

**BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014**

TAB	DESCRIPTION	ACTION
1	AMENDMENT TO BOARD POLICY Section V.X. – Intercollegiate Athletics - First Reading	Motion to approve
2	AMENDMENT TO BOARD POLICY Section V.R. - Establishment of Fees - Second Reading	Motion to approve
3	AMENDMENT TO BOARD POLICY Section V.U. – Entertainment and Related Expenses - Second Reading	Motion to approve
4	INTERCOLLEGIATE ATHLETICS Financial Reports	Information item
5	INTERCOLLEGIATE ATHLETICS Employee Compensation Reports	Information item
6	LEWIS-CLARK STATE COLLEGE Dependent Fee Proposal	Motion to approve
7	UNIVERSITY OF IDAHO Idaho Law and Justice Learning Center Project – Tenant Improvements	Motion to approve
8	UNIVERSITY OF IDAHO Executive Residence – Increase Spending Authority for Planning and Design	Motion to approve
9	INSTITUTION SPECIFIC INTELLECTUAL PROPERTY POLICIES	Motion to approve

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

SUBJECT

Board policy V.X. – Intercollegiate Athletics – first reading

APPLICABLE STATUTES, RULE OR POLICY

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

BACKGROUND / DISCUSSION

Several of the institutions brought to the Athletic Committee the impact of one-time conference entry and exit fees on Board-approved athletics expenditure limits. The question raised is whether these one-time fees should be excluded from the limit on institutional funds because these fees are one-time, extraordinary expenditures which are not part of the ongoing athletics budget. Recent fees include:

Boise State University: Big West exit fee	\$1.8m
Boise State University: Big East exit fee	\$5.0m (final not determined)
University of Idaho: Big Sky entry fee	\$250k

Some exit fees are accounted for as a reduction to revenue instead of an actual cash outlay.

IMPACT

The proposed revisions to Board policy would allow an institution to exceed the institutional funds limit in a year when it experienced entry and/or exit fees which may be considered a management decision rather than a normal athletics operating cost.

ATTACHMENTS

Attachment 1 – Board policy V.X. – First reading

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The revisions to Board policy as outlined in Attachment 1 would require an institution to include a footnote to their annual Intercollegiate Athletics Reports of Revenues and Expenditures for any year in which an institution experienced entry and/or exit fees. The footnote would include the expense category and revenue sources (e.g. contributions, other revenues, and/or institutional funds). The footnote would also indicate any amount of institutional funds above the Board-approved limit for institutional funds used as a source for the entry and/or exit fees. Staff recommends approval.

BOARD ACTION

I move to approve the first reading of proposed amendments to Board policy V.X. Intercollegiate Athletics, with all revisions as presented.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

THIS PAGE INTENTIONALLY LEFT BLANK

Idaho State Board of Education

GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: X. Intercollegiate Athletics

~~August 2012~~April 2014

1. Philosophy

The Board reaffirms the role of intercollegiate athletics as a legitimate and significant component of institutional activity. The responsibility for and control of institutional activities in this area rest with the Board.

In the area of intercollegiate athletics, the Board seeks to establish programs which:

- a. provide opportunities for student athletes to attend college and participate in athletic programs while pursuing and completing academic degrees;
- b. reflect accurately the priorities and academic character of its institutions;
- c. fuel school spirit and community involvement;
- d. serve the needs of the institutions as they seek, through their athletic programs, to establish fruitful and sustaining relationships with their constituencies throughout the state and nation; and
- e. *actively and strategically progress toward* compliance with Title IX of the Higher Education Amendments Act of 1972.

Given these goals, the Board has a continuing concern and interest in the academic success of student athletes, the scope and level of competition, and the cost of athletic programs administered by its institutions. Consequently, the Board will, from time to time in the context of this policy statement, promulgate, as necessary, policies governing the conduct of athletic programs at its institutions.

2. Policies

The day-to-day conduct of athletic programs is vested in the institutions and in their chief executive officers. Decision making at the institutional level must be consistent with the policies established by the Board and by those national organizations and conferences with which the institutions are associated. In the event that conflicts arise among the policies of these governance groups, it is the responsibility of the institution's chief executive officer to notify the Board in a timely manner. Likewise, any knowledge of NCAA or conference rule infractions involving an institution should be communicated by the athletic department to the chief executive officer of the institution.

The Board recognizes that the financing of intercollegiate athletics, while controlled at the institutional level, is ultimately the responsibility of the Board itself. In assuming that responsibility, the sources of funds for intercollegiate athletics shall be defined in the following categories:

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: X. Intercollegiate Athletics

August 2012 April 2014

- a. State General Funds – means state General Funds (as defined in section 67-1205, Idaho Code) appropriated to the institutions.
 - b. Student Athletic Fee Revenue – means revenue generated from the full-time and part-time student activity fee that is dedicated to the intercollegiate athletics program pursuant to policy V.R.3.b.ii.
 - c. Program Funds – means revenue generated directly related to the athletic programs, including but not limited to ticket sales/event revenue, tournament/bowl/conference receipts, media/broadcast receipts, concessions/parking/advertisement, game guarantees and foundation/booster donations.
 - d. Institutional Funds – means any funds generated by the institution outside the funds listed in a., b. and c. above. Institutional Funds do not include tuition and fee revenue collected under policy V.R.3. Examples of Institutional Funds include, but are not limited to, auxiliaries, investment income, interest income, vending, indirect cost recovery funds on federal grants and contracts, and administrative overhead charged to revenue-generating accounts across campus.
3. Funds allocated and used by athletics from the above sources are limited as follows:
- a. State General Funds –
 - i. The limit for State General Funds shall be allocated in two categories: General Funds used for athletics and General Funds used to comply with Title IX.
 - ii. The Board set the following FY 2013 General Fund limits:
 - 1) General Funds for Athletics:

a) Universities	\$2,424,400
b) Lewis-Clark State College	\$ 901,300
 - 2) General Funds for Gender Equity:

a) Boise State University	\$1,069,372
b) Idaho State University	\$ 707,700
c) University of Idaho	\$ 926,660
d) Lewis-Clark State College	\$ 0
 - iii. The methodology for computing the limits for both categories of State General Funds shall be to calculate the rate of change for the next fiscal year ongoing State General Funds compared to the ongoing State General Funds in the current fiscal year, and then apply the rate of change to both limits approved

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: X. Intercollegiate Athletics

August 2012 April 2014

by the Board in the previous year. Such limits shall be approved annually by the Board.

b. Institutional funds –

i. The Board set the following FY 2013 limits:

1) Boise State University	\$ 386,100
2) Idaho State University	\$ 540,400
3) University of Idaho	\$ 772,100
4) Lewis-Clark State College	\$ 154,300

ii. The methodology for computing the limits for Institutional Funds shall be to calculate the rate of change for the next fiscal year ongoing Appropriated Funds compared to the ongoing Appropriated Funds in the current fiscal year, and then apply the rate of change to the limit approved by the Board in the previous year. Such limits shall be approved annually by the Board. For purposes of this paragraph, “Appropriated Funds” means all funds appropriated by the Legislature to the institutions, including but not limited to, State General Funds, endowment funds, and appropriated tuition and fees.

c. Student Activity Fee Revenue – shall not exceed revenue generated from student activity fee dedicated for the athletic program. Institutions may increase the student fee for the athletic program at a rate not more than the rate of change of the total student activity fees.

d. Program funds – the institutions can use the program funds generated, without restriction.

The president of each institution is accountable for balancing the budget of the athletic department on an annual basis. In accounting for the athletic programs, a fund balance for the total athletic program must be maintained. In the event that revenue within a fiscal year exceeds expenses, the surplus would increase the fund balance and would be available for future fiscal years. In the event that expenses within a fiscal year exceeds revenue, the deficit would reduce the fund balance. If the fund balance becomes negative, the institutions shall submit a plan for Board approval that eliminates the deficit within two fiscal years. Reduction in program expenditures and/or increase revenue (program funds only) can be used in an institutional plan to eliminate a negative fund balance. If substantial changes in the budget occur during the year resulting in a deficit for that year, the president shall advise the Board of the situation at the earliest opportunity.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: X. Intercollegiate Athletics

August 2012 April 2014

Donations to athletics at an institution must be made and reported according to policy V.E. The amount of booster money donated to and used by the athletic department shall be budgeted in the athletic department budget.

It is the intent of the Board that increases in program revenues should be maximized before increases to the athletic limits under subsection 3 will be considered.

4. Gender Equity

- a. Gender equity means compliance with Title IX of the Higher Education Amendments Act of 1972 which prohibits discrimination on the basis of gender in any education program or activity receiving federal financial assistance, including athletics. Congress delegated authority to promulgate regulations (34 C.F.R. §106.41) for determining whether an athletics program complies with Title IX. The U.S. Department of Education, through its Office of Civil Rights (OCR) is responsible for enforcing Title IX.
- b. Title IX measures gender equity in athletics in three distinct areas: participation, scholarships, and equivalence in other athletics benefits and opportunities.
- c. The chief executive officer of each institution shall prepare a gender equity report for review and formal approval by the Board in a format and time to be determined by the Executive Director. The gender equity report will show the status of an institution's compliance with Title IX. The gender equity report will show the changes to the athletics programs necessary to comply with Title IX over time.

5. Financial Reporting.

The Board requires that the institutions adopt certain reporting requirements and common accounting practices in the area of intercollegiate athletic financing. The athletic reports shall contain revenues, and expenditures, in the detail prescribed by the Board office, including all revenue earned during a fiscal year. A secondary breakdown of expenditures by sport and the number of participants will also be required. The fund balances as of June 30 shall be included in the report. The general format of the report will be consistent with the format established by the Executive Director. The revenue and expenditures reported on these reports must reconcile to the NCAA Agreed Upon Procedures Reports that are prepared annually and reviewed by the external auditors. The institutions will submit the following reports to the Board:

- a. The institutions shall submit an operating budget for the upcoming fiscal year beginning July 1 in a format and time to be determined by the Executive Director.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: X. Intercollegiate Athletics

~~August 2012~~April 2014

- i. Actual revenues and expenditures for the fiscal year most recently completed.
- ii. Estimated revenues and expenditures for the current fiscal year.
- iii. Proposed operating budget for the next budget year beginning July 1.

b. The following fiscal year's financial information will be reported by each institution in a format and time to be determined by the Executive Director:

- i. Actual revenues and expenditures for the prior four (4) fiscal years
- ii. Estimated revenues and expenditures for the current fiscal year.

~~b.c.~~ In a year in which an institution experiences conference entry and/or exit fees, any amount the institution uses from institutional funds will not be subject to the limit in paragraph 3.b. The institution shall include a footnote: (1) explaining the amount and expense category for the entry/exit fees and the amount of each revenue source (e.g. contributions, institutional funds, etc.); (2) indicating any amount of institutional funds above the Board approved limit for institutional funds used as a source for the entry and/or exit fees.

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS & HUMAN RESOURCES
FEBRUARY 27, 2014

SUBJECT

Board Policy V.R. – Establishment of Fees – second reading

REFERENCE

December 2013

Board approved first reading to revisions to policy V.R.

APPLICABLE STATUTE, RULE, OR POLICY

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

BACKGROUND/DISCUSSION

At the December 2013 Board meeting, the Board approved the first reading of changes to Board policy V.R. to treat senior citizen fees similar to employee/spouse and dependent fees.

IMPACT

The current Senior Citizen fee is for Idaho residents 60 years and older and includes a \$20.00 registration fee plus \$5.00 per credit hour. This revision will allow each institution to determine eligibility and set the fee, subject to Board approval.

ATTACHMENTS

Attachment 1 – Section V.R. – Second Reading

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

The proposed revisions change the Senior Citizen fee from a set dollar amount to mirror language used for the employee/spouse/dependent fees. There were no changes from first reading.

Staff recommends approval.

BOARD ACTION

I move to approve the second reading of proposed amendments to Board policy Section V.R., Establishment of Fees, with all revisions as presented.

Moved by_____ Seconded by_____ Carried Yes____ No____

THIS PAGE INTENTIONALLY LEFT BLANK

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: R. Establishment of Fees

February 2014

vi. Employee/Spouse/Dependent Fee

The fee for eligible participants shall be set by each institution, subject to Board approval. Eligibility shall be determined by each institution. Employees, spouses and dependents at institutions and agencies under the jurisdiction of the Board may be eligible for this fee. Employees of the Office of the State Board of Education and the Division of Professional-Technical Education shall be treated as institution employees for purposes of eligibility. Special course fees may also be charged.

vii. Senior Citizen Fee

The fee for eligible participants shall be set by each institution, subject to Board approval. Eligibility shall be determined by each institution.

viii. In-Service Teacher Education Fee

The fee shall not exceed 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.

- a) The student must be an Idaho certified teacher or other professional employed at an Idaho elementary or secondary school.
- 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.

ix. 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

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: R. Establishment of Fees

February 2014

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 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 academic program, *all* of the following criteria must be met:

a) Credential or Licensure Requirement:

- 1) A professional fee may be assessed for an academic professional program if graduates of the program obtain a specialized higher education degree that qualifies them to practice a professional service involving expert and specialized knowledge for which credentialing or licensing is required. For purposes of this fee, "academic" means a systematic, usually sequential, grouping of courses that provide the student with the knowledge and competencies required for a baccalaureate, master's, specialist or doctoral degree as defined in policy III.E.1.

GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: R. Establishment of Fees

February 2014

- 2) The program leads to a degree where the degree is at least the minimum required for entry to the practice of a profession.
 - b) Accreditation Requirement: The program:
 - 1) Is accredited,
 - 2) is actively seeking accreditation if a new program, or
 - 3) will be actively seeking accreditation after the first full year of existence if a new program by a regional or specialized accrediting agency.
 - c) Extraordinary Program Costs: Institutions will propose professional fees for Board approval based on the costs to deliver the program. An institution must provide clear and convincing documentation that the cost of the professional program significantly exceeds the cost to deliver non-professional programs at the institution. A reduction in appropriated funding in support of an existing program is not a sufficient basis alone upon which to make a claim of extraordinary program costs.
 - d) The program may include support from appropriated funds.
 - e) The program is consistent with traditional academic offerings of the institution serving a population that accesses the same activities, services, and features as regular full-time, tuition-paying students.
 - f) Upon the approval and establishment of a professional fee, course fees associated with the same program shall be prohibited.
 - g) Once a professional fee is initially approved by the Board, any subsequent increase in a professional fee shall require prior approval by the Board at the same meeting institutions submit proposals for tuition and fees.
- v. Self-Support Academic Program Fees
- a) Self-support programs are academic degrees or certificates for which students are charged program fees, in lieu of tuition. For purposes of this fee, “academic” means a systematic, usually sequential, grouping of courses that provide the student with the knowledge and competencies required for an academic certificate, baccalaureate, master’s, specialist or doctoral degree. To bring a Self-support program fee to the Board for approval, the following criteria must be met:
 - 1) An institution shall follow the program approval guidelines set forth in policy III.G.
 - 2) The Self-support program shall be a defined set of specific courses that once successfully completed result in the awarding of an academic certificate or degree.
 - 3) The Self-support program shall be distinct from the traditional offerings of the institution by serving a population that does not access the same activities, services and features as full-time, tuition paying students,

GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: R. Establishment of Fees

February 2014

such as programs designed specifically for working professionals, programs offered off-campus, or programs delivered completely online.

