

**BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010**

TAB	DESCRIPTION	ACTION
1	NET ASSET BALANCES College & Universities	Information item
2	AMENDMENT TO BOARD POLICY Section V.M. – Intellectual Property, 2 nd Reading	Motion to approve
3	AMENDMENT TO BOARD POLICY Section V.D. – Fiscal Officer, Banking, and Investments, 1 st Reading	Motion to approve
4	AMENDMENT TO BOARD POLICY Section V.R.3.a.v. - Self-Support Certificate and Program Fees, 1 st Reading	Motion to approve
5	AMENDMENTS TO BOARD POLICY Section V.R.3. – Definitions and Types of Tuition and Fees, and Section V.Q.1. Revenue Deposited into Account, 1 st Reading	Motion to approve
6	STUDENT TUITION AND FEES Authorize Institutions to Request Fees in Excess of 10%	Motion to approve
7	BOISE STATE UNIVERSITY Dependent Fee Waiver Pilot Program	Motion to approve
8	BOISE STATE UNIVERSITY Capital Project – TECenter Remodel	Motion to approve
9	BOISE STATE UNIVERSITY Capital Project – Lincoln Ave. Student Housing	Information item
10	BOISE STATE UNIVERSITY Capital Project – Proposed Stadium Expansion	Motion to approve

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TAB	DESCRIPTION	ACTION
<hr/>		
	UNIVERSITY of IDAHO	
11	Naming/Memorializing Buildings – Art & Architecture Interdisciplinary Studio Complex	Motion to approve
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	LEWIS-CLARK STATE COLLEGE	
12	Settlement Agreement – College Place	Motion to approve
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SUBJECT

2010 College and Universities' Net Asset Balances

BACKGROUND/DISCUSSION

The net asset balances have been shown from 2002 through current year including a breakdown of unrestricted net assets into categories developed by staff and the institutions. This format, however, did not inform legislators with respect to the liquidity of the various categories, so staff and the institutions developed a new format for displaying the unrestricted net assets and include Obligated, Designated, and Unrestricted. The net assets are broken down as follows:

Invested in capital assets, net of related debt: This represents the institution's total investment in capital assets, net of accumulated depreciation and outstanding debt obligations related to those capital assets. To the extent debt has been incurred but not yet expended for capital assets, such amounts are not included.

Restricted, expendable: This represents resources in which the institution is legally or contractually obligated to spend resources in accordance with restrictions imposed by external third parties.

Restricted, nonexpendable: This represents endowment and similar type funds in which donors or other outside sources have stipulated, as a condition of the gift instrument, that the principal is to be maintained inviolate and in perpetuity, and invested for the purpose of producing present and future income, which may either be expended or added to principal.

Unrestricted: This represents resources derived from student fees, state appropriations, and sales and services of educational departments and auxiliary enterprises. These resources also include auxiliary enterprises, which are substantially self-supporting activities that provide services for students, faculty and staff. Not all source of revenues noted above are necessarily present in the unrestricted balance, i.e. state General Funds are normally spent in the fiscal year appropriated, and not carried over into the following fiscal year.

Within **Unrestricted Net Assets**, the institutions reserve funds for the following:

Obligated: Contractual obligations represent a variety of agreements which support initiatives or operations that have moved beyond management planning into execution. Obligations include contracts for goods and services, including construction projects. Obligations contain debt service commitments for outstanding debt and staffing commitments for personnel. These amounts also consist of inventories and other balances for which contractual commitments exist.

Designated: Designated net assets represent balances not yet legally contracted but have been dedicated to initiatives that have been deemed to be strategic or mission critical. Balances include capital or maintenance projects that are in active planning phases. Facility and administrative returns from sponsored projects (grants and contracts) are reinvested in infrastructure or on efforts to obtain additional grant funding. Documented central commitments to initiatives that have been approved at an executive level are designated.

Unrestricted Funds Available: Balance represents reserves available to bridge uneven cash flows as well as future potential reduced funding. Current examples of potential future reductions include:

- Budget reductions or holdbacks
- Enrollment fluctuations
- Unfunded enrollment workload adjustment (EWA)
- Loss of ARRA funding

IMPACT

The volatility of state funding – as well as fluctuations in enrollment and tuition revenue – necessitates the need for institutions to maintain fund balances sufficient to stabilize operating budgets. Best practices for responsible fiscal policy suggest that institutions maintain an unrestricted fund balance at a level that represents 5 to 15 percent of operating expenses, or is sufficient to fund no less than one to two months of operating expenditures. Finance staff at the Board and the college and universities spent significant time in evaluating these best practices when applied to their own unique budgetary environments. In recognition of the severe financial crisis in which the State currently finds itself, Board staff and the institutions have concluded that 5% of operating expenses (which reflects less than one month of expenses) is a reasonable target for a minimum available reserve. (Since the institutions' state appropriations are not included in operating revenues but non-operating revenues, staff and the institutions decided to use audited operating expenses.) Based on this target reserve, the institutions' unrestricted available balances are:

BSU:	2.2%
ISU:	3.7%
UI:	1.1%
LCSC:	3.5%

Note: Designated reserves are not yet legally contracted, so technically they are still subject to management decision or reprioritization. However, it's critical to understand that these net asset balances are a snapshot in time as of June 30, 2010, so reserves shown as "designated" on this report could be "obligated" at any point in the current fiscal year.

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ATTACHMENTS

BSU Net Asset Balances	Page 5
ISU Net Asset Balances	Page 6
UI Net Asset Balances	Page 7
LCSC Net Asset Balances	Page 8

STAFF COMMENTS AND RECOMMENDATIONS

The institutions will present a brief analysis of unrestricted net assets.

BOARD ACTION

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

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Boise State University

Net Asset Balances

As of June 30, 2010

Information Taken from Workpapers Relating to Audited Financial Statements

1	Net Assets:	Boise State University
2	Invested in capital assets, net of related debt	\$192,322,268
3	Restricted, expendable	20,984,492
4	Restricted, nonexpendable	-
5	Unrestricted	81,918,020
6	Total Net Assets	<u>\$295,224,780</u>
7		
8	Unrestricted Net Assets:	\$81,918,020
9	Obligated (Note A)	55,497,644
10	Designated (Note B)	20,462,160
11	Unrestricted Available (Note C)	<u>\$5,958,216</u>
12		
13	Operating expenses	270,684,863
14	Ratio of Unrestricted Funds Available to operating expenses	2.2%
15	5% of operating expenses (minimum available reserve target)	13,534,243
16		
17	Two months operating expenses	45,114,144
18	Ratio of Unrestricted Funds Available to two months of operating expenses	13%
19	Number of days expenses covered by Unrestricted Funds Available	8

Note A: **Obligated** - Contractual obligations represent a variety of agreements which support initiatives or operations that have moved beyond management planning into execution. Obligations include contracts for goods and services, including construction projects. Obligations contain debt service commitments for outstanding debt and staffing commitments for personnel. These amounts also consist of inventories and other balances for which a contractual commitments exist.

Note B: **Designated** - Designated net assets represent balances that are not yet legally contracted, but have been dedicated to initiatives that have been deemed to be strategic or mission critical. Balances include capital or maintenance projects that are in active planning phases. Facility and administrative returns from sponsored projects (grants and contracts) are reinvested in infrastructure or on efforts to obtain additional grant funding. Documented central commitments to initiatives that have been approved at an executive level are designated.

Note C: **Unrestricted Funds Available** - Balance represents reserves available to bridge uneven cash flows as well as future potential reduced funding. Current examples of potential future reductions are:

Budget reductions or holdbacks
Enrollment fluctuations
Unfunded Enrollment Workload Adjustment (EWA)
Loss of ARRA funding

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IDAHO STATE UNIVERSITY

Net Asset Balances

As of June 30, 2010

Information Taken from Workpapers Relating to Audited Financial Statements

1	Net Assets:	ISU
2	Invested in capital assets, net of related debt	\$113,836,708
3	Restricted, expendable	8,479,940
4	Restricted, nonexpendable	-
5	Unrestricted	47,219,698
6	Total Net Assets	<u>\$169,536,346</u>
7		
8	Unrestricted Net Assets:	\$47,219,698
9	Obligated (Note A)	19,407,645
10	Designated (Note B)	20,194,938
11	Unrestricted Available (Note C)	<u>\$7,617,115</u>
12		
13	Operating expenses	207,824,538
14	Ratio of Unrestricted Funds Available to operating expenses	3.7%
15	5% of operating expenses (minimum available reserve target)	10,391,227
16		
17	Two months operating expenses	34,637,423
18	Ratio of Unrestricted Funds Available to two months of operating expenses	22%
19	Number of days expenses covered by Unrestricted Funds Available	13.38

Note A: **Obligated** - Contractual obligations represent a variety of agreements which support initiatives or operations that have moved beyond management planning into execution. Obligations include contracts for goods and services, including construction projects. Obligations contain debt service and staffing commitments for outstanding debt and personnel. These amounts also consist of inventories and other balances for which a contractual commitments exist.

Note B: **Designated** - Designated net assets represent balances that are not yet legally contracted, but have been dedicated to initiatives that have been deemed to be strategic or mission critical. Balances include capital or maintenance projects that are in active planning phases. Facility and administrative returns from sponsored projects (grants and contracts) are reinvested in infrastructure or on efforts to obtain additional grant funding. Documented central commitments to initiatives that have been approved at an executive level are designated.

Note C: **Unrestricted Funds Available** - Balance represents reserves available to bridge uneven cash flows as well as future potential reduced funding. Current examples of potential future reductions are:

Budget reductions or holdbacks
Enrollment fluctuations
Unfunded Enrollment Workload Adjustment (EWA)
Loss of ARRA funding

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University of Idaho

Net Asset Balances

As of June 30, 2010

Information Taken from Workpapers Relating to Audited Financial Statements

1	Net Assets:	University of Idaho
2	Invested in capital assets, net of related debt	\$211,194,033
3	Restricted, expendable	74,964,487
4	Restricted, nonexpendable	67,829,850
5	Unrestricted	26,298,058
6	Total Net Assets	<u>\$380,286,428</u>
7		
8	Unrestricted Net Assets:	\$26,298,058
9	Obligated (Note A)	16,335,802
10	Designated (Note B)	6,083,302
11	Unrestricted Available (Note C)	<u>\$3,878,954</u>
12		
13	Operating expenses	\$343,883,326
14	Ratio of Unrestricted Funds Available to operating expenses	1.1%
15	5% of operating expenses (minimum available reserve target)	\$17,194,166
16		
17	Two months operating expenses	\$57,313,888
18	Ratio of Unrestricted Funds Available to two months of operating expenses	7%
19	Number of days expenses covered by Unrestricted Funds Available	4

Note A: **Obligated** - Contractual obligations represent a variety of agreements which support initiatives or operations that have moved beyond management planning into execution. Obligations include contracts for goods and services, including construction projects. Obligations contain debt service commitments for outstanding debt and staffing commitments for personnel. These amounts also consist of inventories and other balances for which a contractual commitments exist.

Note B: **Designated** - Designated net assets represent balances that are not yet legally contracted, but have been dedicated to initiatives that have been deemed to be strategic or mission critical. Balances include capital or maintenance projects that are in active planning phases. Facility and administrative returns from sponsored projects (grants and contracts) are reinvested in infrastructure or on efforts to obtain additional grant funding. Documented central commitments to initiatives that have been approved at an executive level are designated.

