications that Learfield is contractually obliged to provide to University.  
"Learfield will provide University with a mutually agreeable reasonable number of complimentary Game Publications, to be no less than five hundred (500) copies in respect of football Game Publications and one hundred (100) in respect of the other Game Publications"
5. **Schedule 2.12.5:** Insertion of the trademarks the University licenses to Learfield under this contract
6. **Schedule 3.1.** Insertion of the number of game tickets provided by University to sponsors during the Athletic Year 2008-09, the same number of which shall be provided to Learfield under this contract for distribution to sponsors.

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<sup>1</sup> For clarification – Third Tier Rights are television broadcast rights not granted by NCAA to a national broadcaster (e.g ESPN - First tier) or to the Western Athletic Conference (Second Tier).

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**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**SUBJECT**

2010-2011 (Fiscal Year 2011) Student Tuition & Fees

**APPLICABLE STATUTES, RULE OR POLICY**

State Board of Education Governing Policies & Procedures, Section V.R.1.

**BACKGROUND / DISCUSSION**

The economic trauma that has swept across the country over the past 18 months has resulted in unprecedented budget cuts to higher education in Idaho at a time when enrollment is burgeoning in typical countercyclical fashion. From FY 2009 to FY 2010, the year-over-year original General Fund appropriation for the college and universities is down 11.2% or \$31,873,400 (this number is actually artificially low because of a transfer of \$10 million from the Permanent Building Fund to the General Fund for the University of Idaho's Center for Livestock and Environmental Studies). Add on top of that a current year holdback of 6% or \$15,196,700, which brings the percent change from the FY 2009 original appropriation to -16.5%. While the budget cuts have been partially mitigated in the current year by federal stimulus funds in the amount of \$15,313,800, the funding available for FY 2011 will drop by a factor of over 3½ to \$4,305,900 for FY 2011. This two-year stop gap measure has softened the effects of the recession, but it could also bring higher education to the brink of a funding cliff when stimulus money runs out beginning in FY 2012.

Current revenue projections anticipate that state funding will continue to be severely challenged to just maintain current operations at the institutions, let alone provide any increases for projected funding needs. As a result, the institutions must look to expenditure controls and efficiencies as well as a diversity of funding resources to meet their ongoing budget needs. Student fee revenues represent one part of the institutions' diversified funding portfolio. The Board's policy on student tuition and fees provides that "[a]n institution cannot request more than a ten percent (10%) increase in the total full-time student fee unless otherwise authorized by the Board."

**IMPACT**

Approval of this request would allow the institutions to begin discussions and hearings on their campuses of a range of fee increases.

**STAFF COMMENTS AND RECOMMENDATIONS**

The current financial crisis creates many budgeting uncertainties for the institutions. A second mid-year holdback, for example, could be a significant determining factor as the institutions contemplate fee increases for FY 2011. As a result, the institutions are undecided in how much they may request. Therefore, the Board may like to provide the institutions flexibility to consider a range of fee increase options.

**BUSINESS AFFAIRS AND HUMAN RESOURCES**  
**DECEMBER 10, 2009**

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**BOARD ACTION**

A motion to waive Board Policy Section V.R.1., only as it relates to requesting prior Board authorization for student fee increase requests in excess of 10%, for fiscal year 2011.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_ Carried Yes \_\_\_\_\_ No \_\_\_\_\_