- 4) No appropriated funds may be used in support of Self-support programs. Self-support program fee revenue shall cover all direct costs of the program. In addition, Self-support program fee revenue shall cover all indirect costs of the program within two years of program start-up.
- 5) Self-support program fees shall be segregated, tracked and accounted for separately from all other programs of the institution.

- b) If a Self-support program fee is requested for a new program, an institution may fund program start-up costs with appropriated or local funds, but all such funding shall be repaid to the institution from program revenue within a period not to exceed three years from program start-up.
- c) Once a Self-support program fee is initially approved by the Board, any subsequent increase in a Self-support program fee shall require prior approval by the Board.
- d) Institutions shall audit Self-support academic programs every three (3) years to ensure that program revenue is paying for all program costs, direct and indirect, and that no appropriated funds are supporting the program.
- e) Students enrolled in self-support programs may take courses outside of the program so long as they pay the required tuition and fees for those courses.

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.

viii. **New Student Orientation Fee**

This fee is defined as a mandatory fee charged to all first-time, full-time students who are registered and enrolled at an institution. The fee may only

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: R. Establishment of Fees

February 2014

be used for costs of on-campus orientation programs such as materials, housing, food and student leader stipends, not otherwise covered in Board-approved tuition and fees.

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 or unrestricted current fund 0650 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. Revenue from this fee is deposited in unrestricted current fund 0650.

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 such as: student orientation fees (when assessed to only those who register to participate), 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 or provost of the institution. The chief executive officer is responsible for reporting these fees to the Board upon request.

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

SUBJECT

Board policy V.U. – Entertainment and Related Expenses

REFERENCE

December 2013 Board approved first reading

APPLICABLE STATUTES, RULE OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.U.
Idaho Board of Examiners State Travel Policy and Procedures

BACKGROUND / DISCUSSION

Staff received a question from an institution seeking clarification and interpretation of allowable entertainment expenses per Board policy V.U. Upon review of the policy, staff determined the policy is problematically vague and in need of updating. Staff reviewed entertainment policies at other public higher education systems as a guide. The policy is clarified by adding two categories of allowable entertainment expenses:

- 1) Entertainment involving guests external to the institution and directly related to six general purposes; and
- 2) Meals for institution administrative/business meetings.

The proposed changes also clarify a provision to allow for payment of business and civic club memberships.

IMPACT

Approving the amendments to Board policy V.U. will provide more clarification and controls for entertainment expenses.

ATTACHMENTS

Attachment 1 – Board policy V.U. – First reading

Page 3

STAFF COMMENTS AND RECOMMENDATIONS

Institutions suggested several clarifications between first and second reading, all of which have been incorporated as follows:

- 1) “appropriated” funds were included as a permissible fund source consistent with current practice
- 2) events with elected officials were added under the list of entertainment involving external guests
- 3) Payment of country club memberships is only permitted for senior management positions, must be included in employment agreement and requires prior Board approval
- 4) Public relations and related expenses don’t require specific approval by the president, consistent with other entertainment expenses

Staff recommends approval.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

BOARD ACTION

I move to approve the second reading of proposed amendments to Board policy V.U. Entertainment and Related Expenses, with all revisions as presented.

Moved by_____ Seconded by_____ Carried Yes_____ No_____

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: U. Entertainment ~~and~~ Related Expenses

April-February 200214

1. The chief executive officer and his or her designated employees are authorized to use appropriated, foundation and local funds for entertainment and related expenses for official functions which support the institutional mission and serve a business purpose.
 - a. Entertainment involves guests external to the institution and is related to one or more of the following purposes:
 - i. recognition or promotion of academic achievement, scholarship, service to the institution, or athletic achievement
 - ii. promotion or communication of intellectual ideas and/or exchange of administrative and operational information on the institution's programs or activities
 - iii. support of institution-sponsored student events and activities
 - iv. development events (donor receptions, fundraising activities, etc.)
 - v. advocacy events with elected officials and policymakers, subject to the limitations of Title 18, Chapter 13, Idaho Code
 - vi. assistance to the State Board of Education, accrediting agencies, officials from other institutions, etc.
 - b. Meals may be provided for institution administrative/business meetings if integral to the meeting and the meeting time encompasses a normal meal time. Meetings at which a meal is provided must include at least one institution employee, be agenda driven, and be directly related to specific institution business.
 - c. Public relations expenses, ~~such as flowers and plaques, social and business and civic~~ club memberships (e.g. chamber of commerce or Rotary Club), and charitable ~~donations and~~ contributions, and other out-of-pocket expenses are reimbursable-allowable if they are reasonable, necessary, and related to the function of the institution ~~as determined by the chief executive officer~~.
 - d. Membership at a country club or dining club shall be limited to institution senior management, shall be specifically provided for in an employment agreement and requires prior Board approval.
2. All ~~These~~ expenses authorized in this Subsection shall be properly documented to support the business purpose of the expenditure. In addition, actual expenses shall be reported to the Board upon request.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: U. Entertainment ~~and~~ Related Expenses

~~April-February 2002~~14

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

SUBJECT

Intercollegiate Athletics Reports of revenues, expenditures, participation

APPLICABLE STATUTE, RULE OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.X.5.b.

BACKGROUND/DISCUSSION

Responsibility, management, control and reporting requirements for athletics are detailed in Board policy section V.X. The college and universities are required to submit regular financial reports as specified by the Board office. The revenue and expenditures reported must reconcile to the NCAA Agreed Upon Procedures Reports that are prepared annually and reviewed by the external auditors.

IMPACT

The Athletics Reports present the financial status of the intercollegiate athletic programs and the participation of students in the various sport programs. The report on page 9 shows all the institutions have positive fund balances.

ATTACHMENTS

Attachment 1	Charts identifying the revenue by major source by Institution and as a percent of total athletics revenue	Page 5-8
Attachment 2	Charts identifying athletic departments' fiscal year end fund balance by institution	Page 9
Attachment 3	Charts displaying total students participating in athletic programs and number of full-ride scholarships	Page 10

Institution Tabs (BSU, ISU, UI, LCSC)

STAFF COMMENTS AND RECOMMENDATIONS

The Athletics Reports show actual results for fiscal years 2009 through 2013 and the forecast for fiscal year 2014. The amount of general and institutional funds allocated to athletics compared to the Board-approved limits is shown below:

All institutions are within their state general funds, gender equity and institutional funds limits.

Staff highlights the following revenue and expenditure data for the Board's consideration:

BSU FY 2014 Estimates

- Game guarantees down -61.0%
- Student fees up 10.4%
- Other program revenue up 37.3%
- Total program revenue up 4.2%

**BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014**

- Athletic student aid up 11.2%
- Direct Facilities/Maint/Rentals down -29.0%
- Debt service on facilities up 13.8%
- Other expenses up 14.0%
- Capital improvements down -49.3%
- Non-resident tuition waivers up 10.0%

- Fiscal Year Net Income \$1,129
- Ending fund balance \$939,995

ISU FY 2014 Estimates

- Student fees down -4.0%
- Royalty, advertisement, sponsorship up 40.8%
- Other program revenue up 296.2%
- Total program revenue up 19.1%

- Equipment, uniforms, supplies up 16.1%
- Direct facilities, maintenance, rentals up 299.5%

- Fiscal Year Net Income is \$0
- Ending fund balance \$1,522,609

UI FY 2014 Estimates

- Ticket sales down -5.0%
- Game guarantees up 27.3%
- Contributions up 159.4%
- NCAA/Conference/Tournaments down -78.0%
- Royalty/Advertisement/Sponsorship up 17.9%
- Total Program Revenue down -6.3%

- Memberships and dues down -38.6%
- Athletic Directors Office down -32.9%
- Marketing and promotions up 21.0%
- Athletic training room down -55.7%
- Other miscellaneous up 79.5%

- Fiscal Year Net Income \$106,223
- Ending fund balance \$590,772

LCSC FY 2014 Estimates

- Ticket sales down -15%
- Total Program Revenue down -7.0%

- Coaching salary and benefits up 12.2%
- Contributions up 150.6%

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

- Fiscal Year Net Income \$20,000
- Ending fund balance \$284,927

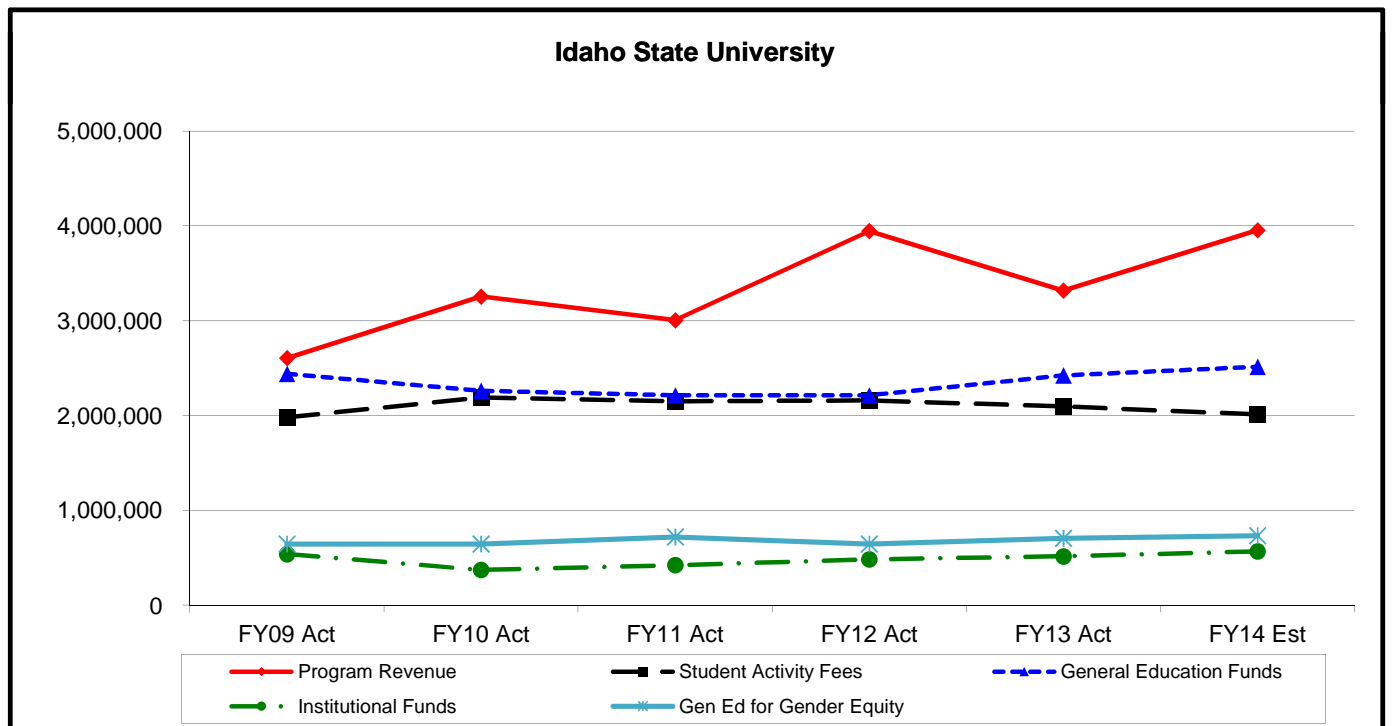
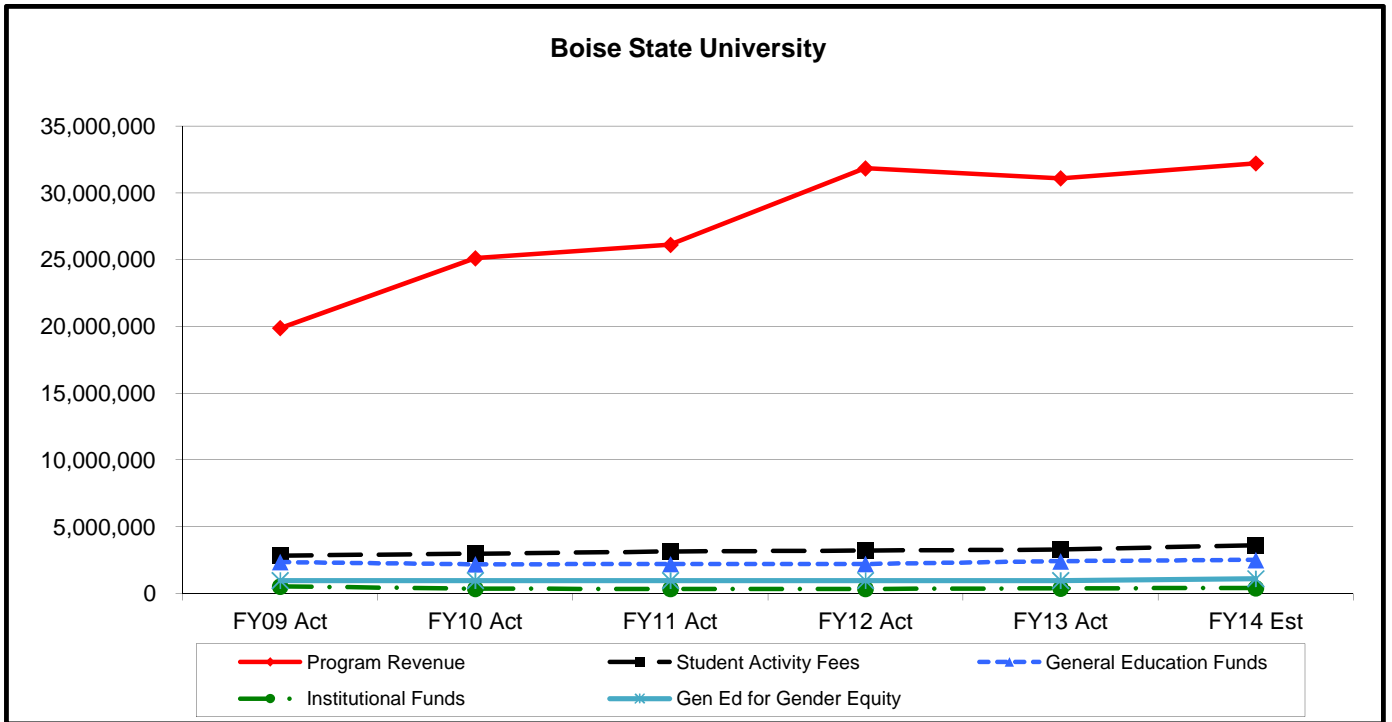
BOARD ACTION