Note C: **Unrestricted Funds Available** - Balance represents reserves available to bridge uneven cash flows as well as future potential reduced funding. Current examples of potential future reductions are:

Budget reductions or holdbacks
Enrollment fluctuations
Unfunded Enrollment Workload Adjustment (EWA)
Loss of ARRA funding

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Lewis-Clark State College

Net Asset Balances

As of June 30, 2010

Information Taken from Workpapers Relating to Audited Financial Statements

1	Net Assets:	Lewis-Clark State College
2	Invested in capital assets, net of related debt	\$41,283,868
3	Restricted, expendable	1,306,498
4	Restricted, nonexpendable	-
5	Unrestricted	13,464,727
6	Total Net Assets	<u>\$56,055,093</u>
7		
8	Unrestricted Net Assets:	\$13,464,727
9	Obligated (Note A)	2,827,034
10	Designated (Note B)	9,096,818
11	Unrestricted Available (Note C)	<u>\$1,540,875</u>
12		
13	Operating expenses	43,914,857
14	Ratio of Unrestricted Funds Available to operating expenses	3.5%
15	5% of operating expenses (minimum available reserve target)	2,195,743
16		
17	Two months operating expenses	7,319,143
18	Ratio of Unrestricted Funds Available to two months of operating expenses	21%
19	Number of days expenses covered by Unrestricted Funds Available	13

Note A: **Obligated** - Contractual obligations represent a variety of agreements which support initiatives or operations that have moved beyond management planning into execution. Obligations include contracts for goods and services, including construction projects. Obligations contain debt service and staffing commitments for outstanding debt and personnel. These amounts also consist of inventories and other balances for which a contractual commitments exist.

Note B: **Designated** - Designated net assets represent balances that are not yet legally contracted, but have been dedicated to initiatives that have been deemed to be strategic or mission critical. Balances include capital or maintenance projects that are in active planning phases. Facility and administrative returns from sponsored projects (grants and contracts) are reinvested in infrastructure or on efforts to obtain additional grant funding. Documented central commitments to initiatives that have been approved at an executive level are designated.

Note C: **Unrestricted Funds Available** - Balance represents reserves available to bridge uneven cash flows as well as future potential reduced funding. Current examples of potential future reductions are:

Budget reductions or holdbacks
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Loss of ARRA funding

BUSINESS AFFAIRS AND HUMAN RESOURCES
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SUBJECT

Intellectual Property policy amendment - second reading

REFERENCE

October 2010

Board approved First Reading

APPLICABLE STATUTE, RULE, OR POLICY

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

BACKGROUND/DISCUSSION

The Board's intellectual property policy together with the institutions' own technology transfer policies establishes the legal basis for the institutions to claim, disclaim, transfer, or convey intellectual property.

The Idaho Innovation Council endorsed the proposed policy revisions prior to first reading. The Council subsequently submitted some suggested language with respect to intellectual property vision and guiding principles:

The creation and application of intellectual property is vital to the growth and success of Idaho's innovation ecosystem, therefore our top priority is to capitalize on the development and transfer of advanced technology to ensure the prosperity of Idaho in a rapidly advancing world.

The purpose of this policy is to facilitate the agile management of IP so that our institutes of higher education have the greatest ability possible to leverage their IP. Our objectives include fostering the development of IP, assuring its awareness and access to the public domain, and facilitating its transfer, protection, and implementation, as outlined in this subsection.

The State Board of Education, on behalf of the state of Idaho, and the Board of Regents, on behalf of the University of Idaho, (hereinafter collectively referred to as the "Board") establishes the deployment of innovation created at Idaho's post secondary research institutions to the commercial sector as a mission priority. To accomplish this mission, Idaho's post secondary institutions are encouraged to utilize intellectual property to actively promote innovation, commercialization through licensing to the private sector, establishing internal entrepreneurial cultures that support technology transfer, and developing working relationships with the private sector that advance local, state, and national economic development. Supporting university policy and programs, including rewards and recognition, performance incentives and entrepreneurial leave programs, should be established or maintained to enable and encourage the deployment of technology. The State Board intends to promote the beneficial use of intellectual property. The following intellectual property policies balance the institutional obligations to preserve open inquiry and realize the commercial value of intellectual property produced by employees of Idaho's postsecondary educational institutions.

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While this language does not necessarily inform governing policy and procedures, staff does recommend it be incorporated into the research strategic plan currently under development.

IMPACT

The proposed changes to the policy define the term “intellectual property,” clarify ownership and copyright interests, and cleans up and standardize language and terminology.

ATTACHMENTS

Attachment 1 – Board Policy V.M. – Second Reading.

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STAFF COMMENTS AND RECOMMENDATIONS

There were several changes from the first reading at the request of Mr. Lewis.

1. In section V.M.2., paragraphs b. and c. were revised to further clarify the criteria for claim and disclaims of ownership. Specifically, the types of Board resources used by an employee can be a criterion used in determining whether to claim or disclaim ownership.
2. In section V.M.3.b., the language was revised to provide that institutions have discretion with respect to claiming an ownership interest in certain copyrights.

The Objective and Purposes also contain some minor revisions requested by the Governor’s Office.

Board staff recommends approval of the second reading of Board Policy V.M. as submitted.

BOARD ACTION

I move to approve the second reading of proposed amendments to Board Policy Section V.M. Intellectual Property as presented, and to direct institutions to bring their technology transfer policies to the Board for review and approval within 12 months.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

~~September 2009~~December 2010

1. Objectives and Purposes

The State Board of Education, on behalf of the state of Idaho, and the Board of Regents, on behalf of the University of Idaho, (hereinafter collectively referred to as the ~~State~~ “Board”) recognize the dynamic relationship between research and education in postsecondary educational institutions. The ~~State~~ Board recognizes that ~~the~~ inventions, discoveries and published works of commercial importance may be the natural outgrowth of research. The ~~State~~ Board intends to promote the beneficial use of intellectual properties ~~for the public good~~. While postsecondary educational institutions must remain open to intellectual inquiry, ~~at times~~ this openness ~~is juxtaposed with~~ carries with it the obligations to contribute to the economic growth and development of Idaho and the nation. The following intellectual property policies balance the institutional obligations to preserve open inquiry while also actively seeking to foster and advance ~~and realize~~ the commercial value of intellectual property produced by employees of ~~the State's~~ Idaho's postsecondary educational institutions.

2. Intellectual Property

a. Definition. Intellectual property includes, but is not limited to, any invention, discovery, creation, know-how, trade secret, technology, scientific or technological development, plant variety, research data, mark, design, mask work, work of authorship, and computer software regardless of whether subject to protection under patent, trademark, copyright or other laws.

b. Claim of ownership interest. The ~~State Board of Education~~, on behalf of the state of Idaho, through and by Idaho's postsecondary educational institutions under the governance of the Board (hereinafter referred to as “institutions”) ~~and the Board of Regents, on behalf of the University of Idaho,~~ claims ownership of any ~~invention or patentable discovery~~ intellectual property developed under any of the following circumstances:

- i. Arising from any work performed by an employee of ~~the State Board~~ any institution during the course of ~~his~~ their duties to the ~~agency or~~ institution;
- ii. Arising from any work performed by an employee of ~~the State Board~~ an institution or other individual, using ~~state Board or institution~~ resources not ~~similarly openly~~ available to members of the general public including, but not limited to, laboratories, studios, equipment, production facilities, office space, personnel or specialized computing resources; or
- iii. Arising from any work performed by an employee of ~~the State Board~~ an institution under contract in a program or project sponsored by ~~a State Board~~

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- ~~agency or an~~ institution or between institutions or a closely related research foundation.
- ~~cb.~~ Disclaimer of ownership interest. The ~~State Board of Education and the Board of Regents of the University of Idaho~~ claims s no ownership interest in any ~~invention or patentable discovery~~ intellectual property developed by the employee(s) or contractor(s) of an institution under the following circumstances:
- i. When the work is performed outside their assigned duties of the employee/contractor; and
 - ii. When the employee/contractor is without benefit of ~~State Board or institution~~ facilities except ~~those available to members of the general public, (such as libraries)~~.
- ~~de.~~ Policy review. — ~~Agencies and institutions under the governance of the State Board must secure to the state of Idaho their ownership interest in inventions and patentable discoveries. Agency and i~~ Institutional policies setting out patent technology transfer administration, including evaluating, financing, assignment, marketing, protection, and the division and use of royalties, as well as amendments thereto, must be submitted to the ~~State~~ Board for its review and approval.
- ~~ed.~~ Condition of employment - ~~State Board~~ Institution employees and contractors must, as a condition of employment or ~~f~~ contract, agree and adhere to the ~~State Board approved policy on inventions and patentable discoveries~~ intellectual property.
3. Copyrights
- a. Notwithstanding Section 2 of this Policy, When institution employees/~~or~~ contractors are expressly directed to produce specific work for publication, performance or display in the course of their employment duties, the ~~agency or~~ institution ~~may~~ reserves s the right to copyright the publication in the name of the state of Idaho or the ~~University of Idaho~~ institution or to publish such work without copyright.
 - b. Except as noted in 3.a. above, neither the ~~State Board of Education nor any institution and the Board of Regents of the University of Idaho is required to~~ claims s ~~an~~ no ownership interest in works submitted for publication, performance or display by ~~State Board institution~~ employees/~~and~~ contractors. ~~Employees and contractors retain the right to copyright and publish their own works. That is, as a general rule, all rights to copyrightable material are the property of the creator. The distribution of royalties, if any, is a matter of arrangement between the creator and his~~ their publishers or licensees. ~~However~~ Instead, institutions subject

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to this ~~rule~~Policy may elect, by contract or institutional policy, to claim an interest in copyrightable material produced, in whole or part, by their employees or contractors. ~~For example, different treatment may be accorded by an institution~~Institutional policy shall provide for institutional ownership in circumstances including, but not limited to, the following:

- ~~i. In~~ i. In cases of specific contracts providing for ~~an exception~~ institutional ownership,
- ~~ii. In~~ ii. In cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work,
- ~~iii. Where~~ iii. Where ~~different treatment~~ institutional ownership is deemed necessary in order to reflect the contribution of the institution to the work ~~as in the case of software, mask works for microcircuit chips, or audiovisual material~~,
- ~~iv. Where~~ iv. Where a sponsored agreement requires ~~otherwise~~ institutional ownership.

4. Intellectual Property Transfer

- a. The ~~State Board of Education and the Board of Regents of the University of Idaho~~ delegates to ~~Idaho's postsecondary educational~~ the institutions the right to transfer, ~~and convey, license or disclaim ownership rights~~ in intellectual properties developed within ~~the each respective~~ institutions under this policy. This ~~rule policy will~~ allows the institutions to ~~play appropriate roles in effect~~ knowledge transfer and economic growth and development. Under this ~~rule policy~~, ~~the each respective~~ institutions may:
 - i. Grant ~~rights to owned~~ any or all intellectual property ~~rights~~ ies to research foundations for further development or transfer.
 - ii. ~~Themselves as~~ Act as ~~licensors~~ to convey any or all intellectual property rights to ~~commercial ventures~~ for-profit, non-profit, and/or governmental entities.
 - iii. Grant exclusive intellectual property rights to for-profit, non-profit, and/or governmental entities ~~a licensee~~.
 - iv. Collect and disburse license payments in accordance with institutional policy to inventors and their departments and colleges, as well as to their institutions, ~~for the general support of research within the institutions~~.
 - v. Permit institutional employees the right to participate in ownership and governance of for-profit, non-profit, and/or governmental entities ~~companies that~~ licensed ~~by the~~ institutions sal intellectual property to produce and market the ~~discoveries~~ intellectual property, ~~provided subject to~~ the conflict of interest ~~rules policies are followed~~ set forth in Idaho State Board of Education Governing Policies and Procedures, Section I.G. and II.Q..

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- b. Each ~~of Idaho's postsecondary institutions~~ shall, ~~within twelve (12) months of the promulgation of this rule~~Policy, submit its develop an institutional policy on the ~~transfer of intellectual properties (technology transfer) for State Board review and approval~~. At a minimum, ~~the an institution's~~ policy shall ~~include~~ include:
- i. The name of the institutional position (or office) with the authority and responsibility for carrying out the policy and binding the institution contractually.
 - ii. Policy and plans for patent acquisition (i.e., who initiates, who pays the lawyers, and an enumeration of the duties, responsibilities, and a process for settling debates).
 - iii. The range of allowable institutional involvement in the transfer process (i.e., from licensing to acceptance of institutional ownership interests, continued development in institutional facilities for the benefit of the licensee, business planning or production assistance).
- c. At the request of the Board ~~The~~ the appropriate officer of each ~~postsecondary~~ institution shall report, ~~two (2) weeks in advance of the State Board meeting, on patent, copyright, and~~ technology transfer activities that have occurred at the institution and the general effectiveness of the institution in deploying technology. Institutions should report performance data through the annual Association of University Technology Licensing survey. ~~since the prior meeting of the Board. With respect to patents, the report shall include what public notice was given prior to the licensee(s) being selected. Further, that~~ The report ~~shall~~will also indicate whether any employees of the institution or its respective research foundation have a financial interest in the ~~company~~ entity to which the intellectual property ~~rights were~~was transferred conveyed. Terms of any license or technology transfer contract will be made available in confidence upon request for inspection by the ~~State~~ Board.

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SUBJECT

Fiscal Officer, Banking, and Investments, Board Policy V.D – first reading

APPLICABLE STATUTES, RULE OR POLICY

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

BACKGROUND / DISCUSSION

The Board's investment policy was last modified in April 2002. The proposed changes indicated below would add, change or clarify investments permitted by the Board and improve controls as follows:

- 1) Investments in A rated (or better) corporate bonds or mortgage-back securities. (Current policy allows investment in these vehicles "of AA grade or better.")
- 2) Investments which meet the rating requirements at the time of the investment acquisition.
- 3) Investments in securities issued by the State of Idaho, state-related agencies, and local governments of the State (this would include Build America Bonds).
- 4) Additional key control elements are incorporated into the policy by placing State Board of Education and institutionally designed limitations on portfolio concentrations, credit risk, maturity timeframes, and requiring portfolio reviews. This policy change also assures institutional compliance in accordance with key criteria specified under the standard of conduct for managing and investing institutional funds specified in the Uniform Prudent Management of Institutional Funds Act (Section 33-5003, Idaho Code).

Items 1 and 2 above would make the investment policy substantially similar to Section 67-1210A, Idaho Code, which authorizes the State Treasurer to invest in "...bonds, debentures or notes of any corporation organized, controlled and operating within the United States which have, at the time of their purchase, an A rating or higher by a commonly known rating service."

Similarly, item 3 above parallels investment authority of the State Treasurer as provided in Section 67-1210(b), (c), (e), (g), (h) and (k), Idaho Code.

IMPACT

These changes would provide institutions flexibility in managing their investment portfolio; standardize key control elements designed to reduce investment risk consistent with prudent management and institutional requirements; and provide for potentially higher returns consistent with institutional and State Board of Education investment policy and objectives.

ATTACHMENTS

Attachment 1 - Proposed Policy Change, 1st Reading

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STAFF COMMENTS AND RECOMMENDATIONS

The proposed revisions add a new “investment objectives” section which requires institutions to maintain a written investment policy consistent with the Board’s investment policy and the Uniform Prudent Management of Institutional Funds Act. The revisions also change the layout of allowable investments from paragraph form to list form which makes it easier for the reader to find and review approved investment vehicles. Additions to the allowable investments are State and municipal bonds, which brings the Board’s investment policy substantially in line with the State’s statutory allowable investments. While the policy does lower the acceptable investment grade of corporate bonds and mortgage-backed securities from AA to A, the institutions will be required to adopt a written institutional investment policy which establishes guidelines for (among other things) ratings downgrades. So if an institution holds corporate bonds which are downgraded from A to BBB, the policy will inform what the appropriate action should be. When combined with the revision providing that investments must meet the rating requirements at the time of the investment acquisition, the policy provides the institutions greater flexibility to liquidate an investment to maximize returns or minimize loss exposure.

Staff recommends approval.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board Policy Section V.D. Fiscal Officer, Banking, and Investments, as presented.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: D. Fiscal Officer, Banking, and Investments

~~April 2002~~February, 2011**D. Fiscal Officers, Banking, and Investments**

1. Bursars

Each institution, ~~school~~ and agency must have a fiscal officer, titled "bursar," designated by the Board. The fiscal officer is primarily responsible for receipt and remittance of money and other evidence of indebtedness and for making reports on fiscal matters directly to the Board. The Board may, from time to time, fix additional duties for the fiscal officers and fix the amount of any performance bond. The financial vice president of each of the institutions of higher education serves as the fiscal officer and/or bursar of that institution.

2. Deposits

Each institution, ~~school~~ and agency must deposit with the state treasurer all money and other evidence of indebtedness received for or on account of the state of Idaho (Section 59-1014, Idaho Code). The University of Idaho may deposit money and other evidence of indebtedness belonging to the University of Idaho in financial institutions approved by the Board of Regents. (*Melgard* ~~Vy~~ *Eagleson*, 31 Idaho 411 (1918).) Deposits with the state treasurer must be made daily when the amount is \$200 or more or weekly when the amount is less than \$200 in any 24-hour period. The depositor must take in exchange a receipt from the state treasurer (Section 59-1014, Idaho Code). The University of Idaho will make deposits at the intervals provided above. By resolution, the State Board of Examiners may authorize an institution, school or agency to make deposits with the state treasurer less frequently, but in no event less than once a month (Section 67-2025, Idaho Code). Prior approval by the Board is required if any financial institution other than the state treasurer is to receive deposits.

3. Treasurer for Non-State Monies

The Board may authorize the fiscal officer or other employee of any institution to act as treasurer for any organization or association of students or faculty at the institution and to collect, receive, deposit, and disburse money and other evidence of indebtedness on its behalf. (Section 67-2025, Idaho Code)

4. Local Depositories

Pending payment of money or other evidence of indebtedness to the state treasurer or to the person otherwise entitled to receive the same, an institution or agency may deposit the same in a suitable bank or trust company in the state of Idaho, subject to the provisions of the public depository law, whether the money is owned by the state of Idaho or otherwise.

5. Security of Funds

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Any employee of any institution, ~~school~~ or agency under the governance of the Board having money or other evidence of indebtedness in his or her physical custody or administrative control must at all times see that it is safe and secure from loss or theft. A cash receipt should be generated and a reasonable effort made for immediate deposit of the funds with the state treasurer or a suitable financial institution.

6. Misappropriation a Felony

Any employee of an institution, ~~school~~ or agency under the governance of the Board charged with receipt, safe-keeping, transfer, or disbursement of money or other evidence of indebtedness who willingly and wrongfully uses or keeps the same may be guilty of a felony under Sections 18-5701 and 18-5702, Idaho Code. (See also Section 59-1014, Idaho Code.)

7. Investments

a) Investment Objectives:

Each institution investing funds shall maintain a written investment policy in accordance with the following objectives, in priority:

1. Preservation of capital
2. Maintenance of liquidity
3. Achieve a fair rate of return

b) Each institution's investment policy shall include provisions designed to comply with the Board's Investment policy by establishing guidelines for:

1. Specific investment and overall portfolio maturity
2. Ratings and ratings downgrades
3. Concentration limits
4. Periodic portfolio reviews
5. Other standards consistent with the standard of conduct in managing and investing institutional funds under the Uniform Prudent Management of Institutional Funds Act (Section 33-5003, Idaho Code)

~~a)c)~~ General Account funds may not be invested by the Board or any institution, school or agency under its governance.

~~b)d)~~ Permanent Endowment funds are invested by the Permanent Endowment Fund Investment Board.

~~Other funds within the control of an institution, school or agency may be invested in FDIC passbook savings accounts, certificates of deposit, U. S. securities, federal funds repurchase agreements, reverse repurchase agreements, federal~~

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~~agency securities, large money market funds, bankers acceptances, corporate bonds of AA grade or better, mortgage backed securities of AA grade or better and commercial paper of prime or equivalent grade without prior Board approval. Authority to make investments in any other form requires prior Board approval. Such Board approval may be in the form of general authority to invest or reinvest cash, securities, and other assets obtained and becoming a part of foundation trusts such as the Consolidated Investment Trust of the University of Idaho. The Board requires an annual report on the Consolidated Investment Trust.~~

~~e)~~e) Other funds within the control of an institution may be invested in the following vehicles without prior Board approval:

- i. FDIC passbook savings accounts
- ii. certificates of deposit
- iii. U.S. Government securities
- iv. federal funds repurchase agreements
- v. reverse repurchase agreements
- vi. federal agency securities
- vii. large money market funds
- viii. bankers acceptances
- ix. corporate bonds of A grade or better
- x. mortgage-backed securities of A grade or better
- xi. commercial paper of prime or equivalent grade
- xii. For the state of Idaho:
 - (a) general obligations or revenue bonds or other obligations for which the faith and credit of the state are pledged for the payment of principal and interest
 - (b) general obligations or revenue bonds of any county, city, metropolitan water district, municipal utility district, school district or other taxing district
 - (c) bonds, notes or other similar obligations issued by public corporations of the state of Idaho including, but not limited to, the Idaho state building authority, the Idaho housing authority and the Idaho water resource board
 - (d) tax anticipation notes and registered warrants
 - (e) tax anticipation bonds or notes and income and revenue anticipation bonds or notes of taxing districts
 - (f) revenue bonds of institutions of higher education

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xiii. State of Idaho run investment funds for state agencies and other governmental entities.

- ~~d)f)~~ All investments must meet the ratings criteria (if applicable) in Section 7(e) at the time of acquisition.
- g) Authority to make investments in any other form requires prior Board approval. Such Board approval may be in the form of general authority to invest or reinvest cash, securities, and other assets obtained and becoming a part of foundation trusts such as the Consolidated Investment Trust of the University of Idaho. The Board requires an annual report on the Consolidated Investment Trust.

BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010

SUBJECT

Self-Support Certificate and Program Fees Board Policy V.R. – first reading

APPLICABLE STATUTES, RULE OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.R.3.a.v.

BACKGROUND / DISCUSSION

The institutions have found that the current self-support policy lacks clarity, is redundant, and not always in the best interest(s) of the students who pay the fee. For example:

- Requiring a student to pay for an entire program up front discriminates against those students who rely on financial aid since federal financial aid is only awarded one semester at a time.
- Requiring a student to pay for an entire program rather than on a course-by-course basis discriminates against students who might be eligible to satisfy some requirements by transferring in courses.
- Adult students appreciate the flexibility of being able to choose on a course-by-course basis rather than being tied to a one-size-fits-all model.

In addition, the policy provides that “institutions may offer self-support certificate and degree programs if the fees assessed cover all costs of the program and no appropriated funds are used to support the programs,” but then the policy goes on to state that programs “must be encapsulated, separate and distinct from the regular courses of the institution.” This statement is interpreted many different ways, almost all of which negatively affect institutions' ability to meet student needs and/or to deliver programs efficiently. It is important to separately account for the revenues and expenses of self-support programs, and institutions should be held accountable for demonstrating this, but in all other respects self-support programs should be a part of, and not apart from, the rest of the academic offerings of an institution.