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

THIS PAGE INTENTIONALLY LEFT BLANK

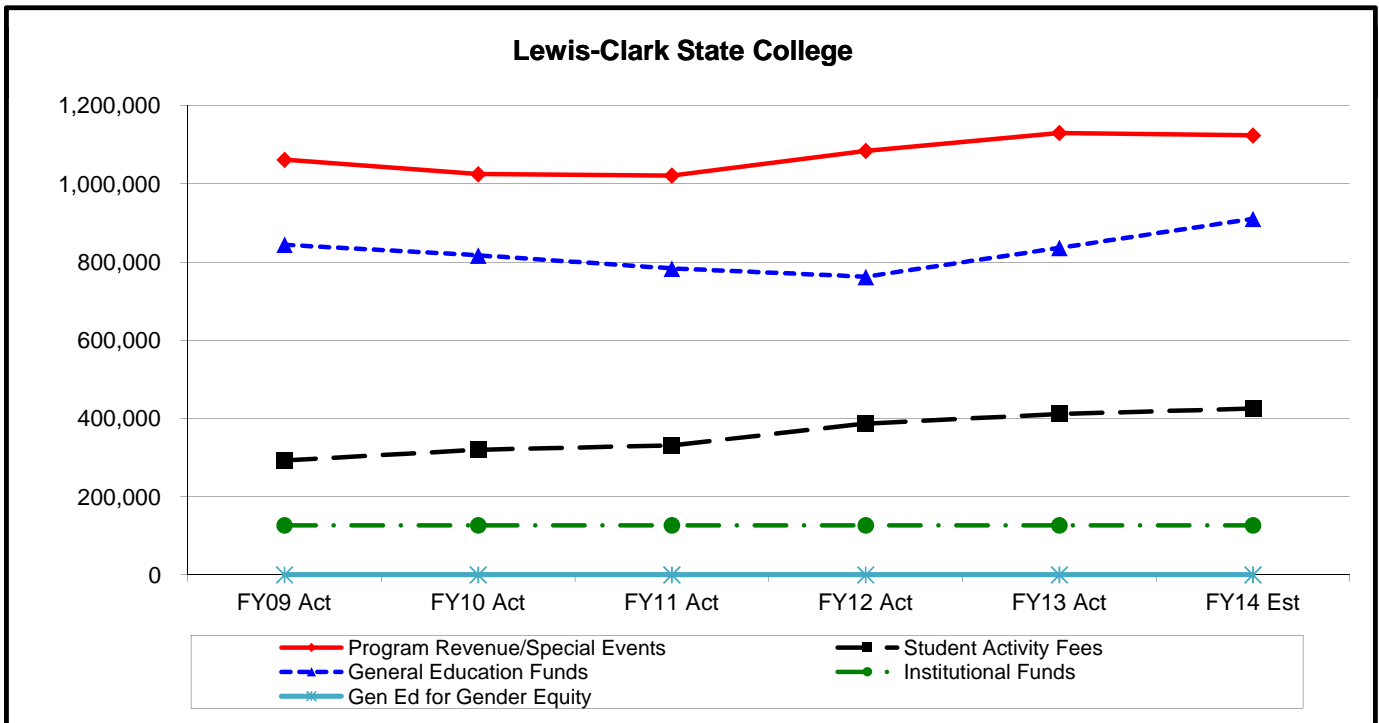
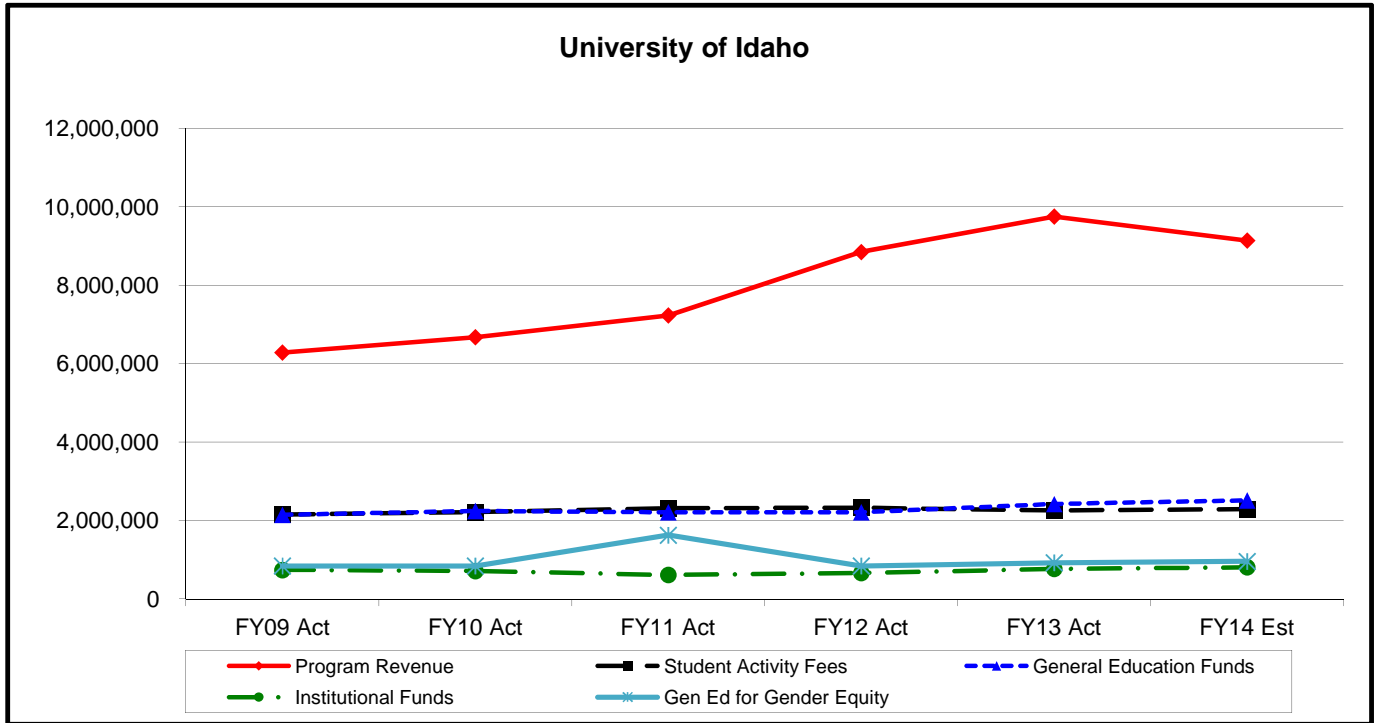
Intercollegiate Athletics Report

Revenue by Major Source



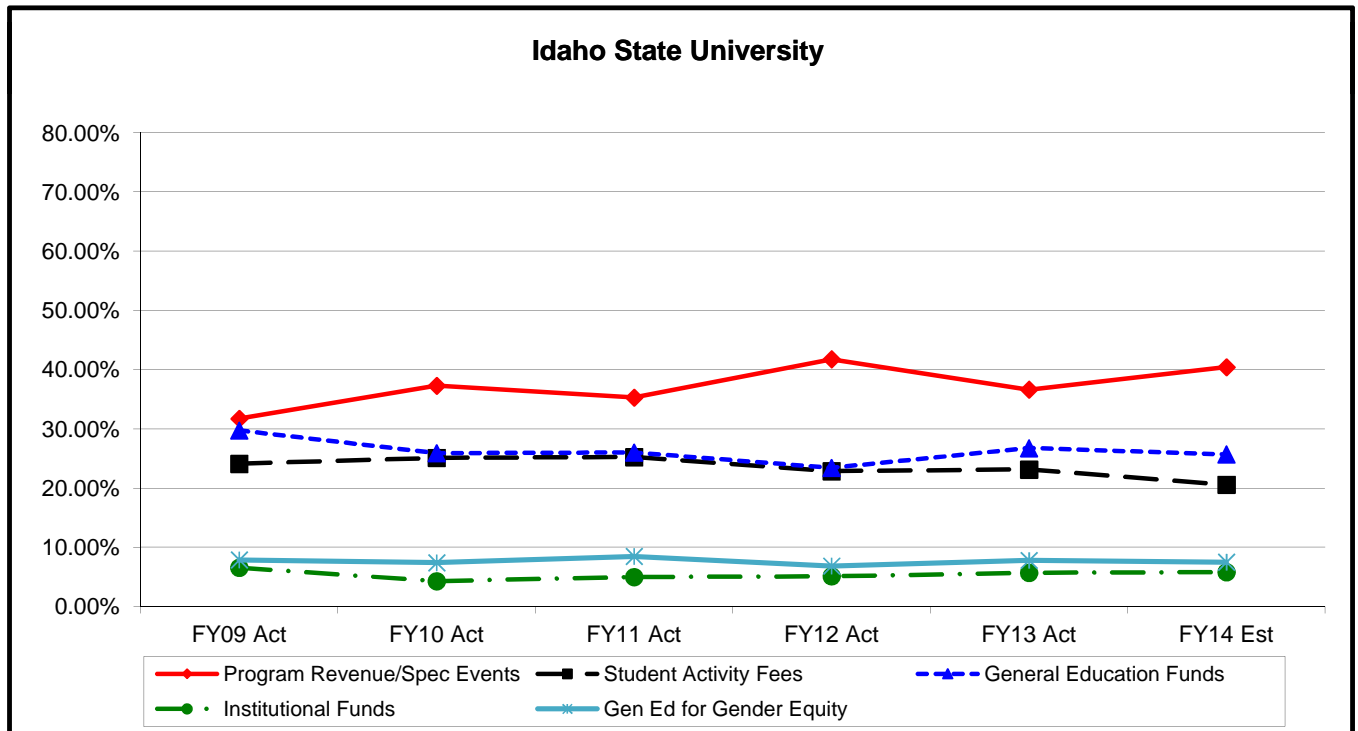
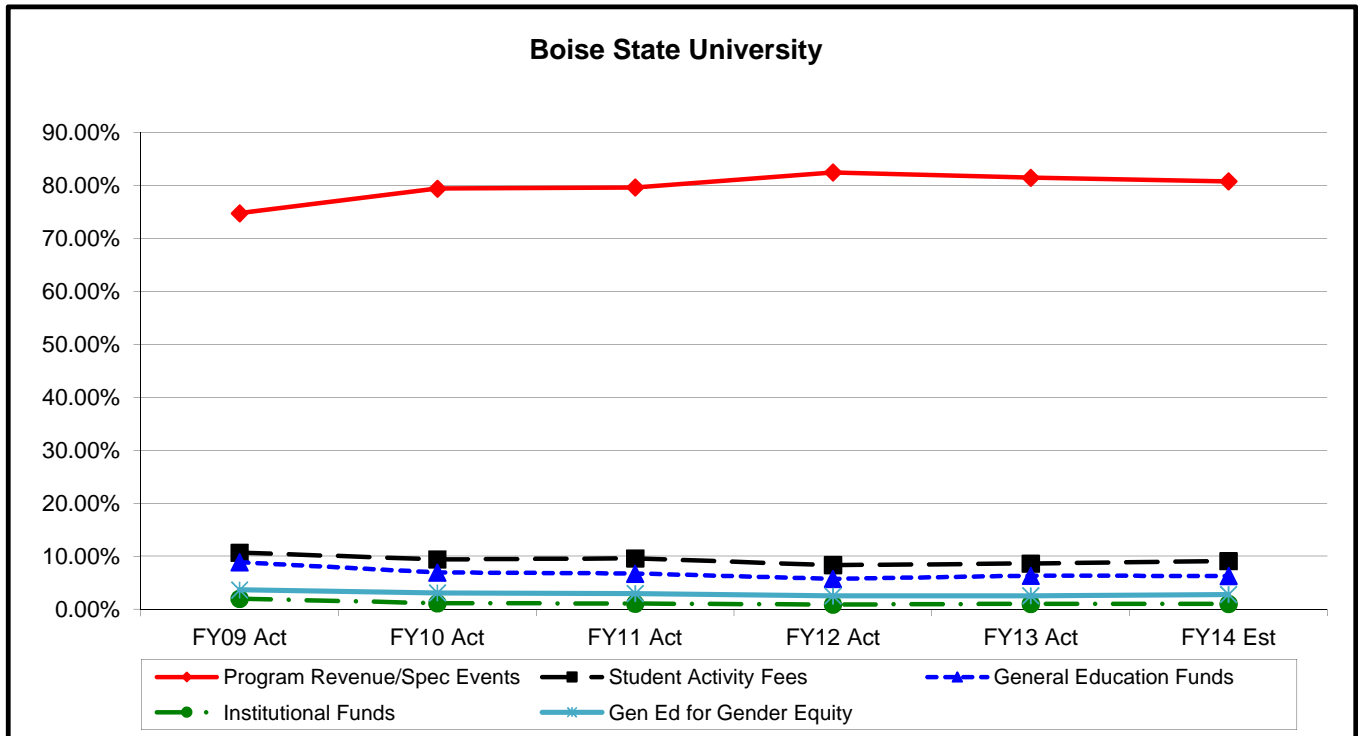
Intercollegiate Athletics Report

Revenue by Major Source



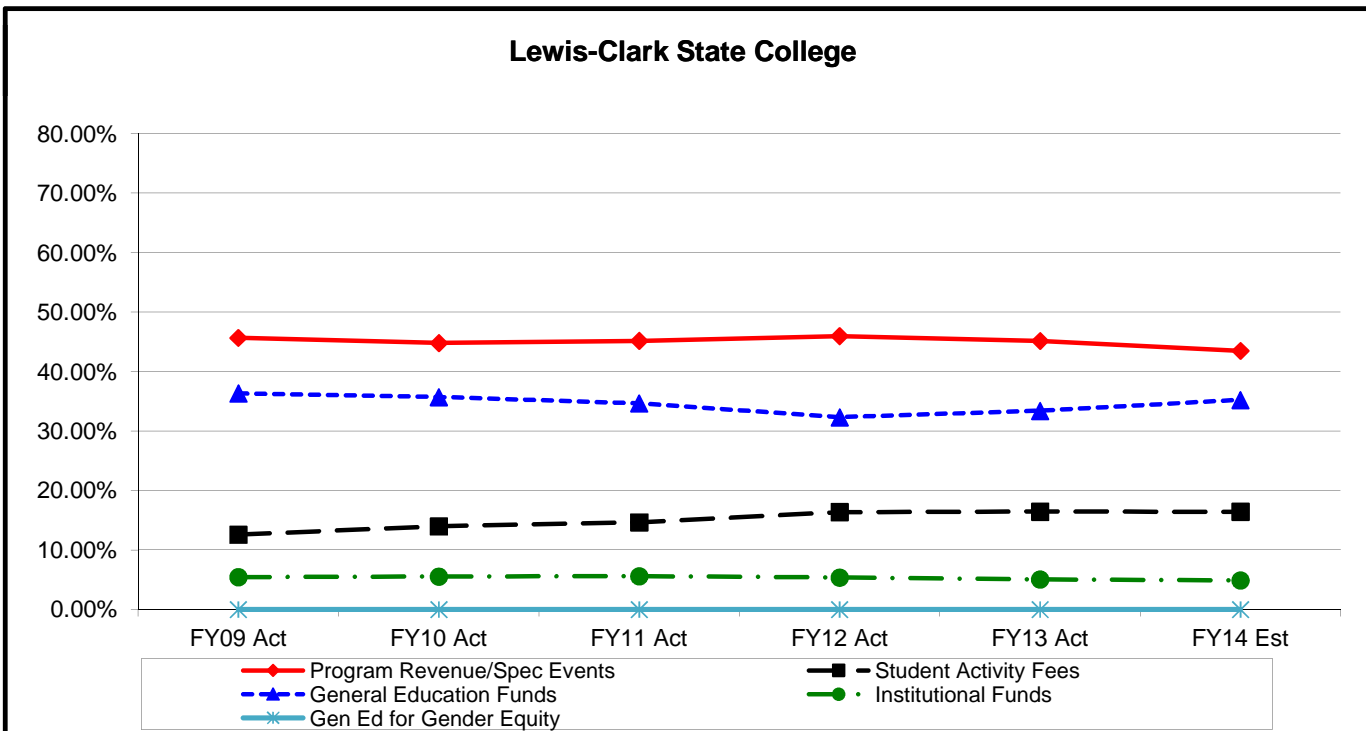
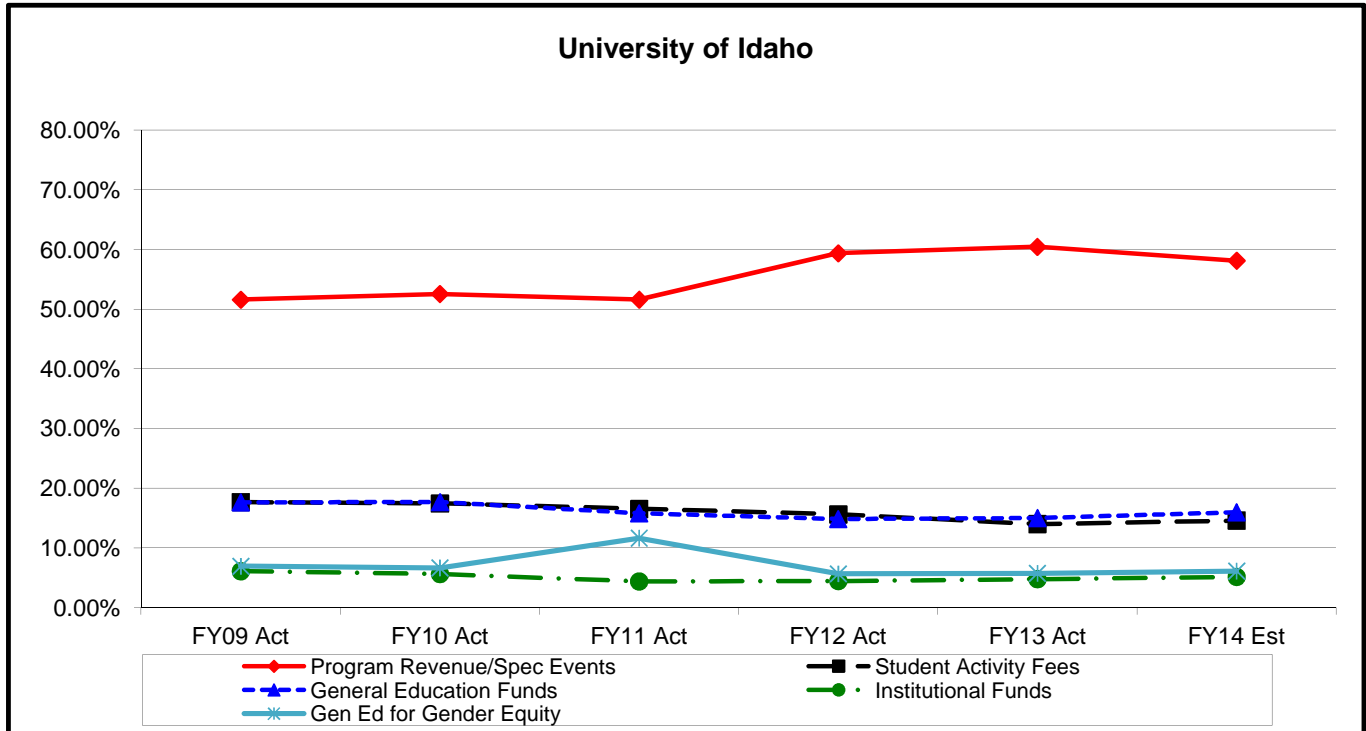
Intercollegiate Athletics Report

Revenue as a Percent of Total Revenue by Major Source



Intercollegiate Athletics Report

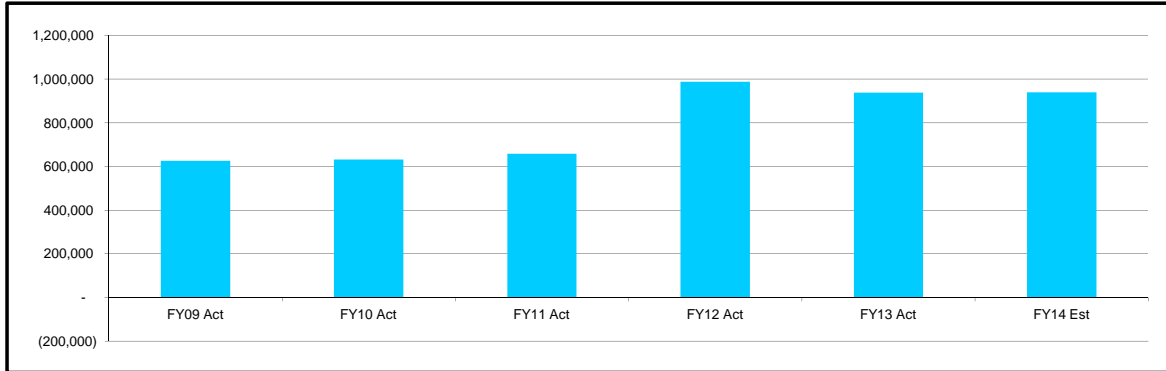
Revenue as a Percent of Total Revenue by Major Source