IMPACT

These changes could enhance student accessibility to self-support programs. On the institution side, the programs would continue to have to be fully self-supporting.

ATTACHMENTS

Attachment 1- Board Policy Section V.R.3.a.v.

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STAFF COMMENTS AND RECOMMENDATIONS

The proposed revisions make the policy more student-centered while still requiring programs to demonstrate financial self-sufficiency. As a control measure to ensure segregation of funds, staff added a clause stipulating that all revenue generated from these fees must be tracked and accounted for separately.

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Staff recommends approval.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board Policy Section V.R.3.a.v. Self-Support Certificate and Program Fees, as presented

Moved by _____ Seconded by _____ Carried Yes _____ No _____

R. Establishment of Tuition and Fees

1. Board Policy on Student Tuition and Fees

Consistent with the Statewide Plan for Higher Education in Idaho, the institutions shall maintain tuition and fees that provide for quality education and maintain access to educational programs for Idaho citizens. In setting fees, the Board will consider recommended fees as compared to fees at peer institutions, percent fee increases compared to inflationary factors, fees as a percent of per capita income and/or household income, and the share students pay of their education costs. Other criteria may be considered as is deemed appropriate at the time of a fee change. An institution cannot request more than a ten percent (10%) increase in the total full-time student fee unless otherwise authorized by the Board.

2. Tuition and Fee Setting Process – Board Approved Tuition and Fees

a. Initial Notice

A proposal to alter student tuition and fees covered by Subsection V.R.3. shall be formalized by initial notice of the chief executive officer of the institution at least six (6) weeks prior to the Board meeting at which a final decision is to be made.

Notice will consist of transmittal, in writing, to the student body president and to the recognized student newspaper during the months of publication of the proposal contained in the initial notice. The proposal will describe the amount of change, statement of purpose, and the amount of revenues to be collected.

The initial notice must include an invitation to the students to present oral or written testimony at the public hearing held by the institution to discuss the fee proposal. A record of the public hearing as well as a copy of the initial notice shall be made available to the Board.

b. Board Approval

Board approval for fees will be considered when appropriate or necessary. This approval will be timed to provide the institutions with sufficient time to prepare the subsequent fiscal year operating budget.

c. Effective Date

Any change in the rate of tuition and fees becomes effective on the date approved by the Board unless otherwise specified.

3. Definitions and Types of Tuition and Fees

The following definitions are applicable to tuition and fees charged to students at all of the state colleges and universities, except where limited to a particular institution or institutions.

a. General and Professional-Technical Education Tuition and Fees

Tuition and fees approved by the State Board of Education. Revenues from these fees are deposited as required by Section V, Subsection Q.

i. Tuition – University of Idaho

Tuition is defined as the fee charged for the cost of instruction at the University of Idaho. The cost of instruction shall not include those costs associated with the construction, maintenance, and operation of buildings and facilities, student services; or institutional support, which are complementary to, but not a part of, the instructional program. Tuition may be charged only to nonresident students enrolled in the University of Idaho, or to resident students enrolled in the University of Idaho who are in a professional program, college, school, or department approved by the State Board of Education and the Board of Regents of the University of Idaho; who are taking extra studies; or who are part-time students at the institutions.

ii. Matriculation Fee – University of Idaho

Matriculation fee is defined as the fee charged at the University of Idaho for all educational costs other than the cost of instruction, including, but not limited to, costs associated with the construction, maintenance, and operation of buildings and facilities, student services, and institutional support.

iii. Tuition – Boise State University, Idaho State University, Lewis-Clark State College

Tuition is defined as the fee charged for any and all educational costs at Boise State University, Idaho State University, and Lewis Clark State College. Tuition fees include, but are not limited to, costs associated with academic services; instruction; the construction, maintenance, and operation of buildings and facilities; student services; or institutional support.

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iv. Professional-Technical Education Fee

Professional-Technical Education fee is defined as the fee charged for educational costs for students enrolled in Professional-Technical Education pre-employment, preparatory programs.

v. Part-time Credit Hour Fee

Part-time credit hour fee is defined as the fee per credit hour charged for educational costs for part-time students enrolled in any degree program.

vi. Graduate Fee

Graduate fee is defined as the additional fee charged for educational costs for full-time and part-time students enrolled in any post- baccalaureate degree-granting program.

vii. Western Undergraduate Exchange (WUE) Fee

Western Undergraduate Exchange fee is defined as the additional fee for full-time students participating in this program and shall be equal to fifty percent (50%) of the total of the tuition fee, matriculation fee, facility fee, and activity fee.

viii. Employee/Spouse Fee

The fee for eligible participants shall be a registration fee of twenty dollars (\$20.00) plus five dollars (\$5.00) per credit hour. Eligibility shall be determined by each institution. Employees at institutions and agencies under the jurisdiction of the Board may be eligible for this fee. Special course fees may also be charged.

ix. Senior Citizen Fee

The fee for Idaho residents who are 60 years of age or older shall be a registration fee of twenty dollars (\$20.00) plus five dollars (\$5.00) per credit hour. This fee is for courses on a space available basis only. Special course fees may also be charged.

x. In-Service Teacher Education Fee

The fee shall be one-third of the average part-time undergraduate credit hour fee or one-third of the average graduate credit hour fee. This special fee shall be applicable only to approved teacher education courses. The following guidelines will determine if a course or individual qualifies for this special fee.

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- (a) The student must be an Idaho public school teacher or other professional employee of an Idaho school district.
- (b) The costs of instruction are paid by an entity other than an institution.
- (c) The course must be approved by the appropriate academic unit(s) at the institution.
- (d) The credit awarded is for professional development and cannot be applied towards a degree program.

xi. Workforce Training Credit Fee

This fee is defined as a fee charged students enrolled in a qualified Workforce Training course where the student elects to receive credit. The fee is charged for processing and transcribing the credit. The cost of delivering Workforce Training courses, which typically are for noncredit, is an additional fee since Workforce Training courses are self-supporting. The fees for delivering the courses are retained by the technical colleges. The Workforce Training fee shall be \$10.00 per credit.

b. Institutional Local Fees – Approved by the Board

Institutional local fees are both full-time and part-time student fees that are approved by the State Board of Education and deposited into local institutional accounts. Local fees shall be expended for the purposes for which they were collected.

The facilities, activity and technology fees shall be displayed with the institution's tuition and fees when the Board approves tuition and fees.

i. Facilities Fee

Facilities fee is defined as the fee charged for capital improvement and building projects and for debt service required by these projects. Revenues collected from this fee may not be expended on the operating costs of the general education facilities.

ii. Activity Fee

Activity fee is defined as the fee charged for such activities as intercollegiate athletics, student health center, student union operations, the associated student body, financial aid, intramural and recreation, and other activities which directly benefit and involve students. The activity fee shall not be

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charged for educational costs or major capital improvement or building projects. Each institution shall develop a detailed definition and allocation proposal for each activity for internal management purposes.

iii. Technology Fee

Technology fee is defined as the fee charged for campus technology enhancements and operations.

iv. Professional Fees

To designate a professional fee for a Board approved program, *all* of the following criteria must be met:

(a) Credentialing Requirement:

- 1) A professional fee may be assessed if graduates of the professional program obtain a specialized higher education degree that qualifies them to practice a professional service or to be eligible for credentialing or licensing to practice a professional service.
- 2) The program leads to a degree that is at least the minimum required for entry to the practice of a profession.

(b) Accreditation Requirement (if applicable): The program meets the requirements of national/specialized/professional accrediting agencies as defined by the State Board of Education.

(c) Extraordinary Program Costs: The cost of the professional program significantly exceeds the cost of nonprofessional programs at the institution. Institutions will be required to provide documentation to support the reported cost of the program.

Institutions will propose professional fees for Board approval based on the costs to deliver the program.

v. Self-Support Certificate and Program Fees

Self-support certificates and degree programs are a defined set of specific courses that ~~must all be once~~ successfully completed ~~in order to earn the result in the awarding of the~~ certificate or degree. ~~Such programs must be encapsulated, separate and distinct from the regular courses of the institution.~~ Institutions may offer self-support certificates and degree programs if the fees assessed cover all costs of the program and no appropriated funds are used to support the program. ~~In addition, students pay a fee for the entire program and may not enroll for program courses on~~

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~~an individual course-by-course basis.~~ Students enrolled in the self-support programs may take courses outside of the program as long as they pay the required tuition and fees for those courses. Institutions will establish ~~such~~ fees [for self-support programs](#) on an individual program basis according to anticipated expenditures. Self-support certificate and [degree](#) program fees are retained by the institution [and shall be tracked and accounted for separately \(e.g. an institution could maintain a separate local fee account at the college or department level\).](#)

vi. Contracts and Grants

Special fee arrangements are authorized by the Board for instructional programs provided by an institution pursuant to a grant or contract approved by the Board.

vii. Student Health Insurance Premiums or Room and Board Rates

Fees for student health insurance premiums paid either as part of the uniform student fee or separately by individual students, or charges for room and board at the dormitories or family housing units of the institutions. Changes in insurance premiums or room and board rates or family housing charges shall be approved by the Board no later than three (3) months prior to the semester the change is to become effective. The Board may delegate the approval of these premiums and rates to the chief executive officer.

c. Institutional Local Fees and Charges Approved by Chief Executive Officer

These local fees and charges are assessed to support specific activities and are only charged to students that engage in these particular activities. Local fees and charges are deposited into local institutional accounts and shall only be expended for the purposes for which they were collected.

i. Continuing Education

Continuing education fee is defined as the additional fee to part-time students which is charged on a per credit hour basis to support the costs of continuing education.

ii. Course Overload Fee

This fee may be charged to full-time students with excessive course loads as determined by each institution.

iii. Special Course Fees or Assessments

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A special course fee is a fee required for a specific course or special activity and, therefore, not required of all students enrolled at the institution. Fees such as penalty assessments, library fines, continuing education fees, parking fines, laboratory fees, breakage fees, fees for video outreach courses, late registration fees, and fees for special courses offered for such purposes as remedial education credit that do not count toward meeting degree requirements are considered special course fees. All special course fees or penalty assessments, or changes to such fees or assessments, are established and become effective in the amount and at the time specified by the chief executive officer of the institution. The chief executive officer is responsible for reporting these fees to the Board upon request.

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BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010

SUBJECT

Revisions to Board Policy V.R.3. and V.Q.1. to implement SJR 101

REFERENCE

June 17-18, 2009	Motion to endorse SJR 101- carried unanimously
June 16-17, 2010	Motion to approve legislative ideas as submitted (including legislative change for University of Idaho tuition fees) – carried unanimously

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Sections V.R.3. and V.Q.1.
Sections 33-3717 and 33-3717A, Idaho Code

BACKGROUND/DISCUSSION

The University of Idaho proposes changes to policies on institution fees to correspond to proposed revisions in Idaho Code intended to implement the constitutional amendment that allows the Regents of the University of Idaho to charge tuition fees to in-state students in the same fashion as Boise State University, Idaho State University and Lewis-Clark State College. The proposed changes accomplish the following:

- eliminate the current sections applicable to the University of Idaho alone (Sections V.R.3.a.i and ii), which distinguish between tuition and matriculation fees, and insert the University of Idaho into current section V.R.3.a.iii;
- clarify that all institutions may charge tuition fees; and
- remove references to “matriculation fee” from section V.R.a.3.vii and from section V.Q.1.a since the distinction between tuition fee and matriculation fee will no longer be relevant.

IMPACT

The proposed revisions will make Board policy consistent with the proposed legislation (approved by the Board in June 2010) implementing the SJR 101 constitutional amendment. This legislation has been submitted and will be introduced in the 2011 legislative session as soon as practicable. The legislation contains an emergency clause which will make it effective immediately upon passage and signature by the governor. The University of Idaho proposes accepting the attached policy changes for first reading in order to have the draft vetted and finalized in time for final policy approval in conjunction with the legislature acting on the proposed legislation.

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ATTACHMENTS

Attachment 1 – Proposed Policy V.R.	Page 3
Attachment 2 – Proposed Policy V.Q.	Page 11
Attachment 2 – Proposed legislation (for reference)	Page 13

STAFF COMMENTS AND RECOMMENDATIONS

SJR 10 proposed amending Section 10, Article IX, of the Idaho Constitution to clarify that the Board of Regents of the University of Idaho may charge students tuition, as authorized by law. The constitutional amendment passed on November 2, 2010 by a vote of 64.1% to 35.9%. The proposed policy changes would reflect UI's new constitutional authority to charge tuition.

Staff recommends approval.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board Policy section V.R.3.a. and section V.Q.1.a. as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

R. Establishment of Tuition and Fees

1. Board Policy on Student Tuition and Fees

Consistent with the Statewide Plan for Higher Education in Idaho, the institutions shall maintain tuition and fees that provide for quality education and maintain access to educational programs for Idaho citizens. In setting fees, the Board will consider recommended fees as compared to fees at peer institutions, percent fee increases compared to inflationary factors, fees as a percent of per capita income and/or household income, and the share students pay of their education costs. Other criteria may be considered as is deemed appropriate at the time of a fee change. An institution cannot request more than a ten percent (10%) increase in the total full-time student fee unless otherwise authorized by the Board.

2. Tuition and Fee Setting Process – Board Approved Tuition and Fees

a. Initial Notice

A proposal to alter student tuition and fees covered by Subsection V.R.3. shall be formalized by initial notice of the chief executive officer of the institution at least six (6) weeks prior to the Board meeting at which a final decision is to be made.

Notice will consist of transmittal, in writing, to the student body president and to the recognized student newspaper during the months of publication of the proposal contained in the initial notice. The proposal will describe the amount of change, statement of purpose, and the amount of revenues to be collected.

The initial notice must include an invitation to the students to present oral or written testimony at the public hearing held by the institution to discuss the fee proposal. A record of the public hearing as well as a copy of the initial notice shall be made available to the Board.

b. Board Approval

Board approval for fees will be considered when appropriate or necessary. This approval will be timed to provide the institutions with sufficient time to prepare the subsequent fiscal year operating budget.

c. Effective Date

Any change in the rate of tuition and fees becomes effective on the date approved by the Board unless otherwise specified.

3. Definitions and Types of Tuition and Fees

The following definitions are applicable to tuition and fees charged to students at all of the state colleges and universities, except where limited to a particular institution or institutions.

a. General and Professional-Technical Education Tuition and Fees

Tuition and fees approved by the State Board of Education. Revenues from these fees are deposited as required by Section V, Subsection Q.

~~i. Tuition – University of Idaho~~

~~Tuition is defined as the fee charged for the cost of instruction at the University of Idaho. The cost of instruction shall not include those costs associated with the construction, maintenance, and operation of buildings and facilities, student services, or institutional support, which are complementary to, but not a part of, the instructional program. Tuition may be charged only to nonresident students enrolled in the University of Idaho, or to resident students enrolled in the University of Idaho who are in a professional program, college, school, or department approved by the State Board of Education and the Board of Regents of the University of Idaho; who are taking extra studies; or who are part-time students at the institutions.~~

~~ii. Matriculation Fee – University of Idaho~~

~~Matriculation fee is defined as the fee charged at the University of Idaho for all educational costs other than the cost of instruction, including, but not limited to, costs associated with the construction, maintenance, and operation of buildings and facilities, student services, and institutional support.~~

~~iii. Tuition fees – Boise State University, Idaho State University, Lewis-Clark State College, University of Idaho~~

Tuition fees are ~~is defined as~~ the fees charged for any and all educational costs at Boise State University, Idaho State University, ~~and~~ Lewis Clark State College and University of Idaho. Tuition fees include, but are not limited to, costs associated with academic services; instruction; the construction, maintenance, and operation of buildings and facilities; student services; or institutional support.

~~vi~~[vii](#). Professional-Technical Education Fee

Professional-Technical Education fee is defined as the fee charged for educational costs for students enrolled in Professional-Technical Education pre-employment, preparatory programs.

~~viii~~[viii](#). Part-time Credit Hour Fee

Part-time credit hour fee is defined as the fee per credit hour charged for educational costs for part-time students enrolled in any degree program.

~~vii~~[iv](#). Graduate Fee

Graduate fee is defined as the additional fee charged for educational costs for full-time and part-time students enrolled in any post- baccalaureate degree-granting program.

~~viii~~[iv](#). Western Undergraduate Exchange (WUE) Fee

Western Undergraduate Exchange fee is defined as the additional fee for full-time students participating in this program and shall be equal to fifty percent (50%) of the total of the tuition fee, matriculation fee, facility fee, and activity fee.

~~viii~~[vi](#). Employee/Spouse Fee

The fee for eligible participants shall be a registration fee of twenty dollars (\$20.00) plus five dollars (\$5.00) per credit hour. Eligibility shall be determined by each institution. Employees at institutions and agencies under the jurisdiction of the Board may be eligible for this fee. Special course fees may also be charged.

~~ix~~[vii](#). Senior Citizen Fee

The fee for Idaho residents who are 60 years of age or older shall be a registration fee of twenty dollars (\$20.00) plus five dollars (\$5.00) per credit hour. This fee is for courses on a space available basis only. Special course fees may also be charged.

~~x~~[viii](#). In-Service Teacher Education Fee

The fee shall be one-third of the average part-time undergraduate credit hour fee or one-third of the average graduate credit hour fee. This special fee shall be applicable only to approved teacher education courses. The following guidelines will determine if a course or individual qualifies for this special fee.

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- (a) The student must be an Idaho public school teacher or other professional employee of an Idaho school district.
- (b) The costs of instruction are paid by an entity other than an institution.
- (c) The course must be approved by the appropriate academic unit(s) at the institution.
- (d) The credit awarded is for professional development and cannot be applied towards a degree program.

~~xix.~~ Workforce Training Credit Fee

This fee is defined as a fee charged students enrolled in a qualified Workforce Training course where the student elects to receive credit. The fee is charged for processing and transcribing the credit. The cost of delivering Workforce Training courses, which typically are for noncredit, is an additional fee since Workforce Training courses are self-supporting. The fees for delivering the courses are retained by the technical colleges. The Workforce Training fee shall be \$10.00 per credit.

b. Institutional Local Fees – Approved by the Board

Institutional local fees are both full-time and part-time student fees that are approved by the State Board of Education and deposited into local institutional accounts. Local fees shall be expended for the purposes for which they were collected.

The facilities, activity and technology fees shall be displayed with the institution's tuition and fees when the Board approves tuition and fees.

i. Facilities Fee

Facilities fee is defined as the fee charged for capital improvement and building projects and for debt service required by these projects. Revenues collected from this fee may not be expended on the operating costs of the general education facilities.

ii. Activity Fee

Activity fee is defined as the fee charged for such activities as intercollegiate athletics, student health center, student union operations, the associated student body, financial aid, intramural and recreation, and other activities which directly benefit and involve students. The activity fee shall not be

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charged for educational costs or major capital improvement or building projects. Each institution shall develop a detailed definition and allocation proposal for each activity for internal management purposes.

iii. Technology Fee

Technology fee is defined as the fee charged for campus technology enhancements and operations.

iv. Professional Fees

To designate a professional fee for a Board approved program, *all* of the following criteria must be met:

(a) Credentialing Requirement:

- 1) A professional fee may be assessed if graduates of the professional program obtain a specialized higher education degree that qualifies them to practice a professional service or to be eligible for credentialing or licensing to practice a professional service.
- 2) The program leads to a degree that is at least the minimum required for entry to the practice of a profession.

(b) Accreditation Requirement (if applicable): The program meets the requirements of national/specialized/professional accrediting agencies as defined by the State Board of Education.

(c) Extraordinary Program Costs: The cost of the professional program significantly exceeds the cost of nonprofessional programs at the institution. Institutions will be required to provide documentation to support the reported cost of the program.

Institutions will propose professional fees for Board approval based on the costs to deliver the program.

v. Self-Support Certificate and Program Fees

Self-support certificates and programs are a defined set of specific courses that must all be successfully completed in order to earn the certificate. Such programs must be encapsulated, separate and distinct from the regular courses of the institution. Institutions may offer self-support certificates and programs if the fees assessed cover all costs of the program and no appropriated funds are used to support the program. In addition, students pay a fee for the entire program and may not enroll for program courses on an individual course-by-course basis. Students enrolled in the self-support

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programs may take courses outside of the program as long as they pay the required tuition and fees for those courses. Institutions will establish such fees on an individual program basis according to anticipated expenditures. Self-support certificate and program fees are retained by the institution.

vi. Contracts and Grants

Special fee arrangements are authorized by the Board for instructional programs provided by an institution pursuant to a grant or contract approved by the Board.

vii. Student Health Insurance Premiums or Room and Board Rates

Fees for student health insurance premiums paid either as part of the uniform student fee or separately by individual students, or charges for room and board at the dormitories or family housing units of the institutions. Changes in insurance premiums or room and board rates or family housing charges shall be approved by the Board no later than three (3) months prior to the semester the change is to become effective. The Board may delegate the approval of these premiums and rates to the chief executive officer.

c. Institutional Local Fees and Charges Approved by Chief Executive Officer

These local fees and charges are assessed to support specific activities and are only charged to students that engage in these particular activities. Local fees and charges are deposited into local institutional accounts and shall only be expended for the purposes for which they were collected.

i. Continuing Education

Continuing education fee is defined as the additional fee to part-time students which is charged on a per credit hour basis to support the costs of continuing education.

ii. Course Overload Fee

This fee may be charged to full-time students with excessive course loads as determined by each institution.

iii. Special Course Fees or Assessments

A special course fee is a fee required for a specific course or special activity and, therefore, not required of all students enrolled at the institution. Fees

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such as penalty assessments, library fines, continuing education fees, parking fines, laboratory fees, breakage fees, fees for video outreach courses, late registration fees, and fees for special courses offered for such purposes as remedial education credit that do not count toward meeting degree requirements are considered special course fees. All special course fees or penalty assessments, or changes to such fees or assessments, are established and become effective in the amount and at the time specified by the chief executive officer of the institution. The chief executive officer is responsible for reporting these fees to the Board upon request.

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Idaho State Board of Education
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ATTACHMENT 2

Subsection: Q. Deposits and Miscellaneous Receipts Accounts ~~August 2002~~ February 2011

1. Revenue Deposited into Account

To provide for greatest equity in distribution of state appropriated funds, all or a portion of the following fees or charges, as determined by the Board, are deposited into the following accounts:

a. Restricted Current Fund (0660-01)

~~(1) Matriculation fee~~

(~~2~~1) Professional-Technical Education fee

b. Unrestricted Current Fund (0650-01)

(1) General education fee.

(2) Nonresident tuition.

(3) Western Undergraduate Exchange (WUE) fee.