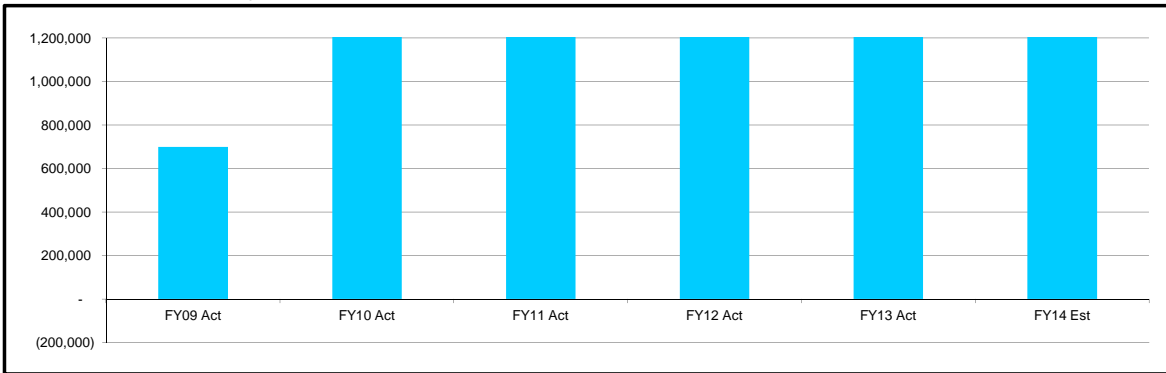
Intercollegiate Athletic Report

Fiscal Year Ending Fund Balance for Athletic Program by Institution

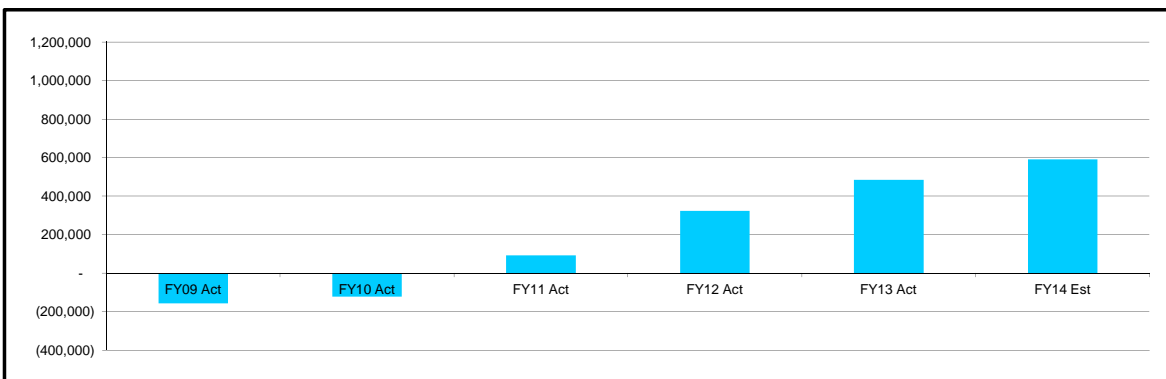
Boise State University



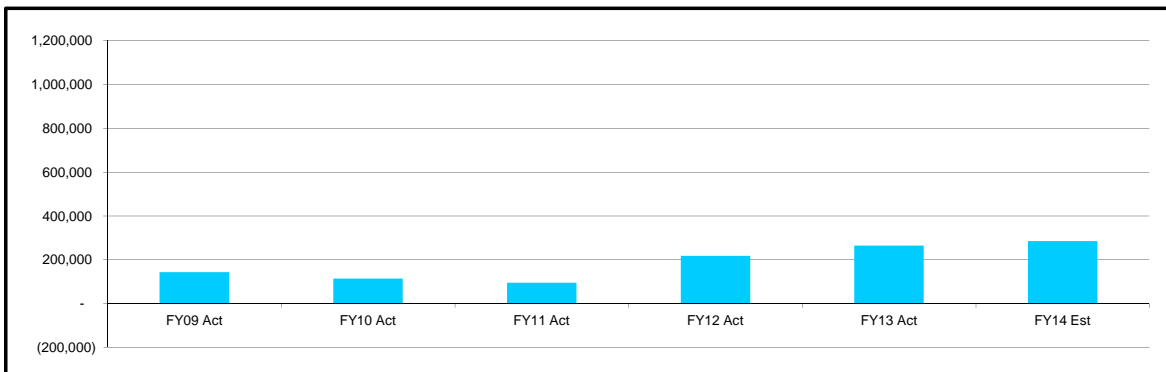
Idaho State University



University of Idaho



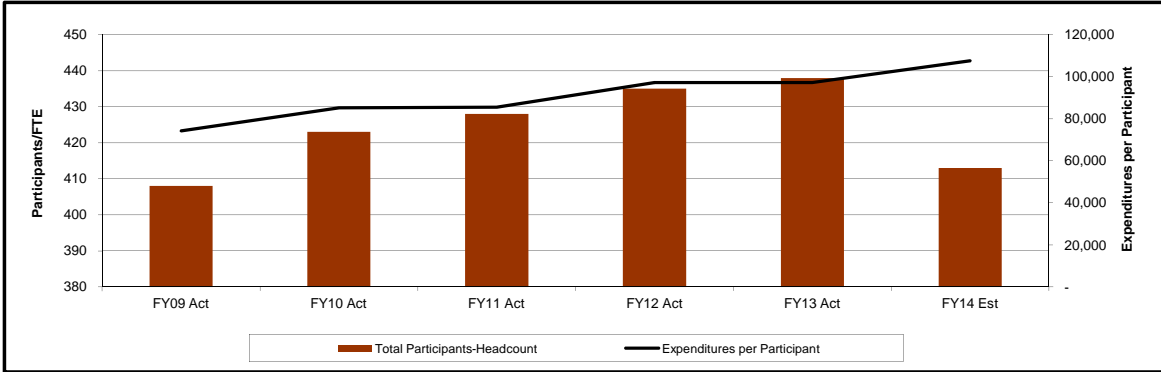
Lewis-Clark State College



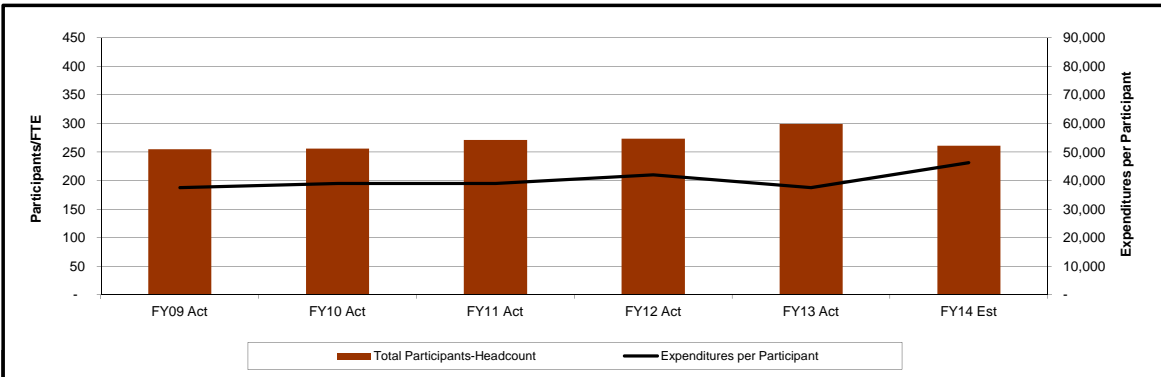
Intercollegiate Athletic Report

Athletic Expenditures by Participant Headcount

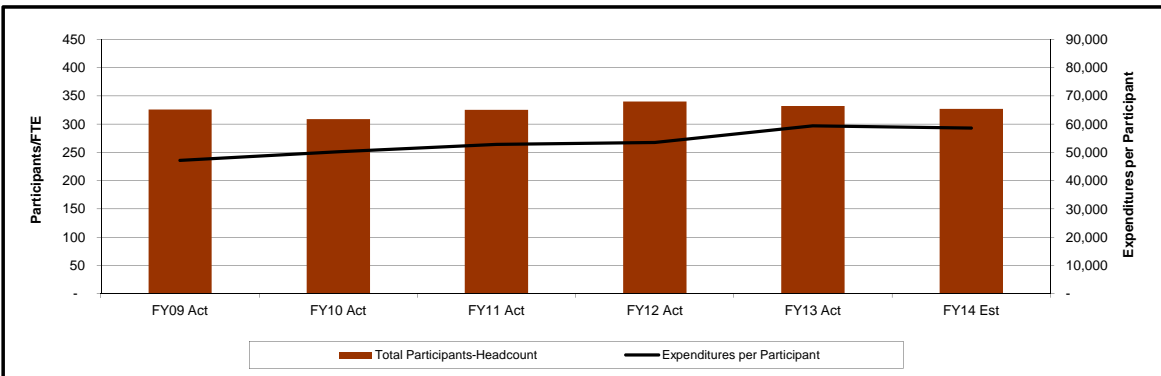
Boise State University



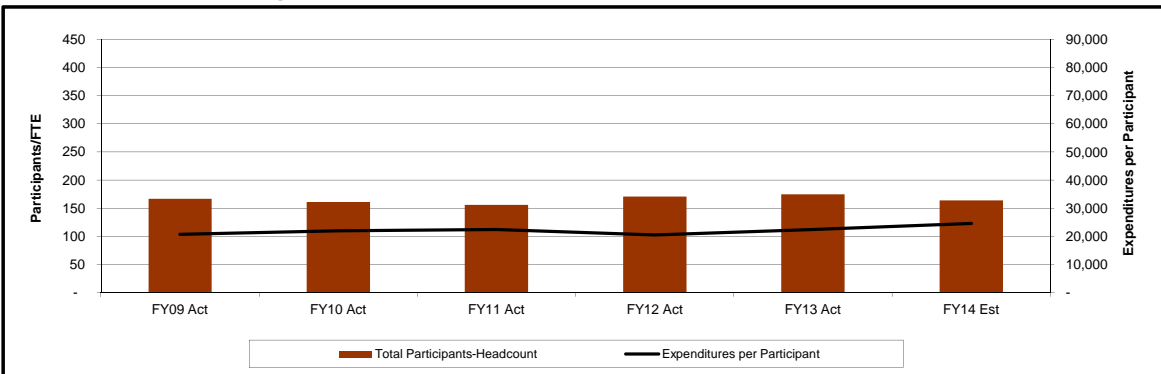
Idaho State University



University of Idaho



Lewis-Clark State College



**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Boise State University**

Revenues/Expend/Fund Balance	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1 Revenue (Detail):								
2 Program Revenue:								
3 Ticket Sales	5,669,473	7,102,661	7,615,697	8,306,921	8,309,461	8,266,733	-0.5%	7.8%
4 Game Guarantees	600,000	580,000	1,500,000	2,287,500	1,575,000	615,000	-61.0%	0.5%
5 Contributions	6,406,382	6,553,812	9,594,181	9,261,601	11,142,524	12,121,911	8.8%	13.6%
6 NCAA/Conference/Tournaments	1,684,765	1,835,720	1,298,910	3,782,335	3,335,018	4,391,230	31.7%	21.1%
7 TV/Radio/Internet Rights	188,096	126,678	140,598	64,249	39,095	25,000	-36.1%	-33.2%
8 Program/Novelty Sales, 9 Concessions, Parking	958,955	932,558	945,438	1,030,353	1,044,473	897,511	-14.1%	-1.3%
10 Royalty, Advertisement, Sponsorship	2,338,780	2,773,179	3,612,480	3,668,995	3,780,877	3,591,352	-5.0%	9.0%
11 Endowment/Investment Income	196,690	0	-	-	-	-		-100.0%
12 Other	1,185,366	803,891	880,479	3,057,533	1,654,680	2,271,651	37.3%	13.9%
13 Total Program Revenue	19,228,507	20,708,499	25,587,783	31,459,487	30,881,128	32,180,388	4.2%	10.8%
14 Non-Program Revenue:								
15 NCAA/Bowl/World Series	652,958	4,407,144	524,641	385,201	213,059	29,750	-86.0%	-46.1%
16 Student Activity Fees	2,839,814	2,980,056	3,151,147	3,227,977	3,293,399	3,634,709	10.4%	5.1%
17 General Education Funds	2,365,023	2,193,089	2,211,077	2,214,700	2,424,400	2,515,800	3.8%	1.2%
18 GenEd Funds for Gender Eq.	976,872	976,872	976,872	976,872	976,872	1,109,700	13.6%	2.6%
19 Institutional Funds	529,735	358,700	346,600	346,600	386,100	406,400	5.3%	-5.2%
20 Subtotal State/Inst. Support	3,871,630	3,528,661	3,534,549	3,538,172	3,787,372	4,031,900	6.5%	0.8%
21 Total Non-Program Revenue	7,364,402	10,915,861	7,210,337	7,151,350	7,293,830	7,696,359	5.5%	0.9%
22 Subtotal Operating Revenue:	26,592,909	31,624,360	32,798,120	38,610,837	38,174,958	39,876,747	4.5%	8.4%
23 Non-Cash Revenue								
24 Third Party Support	205,475	293,750	-	-	-	-		-100.0%
25 Indirect Institutional Support	1,583,739	2,209,387	1,822,713	1,828,871	2,016,485	1,924,930	-4.5%	4.0%
26 Non-Cash Revenue	0	0	-	-	-	-		
27 Non-Resident Tuition Waivers	1,651,556	1,913,158	1,983,889	2,210,648	2,373,316	2,610,648	10.0%	9.6%
28 Subtotal Non-Cash Revenue	3,440,770	4,416,295	3,806,602	4,039,519	4,389,801	4,535,578	3.3%	5.7%
29 Total Revenue:	30,033,679	36,040,655	36,604,722	42,650,356	42,564,759	44,412,325	4.3%	8.1%
30								
31 Expenditures:								
32 Operating Expenditures:								
33 Athletics Student Aid	3,300,409	3,739,015	3,865,115	4,126,419	4,412,782	4,908,672	11.2%	8.3%
34 Guarantees	495,000	789,500	597,500	633,314	650,651	838,000	28.8%	11.1%
35 Coaching Salary/Benefits	5,695,266	7,219,755	7,910,123	8,169,987	9,174,828	9,748,206	6.2%	11.3%
36 Admin Staff Salary/Benefits	4,387,078	4,309,086	4,786,700	5,021,919	5,022,466	5,478,924	9.1%	4.5%
37 Fringe Benefits/Severance Payments								
38 Recruiting	330,559	281,642	383,327	411,603	446,068	432,120	-3.1%	5.5%
39 Team Travel	1,861,684	1,966,291	2,061,440	2,163,971	2,537,997	2,422,888	-4.5%	5.4%
40 Equipment, Uniforms and Supplies	1,471,877	1,483,833	1,188,767	1,430,251	1,384,106	1,276,416	-7.8%	-2.8%
41 Game Expenses	960,989	791,191	1,642,127	1,790,666	1,331,753	1,598,634	20.0%	10.7%
42 Fund Raising, Marketing, Promotion	450,369	550,524	389,355	337,076	333,068	281,291	-15.5%	-9.0%
43 Direct Facilities/Maint/Rentals	2,860,764	1,091,002	4,430,381	8,520,267	4,780,139	3,396,171	-29.0%	3.5%
44 Debt Service on Facilities	3,417,400	3,629,955	3,360,608	3,383,251	4,399,874	5,005,383	13.8%	7.9%
45 Spirit Groups	29,452	88,599	118,297	185,101	121,422	110,081	-9.3%	30.2%
46 Medical Expenses & Insurance	121,543	104,918	125,596	134,805	184,118	622,500	238.1%	38.6%
47 Memberships & Dues	489,003	482,578	479,800	488,816	524,793	687,314	31.0%	7.0%
48 NCAA/Special Event/Bowls	365,110	3,954,459	497,587	375,967	235,915	9,350	-96.0%	-52.0%
49 Other Operating Expenses	626,842	1,135,668	935,819	1,107,465	2,683,625	3,059,668	14.0%	37.3%
50 Subtotal Operating Expenditures	26,863,345	31,618,016	32,772,542	38,280,878	38,223,605	39,875,618	4.3%	8.2%
51 Non-Cash Expenditures								
52 3rd Party Coaches Compensation	205,475	293,750	0	0	0	0		-100.0%
53 3rd Party Admin Staff Compensation								
54 Indirect Facilities & Admin Support	1,583,739	2,209,387	1,822,713	1,828,871	2,016,485	1,924,930	-4.5%	4.0%
55 Non-Cash Expense								
56 Non-Resident Tuition Waivers	1,651,556	1,913,158	1,983,889	2,210,648	2,373,316	2,610,648	10.0%	9.6%
57 Subtotal Non-Cash Expenditures	3,440,770	4,416,295	3,806,602	4,039,519	4,389,801	4,535,578	3.3%	5.7%
58 Total Expenditures:	30,304,115	36,034,311	36,579,144	42,320,397	42,613,406	44,411,196	4.2%	7.9%
59								
60 Net Income/(deficit)	(270,436)	6,344	25,578	329,959	(48,647)	1,129	-102.3%	
61								
62 Ending Fund Balance 6/30	625,632	631,976	657,554	987,513	938,866	939,995	0.1%	
63								
64 Sport Camps & Clinics								
65 Revenue	580,399	865,924	886,724	755,194	678,940	400,000	-41.1%	-7.2%
66 Coach Compensation from Camp	193,229	222,413	196,637	342,655	282,486	150,000	-46.9%	-4.9%
67 Camp Expenses	296,980	398,975	517,499	509,173	499,941	250,000	-50.0%	-3.4%
68 Total Expenses	490,209	621,388	714,136	851,828	782,427	400,000	-48.9%	-4.0%
69 Net Income from Camps	90,190	244,536	172,588	(96,634)	(103,487)	0	-100.0%	-100.0%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Boise State University**

	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1 General Revenue:								
2 Student Fees	2,839,814	2,980,056	3,151,147	3,227,977	3,293,399	3,634,709	10.4%	5.1%
3 Contributions	6,406,382	6,553,812	9,594,182	9,261,601	11,142,524	12,121,911	8.8%	13.6%
4 State Support	2,365,023	2,193,089	2,211,077	2,214,700	2,424,400	2,515,800	3.8%	1.2%
5 Institutional Gender Equity	976,872	976,872	976,872	976,872	976,872	1,109,700	13.6%	2.6%
6 Institutional Support	529,735	358,700	346,600	346,600	386,100	406,400	5.3%	-5.2%
7 NCAA/Conference	1,684,765	1,835,720	1,298,910	3,782,335	3,335,018	4,391,230	31.7%	21.1%
8 TV/Radio/Internet	188,096	126,678	140,598	64,249	39,095	25,000	-36.1%	-33.2%
9 Concessions/program/etc.	958,955	932,558	945,438	1,030,353	1,044,473	897,511	-14.1%	-1.3%
10 Advertising/sponsorship/Royalty	2,338,780	2,773,179	3,612,480	3,668,995	3,780,877	3,591,352	-5.0%	9.0%
11 Endowments	196,690	-	-	-	-	-		-100.0%
12 NCAA/Special Event/Bowls	652,958	4,407,144	524,641	385,201	213,059	29,750	-86.0%	-46.1%
13 Other	1,185,366	803,891	880,479	3,057,533	1,654,680	2,271,651	37.3%	13.9%
14 Total General Revenue	20,323,436	23,941,699	23,682,424	28,016,416	28,290,497	30,995,014	9.6%	8.8%
15 Revenue By Sport:								
16 Men's Programs:								
17 Football								
18 Ticket Sales	4,993,955	6,657,518	7,009,544	7,550,296	7,537,204	7,266,568	-3.6%	7.8%
19 Game Guarantees	600,000	450,000	1,450,000	2,201,000	1,575,000	575,000	-63.5%	-0.8%
20 Other (Tourn/Bowl/Conf)								
21 Basketball								
22 Ticket Sales	617,467	373,570	526,157	620,293	653,494	946,795	44.9%	8.9%
23 Game Guarantees		130,000	50,000	85,000		40,000		
24 Other (Tourn/Bowl/Conf)								
25 Track & Field/Cross Country	2,716	3,658	3,274	5,038	4,544	3,723	-18.1%	6.5%
26 Tennis								
27 Baseball								
28 Ticket Sales								
29 Contributions (Fundraising)								
30 Wrestling	9,848	23,431	28,706	41,361	18,559	6,206	-66.6%	-8.8%
31 Golf								
32 Total Men's Sport Revenue	6,223,986	7,638,177	9,067,681	10,502,988	9,788,801	8,838,292	-9.7%	7.3%
33 Women's Programs								
34 Volleyball								
35 Ticket Sales	3,924	5,284	4,729	6,280	6,565	5,378	-18.1%	6.5%
36 Game Guarantees								
37 Other (Tourn/Bowl/Conf)								
38 Basketball								
39 Ticket Sales	22,550	13,596	20,367	53,907	57,286	12,000	-79.1%	-11.9%
40 Game Guarantees								
41 Other (Tourn/Bowl/Conf)								
42 Track & Field/Cross Country	2,716	3,658	3,274	5,158	4,544	3,723	-18.1%	6.5%
43 Tennis								
44 Gymnastics	6,036	8,128	7,276	9,662	10,098	8,274	-18.1%	6.5%
45 Golf								
46 Soccer	6,036	8,128	7,276	9,662	10,098	8,274	-18.1%	6.5%
47 Softball	4,225	5,690	5,093	6,764	7,069	5,792	-18.1%	6.5%
48 Swimming								
49 Total Women's Sport Rev	45,487	44,484	48,015	91,433	95,660	43,441	-54.6%	-0.9%
50 Total Revenue	26,592,909	31,624,360	32,798,120	38,610,837	38,174,958	39,876,747	4.5%	8.4%

College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Boise State University