(4) Graduate fee.

(5) In-service teacher education fee.

(6) Employee/spouse fee.

(7) Federal Morrill Act funds, if appropriated.

(8) Senior citizen fee.

(9) WICHE fee.

(10) Revenue derived from rental of state-constructed and/or state-maintained facilities to non-institutional users

(11) Summer school fee

(12) Course overload fee

(13) Workforce Training Credit Fee

GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: Q. Deposits and Miscellaneous Receipts Accounts ~~August 2002~~ February 2011

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AN ACT

1 RELATING TO TUITION AT THE UNIVERSITY OF IDAHO; REPEALING SECTION
2 33-3717, IDAHO CODE; AMENDING SECTION 33-3717A RELATING TO FEES
3 AT STATE COLLEGES AND UNIVERSITIES TO ELIMINATE THE EXEMPTION
4 FOR THE UNIVERSITY OF IDAHO; AND DECLARING AN EMERGENCY.
5

6 Be It Enacted by the Legislature of the State of Idaho:
7

8 SECTION 1. That Section 33-3717, Idaho Code, be, and the same is hereby
9 repealed.
10

11 SECTION 2. That Section 33-3717A, Idaho Code, be, and the same is hereby
12 amended to read as follows:
13

14 33-3717A. FEES AT STATE COLLEGES AND UNIVERSITIES ~~OTHER THAN~~
15 ~~THE UNIVERSITY OF IDAHO~~. (1) The state board of education and the board of regents
16 of the University of Idaho may prescribe fees, including tuition fees, for resident and
17 nonresident students enrolled in all state colleges and universities ~~other than the~~
18 ~~university of Idaho~~. For purposes of this section, said fees, including tuition fees, may be
19 used for any and all educational costs at the state colleges and universities including,
20 but not limited to, costs associated with:

- 21 (a) Academic services;
- 22 (b) Instruction;
- 23 (c) The construction, maintenance and operation of buildings and facilities;
- 24 (d) Student services; or
- 25 (e) Institutional support.

26 The state board of education also may prescribe fees for all students for any additional
27 charges that are necessary for the proper operation of each institution.

28 (2) A resident student is a student who meets the residency requirements imposed by
29 section 33- 3717B, Idaho Code.

30 (3) Nothing contained in this section shall prevent the state board of education from
31 waiving fees, including tuition fees, to be paid by nonresident students, as defined in
32 section 33-3717C, Idaho Code, who are enrolled in the state colleges and universities.

33 (4) Nothing contained in this section shall apply to community colleges now or
34 hereafter established pursuant to chapter 21, title 33, Idaho Code, or to postsecondary
35 professional-technical schools now or hereafter established and not connected to or a part
36 of a state college or university.
37

38 SECTION 3. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after its passage and
40 approval.
41
42
43
44

1

STATEMENT OF PURPOSE

RS _____

2 The purpose of this legislation is to grant the State Board of Education the authority to set
 3 fees, including tuition fees, for all resident and nonresident students attending the
 4 University of Idaho. This legislation is in response to voter approval of SJR 101 in the
 5 2010 general election to allow the University of Idaho to charge tuition fees and tuition,
 6 consistent with authority currently provided for the state's other higher education
 7 institutions. The purpose of this legislation is not to increase student fees. Rather, it is
 8 designed to clarify the purposes for which those funds may be
 9 used. The reason this legislation is needed is that the current law restricts the ability of the
 10 University of Idaho to charge tuition. Since the fees collected from the students cannot be
 11 used for instructional costs, the students cannot have their fees used to support core
 12 instructional
 13 activities, i.e., faculty salaries, additional faculty, library support, etc.

14

15

16

FISCAL NOTE

17

18 Under current law, University of Idaho student fees only can be used for designated
 19 purposes. The intent of this legislation is not designed to increase student fees, but rather
 20 to provide greater flexibility to the University of Idaho with respect to the use of fees to
 21 fund educational and instructional costs. This legislative proposal is not intended to
 22 increase student fees more than otherwise might occur. Accordingly, there will be no fiscal
 23 impact to the General Fund.

24

25

Contact:

STATEMENT OF PURPOSE/FISCAL NOTE

Bill Number _____

BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010

SUBJECT

2011-2012 (Fiscal Year 2012) Student Tuition & Fees

APPLICABLE STATUTES, RULE OR POLICY

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

BACKGROUND / DISCUSSION

Idaho's public college and universities continue to sustain unprecedented budget cuts at a time when enrollment is burgeoning in typical countercyclical fashion. From FY 2009 to FY 2011, the year-over-year original General Fund appropriation for the college and universities is down 23.7% or \$67,640,700. While the FY 2010 and FY 2011 budget cuts were partially mitigated by federal stimulus funds, those moneys will not be available in FY 2012.

In FY 2011, the Legislature appropriated 37% of the college and universities' total operating budget revenues. Of that amount, State General Funds represent 19.6%, student fees represent 16.2%, endowment earnings represent 0.9% and federal stimulus funds represent 0.4%. The remaining 63% of the institutions' operating budgets reflect non-appropriated funds. If one looks only at the appropriated funds as a percent of the total appropriation, General Fund is 53%, student fees 43.6%, endowment funds 2.37% and federal stimulus 1%.

As a hypothetical, a cautiously optimistic revenue growth of 3% in FY 2012 combined with funding only the most critical operations leaves the State budget in a deficit position of over \$220M. The State will be severely challenged just to maintain current levels of funding at the institutions, so the institutions must continue to look to expenditure controls and efficiencies as well as a diversity of funding resources to meet their ongoing budget needs. As evidenced above, student fee revenues represent a growing 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 financial crisis in which the State finds itself creates many budgeting uncertainties for the institutions. The institutions will begin fee hearings on their campuses in January 2011 in preparation for the Board's fee setting in April 2011. Authorizing the institutions to request a fee increase of 10% would provide institutions the flexibility to consider a range of fee increase options.

Staff recommends approval.

**BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010**

BOARD ACTION

I move to authorize the colleges and universities under the jurisdiction of the Board to request a student fee increase in excess of 10% for fiscal year 2012 as the institutions deem necessary. Said authorization does not constitute an express or implied endorsement, recommendation or approval of any student fee increase.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010

BOISE STATE UNIVERSITY

SUBJECT

Request to implement pilot dependent fee waiver program

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.R.3.

BACKGROUND/DISCUSSION

Boise State University requests Board approval to implement a pilot dependent fee program starting in fall 2011. The purpose is to determine the financial feasibility of adding a dependent as an eligible participant in the employee and spouse fee policy to improve employment benefits for University employees. The program is planned for two years so that data can be gathered regarding the cost to the institution, impact on enrollments, class availability and benefit value to employees. This program would not impact the current policy that pertains to employee and spouse fees except that only one eligible participant per family could enroll each semester. In other words, employees not enrolling a dependent will continue to have the fee waiver available for both employee and spouse per the existing policy. Proposed eligibility requirements and benefits for the dependent fee program are as follows:

Eligibility:

- Permanent employees at .5 FTE or greater who have been employed at the University for five months of continuous benefits-eligible service and are not on probationary status.
- Dependent is defined as an unmarried child up to age 26. The benefit may be taxable to dependents over age 24, and for any graduate level courses, per Internal Revenue Code.
- Fee program is for employee **OR** spouse **OR** dependent (one person per family per semester); or employee **AND** spouse, if not enrolling a dependent.

Benefits:

- The fee rate for the dependent is for a maximum of 16 credits per semester. (Dependent would pay the full per credit fee for credits greater than 16).
- Cost to dependent (would be) (is) a \$25 registration fee, plus 35% of current resident tuition and fees. Based on fall 2010 tuition and fees this would be \$928 for a full-time, undergraduate student or \$81 per credit. Course and lab fees will apply.

A comparison of dependent fee waiver policies at western and peer institutions is attached.

**BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010**

IMPACT

Initial estimates and review of this type of program at other institutions indicate that the cost impact to the University is mitigated by allowing only one person in the employee's family to participate, and charging more for the dependent. In the future, the rate charged could be lower for either the dependent only or there could be consideration of the same rates for the employee, spouse and dependent. That is, increase the current waiver of \$5 per credit for the employee and spouse to the same percentage that is eventually charged to the dependent.

ATTACHMENTS

Attachment 1 – Comparison of Dependent Fee Waiver Policies

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The lack of funding for salary increases for the past two years (and for the immediate foreseeable future) and erosion of benefits has created employee recruitment and retention challenges for all state agencies and institutions. In an effort to mitigate these challenges Boise State University is proposing to pilot a dependent fee waiver program. This would provide University employees with the option of a fee waiver for a spouse or dependent. The University would pilot the dependent fee waiver for two years which would provide sufficient data upon which to conduct a cost-benefit analysis.

Staff recommends the Board consider and discuss the following policy and management issues:

1. While this request to pilot a dependent fee waiver is not unreasonable, it could have an unintended consequence of placing pressure on the other institutions to offer the same type of benefit. Each institution has its own unique budgetary and human resource needs and priorities, but regardless, their employees still may very well desire to have access to substantially similar benefits as those offered at a sister institution.
2. Upon what criteria or metrics will the efficacy of the program be measured or evaluated?
3. What pressures will this program place on enrollment and course availability?
4. In this very challenging budget environment the Board must weigh the cost of foregone review against the benefit of providing the university with a new recruitment and retention tool.

BOARD ACTION

I move to approve the request by Boise State University to implement a two year pilot dependent fee program effective for fall 2011 in accordance with the terms set forth in the Background/Discussion in support of this request.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

COMPARISON OF DEPENDENT FEE WAIVER POLICIES AT PEER AND WESTERN INSTITUTIONS

Institution	Eligibility	Waiting Period	Credit Max	Cost	Comments
Boise State	<ul style="list-style-type: none"> Employees (Permanent, benefits-eligible) Spouses 	none	9 per semester	\$20 registration fee plus \$5 per credit hour	
CA State Univ.- Fresno	<ul style="list-style-type: none"> Employees Domestic partners Spouses Dependents 	none	6 per term (or 2 classes, if greater) Parents can transfer up to 12 total credits to a child.	\$0, except \$1 for each of three student fees	<ul style="list-style-type: none"> Fee waiver is for employee OR spouse/partner OR dependent Must be work-related or for career development GPA must be 2.0 or above to take more classes in subsequent terms.
Cleveland State	<ul style="list-style-type: none"> Employees Domestic partners Spouses Dependents 	None for employee Two years for dependents			<ul style="list-style-type: none"> No details available
Georgia State	<ul style="list-style-type: none"> FT, benefits-eligible Employees PT nursing faculty w/2-year work commitment 	6 months	8 per semester	\$0	<ul style="list-style-type: none"> Taxable in excess of \$5,250 limit Must get a C or better for continued eligibility
Indiana Univ – Purdue Univ - Indianapolis	<ul style="list-style-type: none"> FT Employees Retirees Disabled former employees Spouse Domestic partner Unmarried dependent children through age 23 	none	140 hours max per student; or first baccalaureate degrees	50% of resident rate + 25% for virtual high school classes	<ul style="list-style-type: none"> Graduate level course subsidy is taxable income
Portland State	<ul style="list-style-type: none"> Employees Domestic partners Spouses Dependents 		12 credits per semester	30% of resident rate Spouses, partners and dependents also pay all fees (no fees for employees)	<ul style="list-style-type: none"> Fee waiver is for employee OR spouse/partner OR dependent of permanent employees working at least half time