Expenditures by Admin/Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
51 Administrative and General									
52	Athletic Director Office	1,297,780	1,316,953	1,486,160	2,151,763	1,891,453	4,124,284	118.0%	26.0%
53	Fund Raising Office	645,159	1,161,260	1,175,263	626,932	705,861	774,272	9.7%	3.7%
54	Academic Support	854,136	1,008,813	963,391	1,052,068	1,086,948	1,046,545	-3.7%	4.1%
55	Media Relations	345,471	323,729	261,561	265,624	308,093	369,637	20.0%	1.4%
56	Marketing and Promotions	628,671	758,910	809,449	445,782	473,848	452,042	-4.6%	-6.4%
57	Ticket Office	314,033	300,717	291,231	353,820	359,720	360,350	0.2%	2.8%
58	Athletic Training Room	560,859	549,045	590,457	646,873	643,210	708,397	10.1%	4.8%
59	Memberships and Dues	489,003	482,578	479,800	488,816	524,793	687,314	31.0%	7.0%
60	Facilities Mtn & Debt Service	5,597,504	4,892,422	5,051,465	5,427,987	6,313,573	7,705,712	22.0%	6.6%
61	Capital Improvements	1,623,119	685,863	3,832,545	7,187,002	3,407,304	1,726,000	-49.3%	1.2%
62	NCAA/Special Event/Bowls	365,110	3,954,459	497,587	375,967	216,747	9,350	-95.7%	-52.0%
63	Other Miscellaneous	1,810,171	1,874,379	1,444,657	2,582,069	4,600,164	3,322,503	-27.8%	12.9%
64 Total Admin & General		14,531,016	17,309,128	16,883,566	21,604,703	20,531,714	21,286,406	3.7%	7.9%
65									
66 Men's Programs:									
67	Football	5,673,268	6,850,396	7,834,316	8,537,612	9,200,026	10,081,408	9.6%	12.2%
68	Basketball	1,274,187	1,529,236	1,926,002	1,729,154	1,757,700	1,758,116	0.0%	6.7%
69	Track & Field/Cross Country	358,798	484,006	486,153	503,319	468,870	552,213	17.8%	9.0%
70	Tennis	332,123	381,888	345,771	355,193	324,282	327,868	1.1%	-0.3%
71	Baseball		-	-	-				
72	Wrestling	393,717	497,694	433,774	486,327	486,511	461,159	-5.2%	3.2%
73	Golf	175,395	162,284	180,976	186,419	230,737	189,223	-18.0%	1.5%
74 Total Men's Programs		8,207,488	9,905,504	11,206,992	11,798,024	12,468,126	13,369,987	7.2%	10.3%
75									
76 Women's Programs									
77	Volleyball	493,647	456,679	528,957	584,346	576,637	588,308	2.0%	3.6%
78	Basketball	949,825	933,985	1,028,579	1,063,506	1,152,429	1,127,015	-2.2%	3.5%
79	Track & Field/Cross Country	417,691	558,720	554,851	591,738	551,227	649,028	17.7%	9.2%
80	Tennis	321,629	353,075	245,434	167,725	291,020	301,852	3.7%	-1.3%
81	Gymnastics	523,170	561,430	481,154	512,089	546,568	545,239	-0.2%	0.8%
82	Golf	169,098	202,557	192,740	205,041	247,327	214,246	-13.4%	4.8%
83	Soccer	438,758	473,646	557,972	573,723	556,114	551,201	-0.9%	4.7%
84	Softball	374,241	433,678	526,695	560,874	600,892	626,111	4.2%	10.8%
85	Swimming	436,782	429,614	565,602	619,109	701,551	616,225	-12.2%	7.1%
86 Total Women's Programs		4,124,841	4,403,384	4,681,984	4,878,151	5,223,765	5,219,225	-0.1%	4.8%
87									
88 Total Expenditures		26,863,345	31,618,016	32,772,542	38,280,878	38,223,605	39,875,618	4.3%	8.2%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Boise State University**

Participants by Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
89	Men's Programs:								
90	Football	105	109	112	108	105	110	4.8%	0.9%
91	Basketball	14	15	16	16	14	16	14.3%	2.7%
92	Track & Field/Cross Country	38	46	45	54	53	40	-24.5%	1.0%
93	Tennis	12	13	11	10	11	12	9.1%	0.0%
94	Baseball								
95	Wrestling	33	29	32	28	34	34	0.0%	0.6%
96	Golf	10	9	8	9	8	10	25.0%	0.0%
97	Total Male Participation	212	221	224	225	225	222	-1.3%	0.9%
98	Women's Programs								
99	Volleyball	15	17	17	18	15	15	0.0%	0.0%
100	Basketball	16	15	14	14	16	15	-6.3%	-1.3%
101	Track & Field/Cross Country	47	59	62	68	63	55	-12.7%	3.2%
102	Tennis	9	8	7	8	11	11	0.0%	4.1%
103	Gymnastics	22	18	18	16	15	16	6.7%	-6.2%
104	Golf	10	9	9	8	9	9	0.0%	-2.1%
105	Soccer	27	29	28	31	35	26	-25.7%	-0.8%
106	Softball	19	20	21	20	24	18	-25.0%	-1.1%
107	Swimming	31	27	28	27	25	26	4.0%	-3.5%
108	Rodeo	0	0	0	0	0	0		
109	Total Female Participation	196	202	204	210	213	191	-10.3%	-0.5%
110	Total Participants	408	423	428	435	438	413	-5.7%	0.2%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Boise State University**

		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
Full Ride Scholarships (Hdct)									
111 Men's Programs:									
112 Football		69.0	84.0	67.0	63.0	82.0	82.0	0.0%	3.5%
113 Basketball		12.0	12.0	13.0	13.0	13.0	13.0	0.0%	1.6%
114 Track & Field/Cross Country		5.0	5.0	2.0	1.0	0.0	2.0		-16.7%
115 Tennis		2.0	2.0	2.0	2.0	1.0	1.0	0.0%	-12.9%
116 Baseball									
117 Wrestling		0.0	1.0	0.0	2.0	2.0	2.0	0.0%	
118 Golf		1.0	0.0	1.0	0.0	1.0	1.0	0.0%	0.0%
119 Subtotal		89.0	104.0	85.0	81.0	99.0	101.0	2.0%	2.6%
120 Women's Programs									
121 Volleyball		12.0	11.0	11.0	12.0	11.0	11.0	0.0%	-1.7%
122 Basketball		15.0	13.0	13.0	13.0	15.0	15.0	0.0%	0.0%
123 Track & Field/Cross Country		5.0	7.0	3.0	3.0	0.0	2.0		-16.7%
124 Tennis		8.0	8.0	5.0	5.0	8.0	8.0	0.0%	0.0%
125 Gymnastics		12.0	12.0	11.0	12.0	11.0	12.0	9.1%	0.0%
126 Golf		1.0	0.0	1.0	1.0	1.0	1.0	0.0%	0.0%
127 Soccer		1.0	1.0	2.0	2.0	2.0	1.0	-50.0%	0.0%
128 Softball		1.0	1.0	1.0	1.0	2.0	2.0	0.0%	14.9%
129 Swimming		1.0	2.0	2.0	2.0	1.0	1.0	0.0%	0.0%
130 Subtotal		56.0	55.0	49.0	51.0	51.0	53.0	3.9%	-1.1%
131 Total Scholarships		145.0	159.0	134.0	132.0	150.0	154.0	2.7%	1.2%
132 Partial Scholarships by Sport (FTE)									
133 Men's Programs:									
134 Football		16.20	1.00	12.64	15.20	0.00	0.00		-100.0%
135 Basketball		0.50	0.40	0.00	0.00	0.00	0.00		-100.0%
136 Track & Field/Cross Country		5.36	6.30	10.39	10.38	9.89	10.00	1.1%	13.3%
137 Tennis		1.87	2.49	2.64	2.50	3.89	3.50	-10.0%	13.4%
138 Baseball									
139 Wrestling		9.55	8.07	8.30	7.30	7.21	7.50	4.0%	-4.7%
140 Golf		2.41	3.79	4.09	3.42	2.85	3.50	22.8%	7.7%
141 Subtotal		35.89	22.05	38.06	38.80	23.84	24.50	2.8%	-7.4%
142 Women's Programs									
143 Volleyball		0.00	0.00	0.92	0.00	0.00	0.00		
144 Basketball		0.50	0.78	0.78	0.78	0.00	0.00		-100.0%
145 Track & Field/Cross Country		9.26	8.12	12.17	12.26	13.79	15.00	8.8%	10.1%
146 Tennis		0.35	0.00	1.21	0.00	0.00	0.00		-100.0%
147 Gymnastics		0.00	0.78	0.87	0.00	1.00	0.00		
148 Golf		4.62	5.53	3.94	4.38	4.99	5.00	0.2%	1.6%
149 Soccer		9.87	9.39	8.72	10.53	11.85	12.00	1.3%	4.0%
150 Softball		5.34	7.75	9.72	10.35	10.69	10.69	0.0%	14.9%
151 Swimming		9.33	10.02	11.79	11.91	12.71	12.75	0.3%	6.4%
152 Rodeo									
153 Subtotal		39.27	42.37	50.12	50.21	55.03	55.44	0.7%	7.1%
154 Total Scholarships		75.16	64.42	88.18	89.01	78.87	79.94	1.4%	1.2%

THIS PAGE INTENTIONALLY LEFT BLANK

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Idaho State University**

Revenues/Expend/Fund Balance	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1 Revenue:								
2 Program Revenue:								
3 Ticket Sales	357,869	253,108	222,452	326,481	239,520	229,631	-4.1%	-8.5%
4 Game Guarantees	754,600	1,330,402	1,179,000	1,099,500	1,372,700	1,255,000	-8.6%	10.7%
5 Contributions	343,160	382,833	379,301	359,422	406,803	420,409	3.3%	4.1%
6 NCAA/Conference/Tournaments	518,290	642,292	606,968	664,303	601,037	513,775	-14.5%	-0.2%
7 TV/Radio/Internet Rights	3,148	8,559	4,782	9,199	13,923	4,000	-71.3%	4.9%
8 Program/Novelty Sales, 9 Concessions, Parking	17,000	17,000	17,000	17,000	17,000	17,000	0.0%	0.0%
10 Royalty, Advertisement, Sponsorship	496,620	498,620	499,071	767,784	410,155	577,550	40.8%	3.1%
11 Endowment/Investment Income	30,840	23,710	30,650	23,140	17,851	18,207	2.0%	-10.0%
12 Other	83,900	98,973	63,821	643,142	228,407	905,049	296.2%	60.9%
13 Total Program Revenue	2,605,427	3,255,497	3,003,045	3,909,971	3,307,396	3,940,621	19.1%	8.6%
14 Non-Program Revenue:								
15 NCAA/Bowl/World Series	2,361	720	3,240	36,458	11,670	15,370	31.7%	45.5%
16 Student Activity Fees	1,980,502	2,191,453	2,149,637	2,160,685	2,096,674	2,012,827	-4.0%	0.3%
17 General Education Funds	2,442,600	2,262,900	2,214,700	2,214,700	2,424,400	2,515,800	3.8%	0.6%
18 GenEd Funds for Gender Eq.	646,500	646,500	721,500	646,500	707,700	734,400	3.8%	2.6%
19 Institutional Funds	539,600	374,000	424,628	485,100	516,700	568,900	10.1%	1.1%
20 Subtotal State/Inst. Support	3,628,700	3,283,400	3,360,828	3,346,300	3,648,800	3,819,100	4.7%	1.0%
21 Total Non-Program Revenue	5,611,563	5,475,573	5,513,705	5,543,443	5,757,144	5,847,297	1.6%	0.8%
22 Subtotal Operating Revenue	8,216,990	8,731,070	8,516,750	9,453,414	9,064,540	9,787,918	8.0%	3.6%
23 Non-Cash Revenue								
24 Third Party Support	42,512	42,013	41,271	37,389	26,863	35,000	30.3%	-3.8%
25 Indirect Institutional Support	0	0	0	0	0	0		
26 Non-Cash Revenue	653,306	629,269	605,374	573,359	605,521	600,000	-0.9%	-1.7%
27 Non-Resident Tuition Waivers	1,122,888	1,251,295	1,444,723	1,393,045	1,604,010	1,640,334	2.3%	7.9%
28 Subtotal Non-Cash Revenue	1,818,706	1,922,577	2,091,368	2,003,793	2,236,394	2,275,334	1.7%	4.6%
29 Total Revenue:	10,035,696	10,653,647	10,608,118	11,457,207	11,300,934	12,063,252	6.7%	3.7%
30								
31 Expenditures								
32 Operating Expenditures:								
33 Athletics Student Aid	1,712,419	1,821,964	1,902,615	2,130,563	2,374,523	2,339,890	-1.5%	6.4%
34 Guarantees	125,500	230,667	59,406	61,257	50,187	95,500	90.3%	-5.3%
35 Coaching Salary/Benefits	1,865,526	1,822,432	1,939,811	1,738,519	1,919,248	2,003,685	4.4%	1.4%
36 Admin Staff Salary/Benefits	1,316,801	1,398,814	1,462,165	1,392,011	1,359,902	1,418,930	4.3%	1.5%
37 Severance Payments	0	0	0	0	0	0		
38 Recruiting	238,792	308,441	194,743	204,478	190,156	167,951	-11.7%	-6.8%
39 Team Travel	836,283	830,424	872,386	941,467	1,140,313	1,032,272	-9.5%	4.3%
40 Equipment, Uniforms and Supplies	206,111	249,711	311,693	326,594	308,236	357,904	16.1%	11.7%
41 Game Expenses	283,017	268,359	243,692	262,426	304,579	268,570	-11.8%	-1.0%
42 Fund Raising, Marketing, Promotion	140,248	122,220	168,456	130,733	108,336	126,011	16.3%	-2.1%
43 Direct Facilities/Maint/Rentals	165,704	204,111	256,817	1,196,670	243,210	971,584	299.5%	42.4%
44 Debt Service on Facilities	0	0	0	0	0	0		
45 Spirit Groups	49,947	54,421	57,628	0	0	0		-100.0%
46 Medical Expenses & Insurance	307,924	325,110	307,664	268,988	271,586	257,810	-5.1%	-3.5%
47 Memberships & Dues	48,242	39,062	44,648	47,926	41,271	48,000	16.3%	-0.1%
48 NCAA/Special Event/Bowls	1,810	762	3,240	30,314	23,789	16,400	-31.1%	55.4%
49 Other Operating Expenses	446,338	385,075	635,043	724,547	628,896	683,411	8.7%	8.9%
50 Subtotal Operating Expenditures	7,744,661	8,061,573	8,460,007	9,456,493	8,964,232	9,787,918	9.2%	4.8%
51 Non-Cash Expenditures								
52 3rd Party Coaches Compensation	37,977	37,484	37,282	33,520	19,150	30,000	56.7%	-4.6%
53 3rd Party Admin Staff Compensation	4,535	4,529	3,989	3,869	7,713	5,000	-35.2%	2.0%
54 Indirect Facilities & Admin Support	0	0	0	0				
55 Non-Cash Expense	653,306	629,269	605,374	573,359	605,521	600,000	-0.9%	-1.7%
56 Non-Resident Tuition Waivers	1,122,888	1,251,295	1,444,723	1,393,045	1,604,010	1,640,334	2.3%	7.9%
57 Subtotal Non-Cash Expenditures	1,818,706	1,922,577	2,091,368	2,003,793	2,236,394	2,275,334	1.7%	4.6%
58 Total Expenditures:	9,563,367	9,984,150	10,551,375	11,460,286	11,200,626	12,063,252	7.7%	4.8%
59								
60 Net Income/(deficit)	472,329	669,497	56,743	(3,079)	100,308	0	-100.0%	
61								
62 Ending Fund Balance 6/30	699,140	1,368,637	1,425,380	1,422,301	1,522,609	1,522,609	0.0%	
63								
64 Sport Camps & Clinics								
65 Revenue	192,822	197,065	127,179	79,570	123,696	110,000	-11.1%	-10.6%
66 Coach Compensation from Camp	20,074	104,025	65,387	37,109	30,300	45,000	48.5%	17.5%
67 Camp Expenses	135,595	137,041	76,190	54,692	63,112	65,000	3.0%	-13.7%
68 Total Expenses	155,669	241,066	141,577	91,801	93,412	110,000	17.8%	-6.7%
69 Net Income from Camps	37,153	-44,001	-14,398	-12,231	30,284	0	-100.0%	-100.0%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Idaho State University**