Institution	Eligibility	Waiting Period	Credit Max	Cost	Comments
San Francisco State	<ul style="list-style-type: none"> Employees, (except temp PT) Domestic partners Spouses Dependents 	6 years for coaches 3 years for temp faculty unit employees		\$0	<ul style="list-style-type: none"> Fee waiver is for employee OR spouse/partner OR dependent of permanent employees Must be work-related or for career development
Univ of Akron – main campus	<ul style="list-style-type: none"> Employees (FT) Spouses of FT employees Unmarried dependents of FT employees 	none	6 credits per semester	\$0, including fees for employees; spouses and dependents pay all fees, other than tuition	
Univ of Massachusetts – Boston	<ul style="list-style-type: none"> FT Employees Spouse Domestic partner Unmarried dependent children through 25 	6 months	7 credits per semester	\$0 for FT employees & their spouses or dependents \$0 for PT employees (.5 FTE or more) Spouses or dependents of PT employees are not eligible	<ul style="list-style-type: none"> Only 1 course during work hours Separate Tuition Remission benefits for continuing education, distance learning classes
Univ of Memphis	<ul style="list-style-type: none"> FT employees for fee waiver FT and PT employees for staff scholarship and audit Spouse Dependent children to age 26 Spouses & Dependents of retirees and deceased employees w/ 10 + yrs of service (for 5 years); 2 years for those with <10 yrs 	6 months for staff scholarship and audit 1 year of service for spouse/dependents of PT (.5 FTE) employees	Fee waiver: 1 course per term Audit/scholarship: 6 hours for FT 3 hours for PT	0% for employees 50% for spouses and dependents	<ul style="list-style-type: none"> Only 1 course during work hours; space available basis Separate Fee Waiver and Audit/ staff scholarship programs Must pass class for continued eligibility

Institution	Eligibility	Waiting Period	Credit Max	Cost	Comments
Univ of Missouri – Kansas City	<ul style="list-style-type: none"> Employees (.75 + FTE) w/6+ mo appts. Retirees Spouse Dependent 	6 months for employee 5 years for spouse or dependent enrollment	Employee: 6 hours per semester 3 hours during summer/ Intercession Spouse or Dependent limited to 140 hours	Employees: 25% regular course fees; 100% of all other fees Spouse & Dependents: 50% tuition 100% of Fees are paid in addition	
Univ of Nebraska - Omaha	<ul style="list-style-type: none"> FT Employees Retirees Spouse Unmarried dependent children to age 24 		6 credits per semester (9 hrs for dependents) 15 credits per 12 months	0%	<ul style="list-style-type: none"> Fee waiver is for employee OR spouse OR dependent of FT employees
Univ of New Orleans	<ul style="list-style-type: none"> FT non-academic and other academic (non-faculty) employees 	1 year	6 hours per semester 3 hours during summer	0%	<ul style="list-style-type: none"> Job-related classes only Only 1 class during work hours
Univ of Texas – San Antonio	<ul style="list-style-type: none"> 12-mo employees working 20+ hours/week 		6 hours per fiscal year	50% of tuition + \$5 fee	
University of Montana	<ul style="list-style-type: none"> Employees (Permanent, .75 FTE or greater) Spouses Dependents-unmarried up to age 25. 	After one semester of employment for faculty Employee dependents with 5+ yrs of continuous service	None indicated	Faculty/staff: \$0 Waiver is for the “in-state, incidental fee only” - all other fees apply Dependent tuition waiver = 50% of residential tuition only	<ul style="list-style-type: none"> Fee waiver is for employee OR spouse OR dependent
University of Arizona	<ul style="list-style-type: none"> Employee (.5 FTE or more, expected to be employed 6+ months) 	None	9 per semester (6 in each summer session)	Tuition rate: \$25, plus lab and course fees Dependents pay 25% of resident tuition, plus lab and course fees	

Institution	Eligibility	Waiting Period	Credit Max	Cost	Comments
University of Arizona, con't.	<ul style="list-style-type: none"> DP children Spouses Dependents Retirees and their dependents Disabled former employees, survivors, and their dependents 				
University of Utah	<ul style="list-style-type: none"> FT (.75 FTE or greater) Employees Spouse Dependents (unmarried to age 26) Retirees and Emeriti, and their dependents Survivors and dependents of deceased employees 	6 months for employees 1 year for spouses 3 years consecutive FT employment for dependents	none	50% of resident or non-resident rate for employee, spouse or dependent and surviving spouses or dependents \$0 cost for Emeriti and spouse;	<ul style="list-style-type: none"> Graduate classes taxable for employees in excess of \$5,250 limit Graduate classes taxable for all others
University of Nevada – Las Vegas	<ul style="list-style-type: none"> Employees Spouse Domestic partners; DP children Dependent children to age 24 Retirees and Emeriti, and their dependents Disabled former employees 	none	6 – fall or spring semester No limit in summer sessions No limit for dependents	Benefit pays \$92.06 per credit for undergraduate at UNLV; lower amts at other NV institutions \$166.21 paid per credit for graduate courses Other amounts for dental, medical and law school tuition	<ul style="list-style-type: none"> Graduate classes taxable for employees in excess of \$5,250 limit
University of Nevada - Reno	<ul style="list-style-type: none"> Employees (.5 FTE or more) Domestic partners Spouses Dependents to age 24 Retirees, emeriti and 	None for faculty Six months for classified	6 credits per semester Faculty teaching for credit limited to the lesser of 6 credits/semester or the number of credits	\$0 cost For classified: no charge for job-related courses or degree courses Includes fees	<ul style="list-style-type: none"> Temporary part-time faculty are eligible for the grants-in-aid benefit Temporary classified employees are not eligible

	dependents		taught during the semester		
Institution	Eligibility	Waiting Period	Credit Max	Cost	Comments
University of Nevada-Reno con't.	<ul style="list-style-type: none"> Survivors and dependents of deceased employees 		Unlimited credits for spouse or dependents Max of 12 credits per fiscal year for classified employees		

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BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010

BOISE STATE UNIVERSITY

SUBJECT

Renovation of the Boise State University TECenter

REFERENCE

April 2001	Board tabled motion to approve construction of the TECenter to June 2001 Board meeting
June 2001	Board approved the construction of the TECenter at a cost of \$1,990,168, funded through a grant from the US Department of Commerce

APPLICABLE STATUTE, RULE OR POLICY

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

BACKGROUND/DISCUSSION

The Boise State University TECenter is a program and facility that focuses on economic development by fostering entrepreneurial startup companies and assisting existing businesses to expand. Staff at the TECenter assist entrepreneurs by providing coaching to help them manage risks. The TECenter also provides physical space for startup companies to grow and develop their businesses.

The 38,311 square foot TECenter was originally approved for construction in 2001 and fully constructed by 2003 through the award of a United States Economic Development Administration (EDA) grant. Original construction left portions of the building unfinished for future improvement.

In October 2010, the University was awarded a new EDA grant in the amount of \$1,000,000 to complete the unfinished spaces in the TECenter and to improve other existing spaces in the same facility. This grant will provide improvements to approximately 26,330 square feet of lease space and upgrade 1,932 square feet of shared conference and computer lab spaces.

IMPACT

Renovation costs, including soft costs and contingencies, are estimated at \$1,000,000. The source of funding for this project is a new EDA grant of \$1,000,000 awarded in October 2010.

This project will be procured through the standard process through the State of Idaho Department of Public Works and/or the State of Idaho Department of Purchasing as appropriate. Portions of the work may be bid as a series of alternates in an effort to assure a successful award within the budget. Furniture, fixtures and equipment will be procured and installed within the existing budget.

BUSINESS AFFAIRS AND HUMAN RESOURCES
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Current funding sources for the project are as follows:

EDA Grant Funds	\$1,000,000
-----------------	-------------

ATTACHMENTS

Attachment 1 – Project Budget	Page 3
Attachment 2 – Capital Project Tracking Sheet	Page 4

STAFF COMMENTS AND RECOMMENDATIONS

This is a request to proceed with build-out and renovation of an existing facility on BSU's Nampa site. The source of funds is 100% federal grant, but BSU will request General Fund occupancy costs.

Staff recommends approval.

BOARD ACTION

I move to approve the request by Boise State University to proceed with renovation of the TECenter for a total cost not to exceed \$1,000,000, and to direct staff to provide written notification of final Board approval to the Governor and the Joint Finance-Appropriations Committee.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

Attachment 1

**Architectural & Engineering Services
Project Budget**

Project Number:	DPW11-202
Project Title:	TECenter Renovation
Date:	10/1/2010

Category	Budget
Architectural Fees	45,000
Commissioning, Testing, Plan Check, Etc.	16,000
Construction Costs	570,909
Construction Contingency	60,000
Subtotal	691,909

University Costs	57,000
Project Contingency	57,091
Furniture, Fixtures and Equipment (FF&E)	194,000

Total Project	\$ 1,000,000
----------------------	---------------------

1 Institution/Agency:	Boise State University	Project:	TECenter Renovation
2 Project Description:	Original construction of the TECenter left various spaces in unfinished condition. This project will complete the unfinished portions and improve other portions of the facility.		
3 Project Use:	To renovate portions of the Boise State University TECenter		
4 Project Size:	Approximately 28,232 square feet		

[illegible]

**BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010**

BOISE STATE UNIVERSITY

SUBJECT

Update on Lincoln Avenue Student Housing Construction Project

REFERENCE

February 2008	Board approved extension of Expansion Zone and Capital Projects update
June 2009	Board approved MOU with American Campus Communities
February 2010	Board reviewed summary of ground lease terms
April 2010	Board did not approve ground lease with American Campus Communities
June 2010	Board postpones approval for construction of housing facilities on Lincoln Avenue pending additional financial information
August 2010	Board delayed consideration to approve construction of housing facilities on Lincoln Ave., pending receipt of actual project bids

APPLICABLE STATUTE, RULE OR POLICY

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

BACKGROUND/DISCUSSION

Demand for on-campus housing at Boise State University continues to grow and the 2005 University Master Plan identified locations adjacent to Lincoln Avenue as the proposed site for this development.

Following the Board's decision to end the public private partnership with American Campus Communities (ACC), the University terminated the MOU with ACC, paid the termination expenses (including the amounts needed to ensure ownership of all plans and specifications and to retain the existing design professionals) and worked with the Division of Public Works (DPW) to bid the 360 bed townhome project.

The University's settlement with ACC in accordance with the Board approved MOU specified the payment of those settlement costs required to transfer ownership and development rights of the plans, design documents, and construction documents to the University. The University and DPW are now

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DECEMBER 9, 2010

ready to proceed to bid for construction contracts to build a portion of the original housing utilizing these plans and documents.

While the University intends to adhere to the proposed student housing design, we have opted to construct a portion of the proposed project represented by the townhouse style housing, versus traditional “dorm” style housing. Thus, the initial phase of this project will be approximately 360 beds of the 874 bed original plan. The remainder of the original Phase I may be completed at a later date as financial conditions permit.

IMPACT

Following the final settlement with ACC in October 2010, University staff worked with DPW to finalize contracts with the architectural consultant team and the necessary revisions were made to the design documents to prepare them for the public bidding process. These documents were released for bidding to a prequalified pool of general contractors on November 9, 2010. The bids for the project are scheduled to be opened on December 7 and bidders are required to honor their bids for 45 calendar days after the bid opening date.

Based on the accepted construction bid, the total project costs will be presented, including construction costs, design and engineering fees, ACC settlement costs, site utilities and other development costs. The complete project pro forma financial information and project financing will be presented at the meeting.