	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1 General Revenue:								
2 Student Fees	1,980,502	2,191,453	2,149,637	2,160,685	2,096,674	2,012,827	-4.0%	0.3%
3 Contributions	343,160	382,833	379,301	359,422	406,803	420,409	3.3%	4.1%
4 State Support	2,442,600	2,262,900	2,214,700	2,214,700	2,424,400	2,515,800	3.8%	0.6%
5 Institutional Gender Equity	646,500	646,500	721,500	646,500	707,700	734,400	3.8%	2.6%
6 Institutional Support	539,600	374,000	424,628	485,100	516,700	568,900	10.1%	1.1%
7 NCAA / Conference	518,290	642,292	606,968	664,303	601,037	513,775	-14.5%	-0.2%
8 TV / Radio / Internet	3,148	8,559	4,782	9,199	13,923	4,000	-71.3%	4.9%
9 Concessions / program / etc.	17,000	17,000	17,000	17,000	17,000	17,000	0.0%	0.0%
10 Advertising / sponsorship / Royalty	496,620	498,620	499,071	767,784	410,155	577,550	40.8%	3.1%
11 Endowments	30,840	23,710	30,650	23,140	17,851	18,207	2.0%	-10.0%
12 NCAA / Bowl / World Series	2,361	720	3,240	36,458	11,670	15,370	31.7%	45.5%
13 Other	88,329	98,973	63,821	643,142	228,407	905,049	296.2%	59.3%
14 Total General Revenue	7,108,950	7,147,560	7,115,298	8,027,433	7,452,320	8,303,287	11.4%	3.2%
15 Revenue By Sport:								
16 Men's Programs:								
17 Football								
18 Ticket Sales	135,956	124,521	106,830	152,189	119,480	124,178	3.9%	-1.8%
19 Game Guarantees	405,000	899,902	725,000	720,000	970,000	850,000	-12.4%	16.0%
20 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
21 Basketball								
22 Ticket Sales	195,510	100,082	77,955	86,292	64,367	65,474	1.7%	-19.7%
23 Game Guarantees	326,500	360,000	368,000	328,000	322,200	325,000	0.9%	-0.1%
24 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
25 Track & Field/Cross Country	1,822	2,710	3,348	3,041	2,788	2,250	-19.3%	4.3%
26 Tennis	0	0	0	0	0	0		
27 Baseball	0	0	0	0	0	0		
28 Ticket Sales								
29 Contributions (Fundraising)								
30 Wrestling	0	0	0	0	0	0		
31 Golf	0	0	0	0	0	0		
32 Volleyball	0	0	0	0	0	0		
33 Total Men's Sport Revenue	1,064,788	1,487,215	1,281,133	1,289,522	1,478,835	1,366,902	-7.6%	5.1%
34 Women's Programs								
35 Volleyball								
36 Ticket Sales	2,688	3,449	4,307	3,781	7,433	7,857	5.7%	23.9%
37 Game Guarantees	3,600	2,000	2,000	6,000	6,000	9,000	50.0%	20.1%
38 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
39 Basketball								
40 Ticket Sales	12,836	18,184	22,812	76,425	31,107	23,717	-23.8%	13.1%
41 Game Guarantees	19,500	65,000	76,000	44,000	69,000	66,500	-3.6%	27.8%
42 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
43 Track & Field/Cross Country	1,822	2,710	3,347	3,042	2,788	2,250	-19.3%	4.3%
44 Tennis	0	0	0	0	0	0		
45 Gymnastics	0	0	0	0	0	0		
46 Golf	0	0	0	0	0	0		
47 Soccer	2,806	4,952	8,853	3,211	15,057	4,405	-70.7%	9.4%
48 Softball	0	0	3,000	0	2,000	4,000		
49 Skiing	0	0	0	0	0	0		
50 Swimming	0	0	0	0	0	0		
51 Total Women's Sport Rev	43,252	96,295	120,319	136,459	133,385	117,729	-11.7%	22.2%
50 Total Revenue	8,216,990	8,731,070	8,516,750	9,453,414	9,064,540	9,787,918	8.0%	3.6%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Idaho State University**

Expenditures by Admin/Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
51 Administrative and General									
52	Athletic Director Office	680,826	725,477	755,459	656,672	662,012	627,154	-5.3%	-1.6%
53	Fund Raising Office	180,814	171,829	190,175	199,881	202,266	212,063	4.8%	3.2%
54	Academics Support	234,387	253,551	251,903	241,055	225,644	227,449	0.8%	-0.6%
55	Media Relations	203,753	187,813	191,580	181,473	170,857	183,213	7.2%	-2.1%
56	Marketing and Promotions	172,010	235,799	203,317	180,034	169,288	216,243	27.7%	4.7%
57	Ticket Office	0	0	0	0	0	0		
58	Athletic Training Room	265,648	276,778	276,060	267,815	264,165	302,021	14.3%	2.6%
59	Memberships and Dues	48,242	39,062	44,648	47,926	41,271	45,000	9.0%	-1.4%
60	Facilities Mtn & Debt Service	85,000	85,000	85,000	85,000	85,000	85,000	0.0%	0.0%
61	Capital Improvements	0	0	0	0	0	0		
62	NCAA/Special Event/Bowls	0	0	0	30,314	23,789	16,400	-31.1%	
63	Other Miscellaneous	592,958	502,292	756,101	1,497,684	452,314	1,325,066	193.0%	17.4%
64 Total Admin & General		2,463,638	2,477,601	2,754,243	3,387,854	2,296,606	3,239,609	41.1%	5.6%
65									
66 Men's Programs:									
67	Football	1,935,488	2,107,695	2,050,701	2,267,725	2,628,308	2,409,328	-8.3%	4.5%
68	Basketball	863,838	860,818	907,169	867,162	858,299	897,047	4.5%	0.8%
69	Track & Field/Cross Country	295,114	288,551	276,797	308,489	306,057	339,816	11.0%	2.9%
70	Tennis	81,891	97,807	109,243	107,912	114,420	122,014	6.6%	8.3%
71	Baseball	0	0	0	0	0	0		
72	Wrestling	0	0	0	0	0	0		
73	Golf	15,058	4,817	0	0	0	0		-100.0%
74	Volleyball	0	0	0	0	0	0		
75	Rodeo	0	0	0	0	0	0		
76 Total Men's Programs		3,191,389	3,359,688	3,343,910	3,551,288	3,907,084	3,768,205	-3.6%	3.4%
77									
78 Women's Programs									
79	Volleyball	358,118	362,629	373,993	382,796	426,474	434,168	1.8%	3.9%
80	Basketball	566,118	602,524	631,067	703,770	787,033	752,910	-4.3%	5.9%
81	Track & Field/Cross Country	317,268	344,213	376,260	414,199	427,234	439,417	2.9%	6.7%
82	Tennis	99,310	113,820	132,909	138,800	163,441	175,529	7.4%	12.1%
83	Gymnastics	0	0	0	0	0	0		
84	Golf	93,770	110,715	108,037	120,128	134,937	107,066	-20.7%	2.7%
85	Soccer	386,330	394,806	407,010	413,482	422,973	455,079	7.6%	3.3%
86	Softball	268,720	295,577	332,578	344,176	398,450	415,935	4.4%	9.1%
87	Skiing	0	0	0	0	0	0		
88	Swimming	0	0	0	0	0	0		
89 Total Women's Programs		2,089,634	2,224,284	2,361,854	2,517,351	2,760,542	2,780,104	0.7%	5.9%
90									
91 Total Expenditures		7,744,661	8,061,573	8,460,007	9,456,493	8,964,232	9,787,918	9.2%	4.8%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Idaho State University**

Participants by Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
92	Men's Programs:								
93	Football	80	84	84	81	88	83	-5.7%	0.7%
94	Basketball	16	15	15	14	15	15	0.0%	-1.3%
95	Track & Field/Cross Country	38	36	39	36	47	32	-31.9%	-3.4%
96	Tennis	7	6	8	9	8	7	-12.5%	0.0%
97	Baseball								
98	Wrestling								
99	Golf	0	0	0	0	0	0		
100	Volleyball								
101	Rodeo								
102	Total Male Participation	141	141	146	140	158	137	-13.3%	-0.6%
103	Women's Programs								
104	Volleyball	13	17	13	13	13	15	15.4%	2.9%
105	Basketball	14	15	13	16	15	16	6.7%	2.7%
106	Track & Field/Cross Country	32	28	38	42	51	37	-27.5%	2.9%
107	Tennis	9	9	10	11	10	9	-10.0%	0.0%
108	Gymnastics								
109	Golf	6	8	7	8	9	5	-44.4%	-3.6%
110	Soccer	23	24	28	26	24	24	0.0%	0.9%
111	Softball	17	14	16	17	19	18	-5.3%	1.1%
112	Skiing								
113	Swimming								
114	Rodeo								
115	Total Female Participation	114	115	125	133	141	124	-12.1%	1.7%
116	Total Participants	255	256	271	273	299	261	-12.7%	0.5%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
Idaho State University**

		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
Full Ride Scholarships (Hdct)									
117	Men's Programs:								
118	Football	48.0	51.0	50.5	54.4	58.5	56.0	-4.3%	3.1%
119	Basketball	13.0	11.0	13.0	10.5	11.0	12.0	9.1%	-1.6%
120	Track & Field/Cross Country	3.0	3.0	2.0	1.0	0.0	0.0		-100.0%
121	Tennis	0.0	0.0	0.5	0.5	0.5	0.0	-100.0%	
122	Baseball								
123	Wrestling								
124	Golf	0.0	0.0	0.0	0.0	0.0	0.0		
125	Volleyball								
126	Subtotal	64.0	65.0	66.0	66.4	70.0	68.0	-2.9%	1.2%
127	Women's Programs								
128	Volleyball	10.0	11.0	12.0	12.0	12.0	12.0	0.0%	3.7%
129	Basketball	10.0	11.0	8.5	15.0	14.0	11.0	-21.4%	1.9%
130	Track & Field/Cross Country	5.0	5.0	5.0	2.0	4.0	2.0	-50.0%	
131	Tennis	1.0	1.0	4.0	3.0	5.0	5.5	10.0%	40.6%
132	Gymnastics								
133	Golf	0.0	0.0	0.0	0.0	0.0	0.0		
134	Soccer	4.0	4.0	2.0	1.0	2.0	3.0	50.0%	-5.6%
135	Skiing	1.0	0.0	0.0	0.0	0.0	0.0		
136	Softball	0.0	0.0	0.0	1.0	3.0	4.0		
137	Swimming	0.0	0.0	0.0	0.0	0.0	0.0		
138	Subtotal	31.0	32.0	31.5	34.0	40.0	37.5	-6.3%	3.9%
139	Total Scholarships	95.0	97.0	97.5	100.4	110.0	105.5	-4.1%	2.1%
140	Partial Scholarships by Sport (FTE)								
141	Men's Programs:								
142	Football	11.51	11.09	3.44	4.66	8.35	5.41	-35.2%	-14.0%
143	Basketball	0.00	0.49	0.00	0.00	0.00	0.00		
144	Track & Field/Cross Country	9.56	8.00	8.54	11.14	12.49	11.43	-8.5%	3.6%
145	Tennis	2.81	4.02	3.53	3.31	3.87	3.94	1.8%	7.0%
146	Baseball								
147	Wrestling								
148	Golf	0.00	0.00	0.00	0.00	0.00	0.00		
149	Volleyball								
150	Rodeo								
151	Subtotal	23.88	23.60	15.51	19.11	24.71	20.78	-15.9%	-2.7%
152	Women's Programs								
153	Volleyball	0.95	0.00	0.00	0.00	0.00	0.00		-100.0%
154	Basketball	1.01	0.50	2.04	0.00	0.68	2.03		15.0%
155	Track & Field/Cross Country	8.89	9.78	12.92	13.82	13.25	15.23	14.9%	11.4%
156	Tennis	3.86	3.69	1.87	3.53	1.66	1.73	4.2%	-14.8%
157	Gymnastics								
158	Golf	2.87	4.28	3.31	4.08	3.76	2.29	-39.1%	-4.4%
159	Soccer	7.33	8.75	9.16	10.54	11.89	10.83	-8.9%	8.1%
160	Softball	7.90	7.70	8.31	8.69	8.55	7.53	-11.9%	-1.0%
161	Skiing								
162	Swimming								
163	Rodeo								
164	Subtotal	32.81	34.70	37.61	40.66	39.79	39.64	-0.4%	3.9%
165	Total Scholarships	56.69	58.30	53.12	59.77	64.50	60.42	-6.3%	1.3%