The project will be funded with a combination of bond reserves resulting from savings from previous building projects, University and student housing reserves. University reserves will be repaid with rental revenues from the project. Full details will be presented at the Board meeting.

ATTACHMENTS

Attachment 1 – Architectural Site Plan Rendering

Page 5

The following information will be available and presented at the meeting:

- Project Budget, based on bid accepted by DPW
- Capital Project Tracking Sheet
- Ten-Year Debt Projection
- Debt Service Schedule
- Lincoln Avenue Student Housing Pro Forma Budget

STAFF COMMENTS AND RECOMMENDATIONS

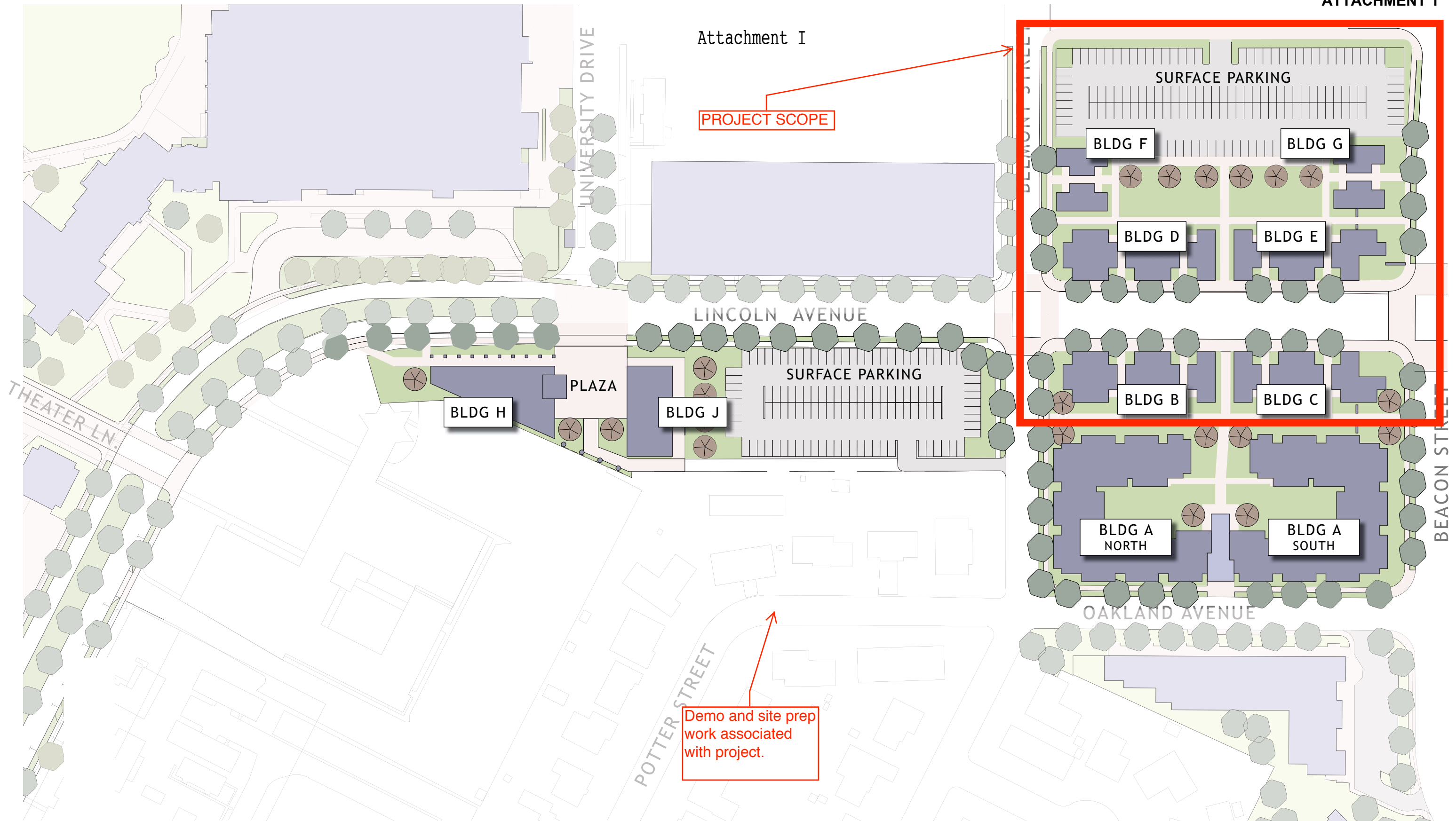
Since project bids close on December 7 – two days before the December Board meeting – it was not possible for this to be an action item. However, since bid proposals are only good for 45 days from the date of opening, a special meeting will be necessary if the Board chooses to approve the project.

**BUSINESS AFFAIRS AND HUMAN RESOURCES
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BOARD ACTION

This item is for informational purposes only. The University requests that the Board agree to consider this project for approval to proceed with construction at an agreed upon date after the Board and Board staff have had sufficient time to review the information presented and prior to the expiration of the 45 day bid hold period, or January 21, 2011.

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ARCHITECTURE
URBAN DESIGN
INTERIOR DESIGN

BSU STUDENT HOUSING BOISE, IDAHO

ACC | 18013.02 • CONCEPT DESIGN • 03.17.09

PHASE 1A SITE PLAN

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BUSINESS AFFAIRS AND HUMAN RESOURCES
DECEMBER 9, 2010

BOISE STATE UNIVERSITY

SUBJECT

Bronco Stadium Expansion Projects

REFERENCE

April 2007	East Jr. High Purchase Agreement
June 2007	East Jr. High land swap and joint use agreement including master plan illustration
August 2009	East Jr. High Demolition of various structures

APPLICABLE STATUTE, RULE OR POLICY

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

BACKGROUND/DISCUSSION

Boise State University has initiated a capital campaign for the future expansion of and upgrades to Bronco Stadium and the former site of East Jr. High (to be known as Dona Larsen Park pending Board approval at a future date). These projects will be developed in phases and each phase will be brought for review and approval by the Board as the program is further developed, financing is secured, and the phases defined. The University will give a presentation and overview of the proposed multi-phased project at the February 2011 Board meeting.

IMPACT

Boise State Athletics has commenced a fundraising campaign for the first phase of a multi-phased stadium expansion project which includes the renovation of Dona Larsen Park. To date \$8.8 million has been raised.

As envisioned, the initial phase consists of constructing new track and field facilities for both men's and women's sports at Dona Larson Park, as well as building a new football complex and additional seating at Bronco Stadium. Details of the initial phase include:

- Dona Larsen Park
 - Running track and throwing areas
 - Football field (synthetic turf)
 - Bleachers for spectators, restrooms and press box
 - Parking
- Football Complex
 - Locker room and team room

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- Training room, equipment room and weight room
- Coaches offices and meeting rooms
- Academic area
- Additional seats
 - Add up to 5,000 new seats in the stadium

Current concept level estimates for this initial phase of the project range from \$33 to \$40 million depending on final scoping and design development details.

The University has retained the services of Ellerbe Beckett, an architectural firm from San Francisco that specializes in sports facilities, to develop a long-range plan for future stadium expansion. Architectural fees incurred to date are \$65,000. Geotechnical studies conducted by CH2MHILL are also underway to more clearly define the projected costs of future stadium development. The estimated cost of geotechnical engineering work is \$70,000.

Phase I and future phases will be brought forward for approval once planning and design commences and a preliminary budget is set.

STAFF COMMENTS AND RECOMMENDATIONS

This is a request to authorize Boise State University to begin formal planning as required by Board Policy V.K.1. for phase 1 of a future expansion of, and upgrades to, Bronco Stadium and Dona Larsen Park.

BOARD ACTION

I move to request approval for Boise State University to begin formal planning for phase 1 of a capital improvements project to expand Bronco Stadium and move the track and field facilities to Dona Larson Park at a cost that is estimated to exceed \$500,000.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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UNIVERSITY OF IDAHO

SUBJECT

Conditional Authorization request for naming of the Interdisciplinary Studio Complex

REFERENCE

August 2008	Regents authorization for project planning and design for an interdisciplinary studio complex, at a cost not to exceed \$400,000, to be funded with private in-kind donations and gift funds (item 10 on page 18 of official meeting minutes).
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APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section I.K.1

BACKGROUND/DISCUSSION

As approved by the Regents in 2008, the University of Idaho initiated planning for the Interdisciplinary Studio Complex. This complex is conceived as a flexible, indoor/outdoor learning complex emphasizing the three-dimensional, constructible components of the curricula. Space for studio and lecture classrooms will be augmented by space for construction of small and large projects, storage of tools and equipment, storage of accreditation materials, faculty offices, and research studios. The complex is conceived as a series of spaces that minimize barriers between enclosed and non-enclosed space. In other words, a series of enclosed spaces will be incorporated into a working garden.

Conceptual planning for the facility has been completed with donated design services by SH Architecture, whose principals include University of Idaho alumni. Further design work and subsequent construction will be dependent upon success in private fundraising as well as future Regents' authorization in support of these later phases of the project. Current project cost estimates range from \$4M to \$5M.

The University has identified a key donor, Mario Alvarez, a University of Idaho alumnus, who is considering funding up to \$4M in support of the project. His financial support, however, is contingent upon our ability to name the facility after his brother, Eduardo Alvarez, who died at a young age.

Accordingly, the University seeks the Regents' conditional authorization to name the facility after Eduardo Alvarez, subject to receipt of this substantial gift and full funding of the project.

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The project is fully consistent with the University's Strategic Plan, Long Range Campus Development Plan (LRCDP), and the Campus Infrastructure Master Plan.

IMPACT

Approval of this request will pave the way for a substantial private gift, helping to ensure the financial viability of this project. The University is committed to funding this project solely with donated funds and services.

STAFF COMMENTS AND RECOMMENDATIONS

Board Policy I.K.1.b.(2) sets forth the parameters by which a building, facility, or administrative unit may be named for other than a former employee of the system of higher education: "no commitment for naming shall be made to a prospective donor of a gift prior to Board approval of the proposed name." In short, either the Board's approval must be contingent on the receipt of the gift, or the donor's gift must be contingent on the Board's approval of the name.

UI's prospective donor desires an assurance that the proposed facility will be named for his brother if the donation is made. Approval of this naming request contingent upon receipt of the gift will provide both UI and its donor the assurance needed that the wishes of the donor will be honored and help bring the proposed facility to fruition.

Staff recommends approval.

BOARD ACTION

I move to approve the request by the University of Idaho to name the proposed Interdisciplinary Studio Complex after Eduardo Alvarez, contingent upon receipt of a substantial gift from the Alvarez family in support of the project.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

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LEWIS-CLARK STATE COLLEGE

SUBJECT

Approval of the College Place residence hall settlement agreement discussed in executive session

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.W.2.

BACKGROUND/DISCUSSION

Lewis-Clark State College (LCSC) requests approval of the settlement agreement with College Place, LLC, consistent with the terms discussed in executive session.

IMPACT

Approval of the proposed settlement agreement would settle any and all claims of any nature arising out of or in any way connected with all transactions between the parties which could be asserted against LCSC, its officers, employees and agents, the Idaho State Board of Education, and/or the State of Idaho.

STAFF COMMENTS AND RECOMMENDATIONS

Staff has no comments or recommendations.

BOARD ACTION

I move to approve the settlement agreement associated with the legal matter discussed in executive session and to authorize the Vice President for Finance and Administration at Lewis-Clark State College to sign all necessary settlement documents on behalf of the Board of Trustees.

Motion by _____ Seconded by _____ Carried Yes _____ No _____

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