THIS PAGE INTENTIONALLY LEFT BLANK

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
University of Idaho**

Revenues/Expend/Fund Balance	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1 Revenue (Detail):								
2 Program Revenue:								
3 Ticket Sales	969,361	700,856	1,077,791	582,445	754,828	717,000	-5.0%	-5.9%
4 Game Guarantees	1,005,000	804,000	1,063,980	2,223,592	2,490,000	3,170,000	27.3%	25.8%
5 Contributions	2,368,227	2,354,627	2,084,036	3,122,067	1,176,914	3,053,172	159.4%	5.2%
6 NCAA/Conference/Tournaments	1,381,112	1,578,852	2,004,216	1,531,635	3,983,478	875,580	-78.0%	-8.7%
7 TV/Radio/Internet Rights	50,000	50,000	50,000	50,000	50,000	50,000	0.0%	0.0%
8 Program/Novelty Sales,								
9 Concessions, Parking	36,903	48,925	36,037	35,531	25,388	34,100	34.3%	-1.6%
10 Royalty, Advertisement, Sponsorship	114,678	396,999	385,041	716,948	602,221	710,000	17.9%	44.0%
11 Endowment/Investment Income	285,056	265,469	231,743	221,350	218,262	225,000	3.1%	-4.6%
12 Other	73,749	77,003	297,993	367,527	449,381	306,000	-31.9%	32.9%
13 Total Program Revenue	6,284,086	6,276,731	7,230,837	8,851,095	9,750,472	9,140,852	-6.3%	7.8%
14 Non-Program Revenue:								
15 NCAA/Bowl/World Series		400,000	0	0	0	0		
16 Student Activity Fees	2,154,873	2,218,219	2,317,147	2,330,453	2,261,190	2,295,858	1.5%	1.3%
17 General Education Funds	2,150,549	2,246,527	2,214,700	2,214,700	2,424,400	2,515,800	3.8%	3.2%
18 GenEd Funds for Gender Eq.	846,560	846,560	1,632,885	846,560	926,660	961,600	3.8%	2.6%
19 Institutional Funds	743,900	717,400	617,506	666,530	772,100	812,800	5.3%	1.8%
20 Subtotal State/Inst. Support	3,741,009	3,810,487	4,465,091	3,727,790	4,123,160	4,290,200	4.1%	2.8%
21 Total Non-Program Revenue	5,895,882	6,428,706	6,782,238	6,058,243	6,384,350	6,586,058	3.2%	2.2%
22 Subtotal Operating Revenue:	12,179,968	12,705,437	14,013,075	14,909,338	16,134,822	15,726,910	-2.5%	5.2%
23 Non-Cash Revenue								
24 Third Party Support	262,900	270,100	381,000	402,300	422,300	418,800	-0.8%	9.8%
25 Indirect Institutional Support	233,521	305,244	354,418	394,510	448,831	234,127	-47.8%	0.1%
26 Non-Cash Revenue	539,460	421,655	457,572	462,539	536,710	536,710	0.0%	-0.1%
27 Non-Resident Tuition Waivers	1,716,831	1,843,208	2,160,805	2,267,708	2,338,347	2,338,347	0.0%	6.4%
28 Subtotal Non-Cash Revenue	2,752,712	2,840,207	3,353,795	3,527,057	3,746,188	3,527,984	-5.8%	5.1%
29 Total Revenue:	14,932,680	15,545,644	17,366,870	18,436,395	19,881,010	19,254,894	-3.1%	5.2%
31 Expenditures:								
32 Operating Expenditures:								
33 Athletics Student Aid	2,535,486	2,850,642	2,956,509	3,138,547	3,267,270	3,345,062	2.4%	5.7%
34 Guarantees	298,916	138,132	313,905	275,132	318,099	902,000	183.6%	24.7%
35 Coaching Salary/Benefits	2,526,388	2,539,352	2,716,981	2,773,965	3,127,423	3,073,469	-1.7%	4.0%
36 Admin Staff Salary/Benefits	1,952,361	1,904,159	1,887,726	1,842,975	2,100,144	2,025,948	-3.5%	0.7%
37 Severance Payments	148,901	1,934	0	78,655	0	0		-100.0%
38 Recruiting	408,036	469,594	367,071	494,417	616,004	363,080	-41.1%	-2.3%
39 Team Travel	1,798,219	1,518,534	1,913,014	1,958,530	2,385,190	2,000,520	-16.1%	2.2%
40 Equipment, Uniforms and Supplies	394,646	373,182	446,713	528,876	635,019	538,711	-15.2%	6.4%
41 Game Expenses	535,908	559,545	590,233	602,474	626,400	588,909	-6.0%	1.9%
42 Fund Raising, Marketing, Promotion	168,362	207,435	231,482	300,925	515,422	275,226	-46.6%	10.3%
43 Direct Facilities/Maint/Rentals	52,576	69,497	64,870	283,229	158,841	158,814	0.0%	24.7%
44 Debt Service on Facilities	0	0	0	0	0	0		
45 Spirit Groups	0	0	0	0	0	0		
46 Medical Expenses & Insurance	240,419	332,460	338,615	368,250	257,327	388,580	51.0%	10.1%
47 Memberships & Dues	412,144	414,380	414,258	419,515	421,794	259,100	-38.6%	-8.9%
48 NCAA/Special Event/Bowls	0	381,917	0	0				
49 Other Operating Expenses	1,148,759	910,891	1,556,252	1,614,008	1,766,173	1,874,268	6.1%	10.3%
50 Subtotal Operating Expenditures	12,621,121	12,671,654	13,797,629	14,679,498	16,195,106	15,793,687	-2.5%	4.6%
51 Non-Cash Expenditures								
52 3rd Party Coaches Compensation	245,400	252,600	363,500	384,800	404,800	403,800	-0.2%	10.5%
53 3rd Party Admin Staff Compensation	17,500	17,500	17,500	17,500	17,500	15,000	-14.3%	-3.0%
54 Indirect Facilities & Admin Support	233,521	305,244	354,418	394,510	448,831	234,127	-47.8%	0.1%
55 Non-Cash Expense	539,460	421,655	457,572	462,539	315,001	363,710	15.5%	-7.6%
56 Non-Resident Tuition Waivers	1,716,831	1,843,208	2,160,805	2,267,708	2,338,347	2,338,347	0.0%	6.4%
57 Subtotal Non-Cash Expenditures	2,752,712	2,840,207	3,353,795	3,527,057	3,524,479	3,354,984	-4.8%	4.0%
58 Total Expenditures:	15,373,833	15,511,861	17,151,424	18,206,555	19,719,585	19,148,671	-2.9%	4.5%
59								
60 Net Income/(deficit)	(441,153)	33,783	215,446	229,840	161,425	106,223	-34.2%	
61								
62 Ending Fund Balance 6/30	(155,945)	(122,162)	93,284	323,124	484,549	590,772	21.9%	
63								
64 Sport Camps & Clinics								
65 Revenue	194,220	137,542	178,433	147,818	125,150	236,300	88.8%	4.0%
66 Coach Compensation from Camp	73,901	38,812	31,275	50,165	12,149	61,828	408.9%	-3.5%
67 Camp Expenses	170,550	107,856	131,411	114,815	113,001	174,472	54.4%	0.5%
68 Total Expenses	244,451	146,668	162,686	164,980	125,150	236,300	88.8%	-0.7%
69 Net Income from Camps	(50,231)	(9,126)	15,747	(17,162)	0	0		-100.0%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
University of Idaho**

	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1 General Revenue:								
2 Student Fees	2,154,873	2,218,219	2,317,147	2,330,453	2,261,190	2,295,858	1.5%	1.3%
3 Contributions	2,368,227	2,354,627	2,084,036	3,122,067	1,176,914	3,053,172	159.4%	5.2%
4 State Support	2,150,549	2,246,527	2,214,700	2,214,700	2,424,400	2,515,800	3.8%	3.2%
5 Institutional Gender Equity	846,560	846,560	1,632,885	846,560	926,660	961,600	3.8%	2.6%
6 Institutional Support	743,900	717,400	617,506	666,530	772,100	812,800	5.3%	1.8%
7 NCAA/Conference	1,381,112	1,578,852	2,004,216	1,531,635	3,983,478	875,580	-78.0%	-8.7%
8 TV/Radio/Internet	50,000	50,000	50,000	50,000	50,000	50,000	0.0%	0.0%
9 Concessions/program/etc.	36,903	48,925	36,037	35,531	25,388	34,100	34.3%	-1.6%
10 Advertising/sponsorship/Royalty	114,678	396,999	385,041	716,948	602,221	710,000	17.9%	44.0%
11 Endowments	285,056	265,469	231,743	221,350	218,262	225,000	3.1%	-4.6%
12 Special Events		0		0				
13 Other	73,749	77,003	297,993	367,527	449,381	306,000	-31.9%	32.9%
14 Total General Revenue	10,205,607	10,800,581	11,871,304	12,103,301	12,889,994	11,839,910	-8.1%	3.0%
15 Revenue By Sport:								
16 Men's Programs:								
17 Football								
18 Ticket Sales	858,490	610,058	998,844	489,788	706,748	625,000	-11.6%	-6.2%
19 Game Guarantees	850,000	725,000	950,000	2,075,000	2,350,000	3,035,000	29.1%	29.0%
20 Other (Tourn/Bowl/Conf)	0	400,000	0	0	0	0		
21 Basketball								
22 Ticket Sales	75,771	72,357	68,274	77,530	45,022	80,000	77.7%	1.1%
23 Game Guarantees	140,000	65,000	89,980	87,000	90,000	77,000	-14.4%	-11.3%
24 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
25 Track & Field/Cross Country	3,873	3,104	0	1,064	0	0		
26 Tennis								
27 Baseball								
28 Ticket Sales								
29 Contributions (Fundraising)								
30 Wrestling								
31 Golf		0	0	0	0	0		
32 Volleyball								
33 Total Men's Sport Revenue	1,928,134	1,875,519	2,107,098	2,730,382	3,191,770	3,817,000	19.6%	14.6%
34 Women's Programs								
35 Volleyball								
36 Ticket Sales	14,392	3,869	4,789	6,233	2,171	6,000	176.4%	-16.1%
37 Game Guarantees	0	0	4,000	13,592	5,000			
38 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
39 Basketball								
40 Ticket Sales	13,460	8,310	5,884	6,740	887	6,000	576.4%	-14.9%
41 Game Guarantees	15,000	14,000	20,000	44,000	40,000	58,000	45.0%	31.1%
42 Other (Tourn/Bowl/Conf)	0	0	0	0	0	0		
43 Track & Field/Cross Country	3,375	3,158	0	1,090	0	0		
44 Tennis	0	0	0	0	0	0		
45 Gymnastics								
46 Golf	0	0	0		0	0		
47 Soccer	0	0	0	4,000	5,000	0		
48 Softball								
49 Skiing								
50 Swimming	0	0	0	0				
51 Total Women's Sport Rev	46,227	29,337	34,673	75,655	53,058	70,000	31.9%	8.7%
52 Total Revenue	12,179,968	12,705,437	14,013,075	14,909,338	16,134,822	15,726,910	-2.5%	5.2%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
University of Idaho**

Expenditures by Admin/Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
53 Administrative and General									
54	Athletic Director Office	813,976	990,936	969,157	912,330	1,145,896	769,200	-32.9%	-1.1%
55	Fund Raising Office	269,717	309,804	316,086	313,800	373,729	347,860	-6.9%	5.2%
56	Academics Support	256,306	189,314	139,842	125,552	165,344	196,781	19.0%	-5.1%
57	Media Relations	224,066	195,018	187,655	192,102	221,877	194,576	-12.3%	-2.8%
58	Marketing and Promotions	113,371	160,798	157,666	206,379	186,419	225,482	21.0%	14.7%
59	Ticket Office	61,302	75,780	228,959	234,982	270,713	203,618	-24.8%	27.1%
60	Athletic Training Room	523,376	568,597	585,811	646,048	692,642	307,000	-55.7%	-10.1%
61	Memberships and Dues	412,144	406,768	414,258	415,780	489,804	259,100	-47.1%	-8.9%
62	Facilities Mtn & Debt Service	40,265	63,922	0	274,568	0	0		
63	Capital Improvements	57,276	13,203	37,321	20,789	44,125	17,250	-60.9%	-21.3%
64	NCAA/Special Event/Bowls	0	381,917	0	0	0	0		
65	Other Miscellaneous	658,233	627,543	661,496	604,904	782,129	1,403,895	79.5%	16.4%
66 Total Admin & General		3,430,032	3,983,600	3,698,251	3,947,234	4,372,678	3,924,762	-10.2%	2.7%
67									
68 Men's Programs:									
69	Football	4,158,655	3,555,514	4,587,974	4,818,488	5,420,569	5,924,490	9.3%	7.3%
70	Basketball	1,229,641	1,184,482	1,377,144	1,432,234	1,627,059	1,324,528	-18.6%	1.5%
71	Track & Field/Cross Country	395,861	415,926	396,216	445,082	468,119	434,931	-7.1%	1.9%
72	Tennis	134,539	166,566	156,923	175,975	185,400	203,614	9.8%	8.6%
73	Baseball	0	0	0	0	0	0		
74	Wrestling	0	0	0	0	0	0		
75	Golf	169,331	179,069	198,443	179,966	234,455	209,257	-10.7%	4.3%
76	Volleyball	0	0	0	0	0	0		
77	Rodeo	0	0	0	0	0	0		
78 Total Men's Programs		6,088,027	5,501,557	6,716,700	7,051,745	7,935,602	8,096,820	2.0%	5.9%
79									
80 Women's Programs									
81	Volleyball	582,484	574,067	607,615	660,292	698,173	688,463	-1.4%	3.4%
82	Basketball	871,047	819,638	865,568	968,353	994,570	995,904	0.1%	2.7%
83	Track & Field/Cross Country	469,861	492,382	443,724	507,956	509,856	538,341	5.6%	2.8%
84	Tennis	211,775	170,545	216,623	196,635	248,908	247,935	-0.4%	3.2%
85	Gymnastics	0	0	0	0	0	0		
86	Golf	197,558	209,922	225,705	227,095	259,344	246,029	-5.1%	4.5%
87	Soccer	433,102	411,111	520,781	570,891	598,397	587,312	-1.9%	6.3%
88	Softball	0	0	0	0	0	0		
89	Skiing	0	0	0	0	0	0		
90	Swimming	337,235	508,832	502,662	549,297	577,578	468,121	-19.0%	6.8%
91 Total Women's Programs		3,103,062	3,186,497	3,382,678	3,680,519	3,886,826	3,772,105	-3.0%	4.0%
92									
93 Total Expenditures		12,621,121	12,671,654	13,797,629	14,679,498	16,195,106	15,793,687	-2.5%	4.6%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
University of Idaho**

Participants by Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
94	Men's Programs:								
95	Football	108	102	112	112	108	108	0.0%	0.0%
96	Basketball	17	15	14	14	17	16	-5.9%	-1.2%
97	Track & Field/Cross Country	45	38	43	43	40	40	0.0%	-2.3%
98	Tennis	7	11	13	12	11	9	-18.2%	5.2%
99	Baseball								
100	Wrestling								
101	Golf	8	8	8	11	10	8	-20.0%	0.0%
102	Volleyball								
103	Rodeo								
104	Total Male Participation	185	174	190	192	186	181	-2.7%	-0.4%
105	Women's Programs								
106	Volleyball	15	17	15	17	15	14	-6.7%	-1.4%
107	Basketball	14	13	15	16	16	12	-25.0%	-3.0%
108	Track & Field/Cross Country	44	40	40	45	47	44	-6.4%	0.0%
109	Tennis	12	10	12	10	9	8	-11.1%	-7.8%
110	Gymnastics								
111	Golf	7	8	8	9	9	8	-11.1%	2.7%
112	Soccer	25	22	20	26	25	27	8.0%	1.6%
113	Softball								
114	Skiing								
115	Swimming	24	25	25	25	25	33	32.0%	6.6%
116	Rodeo								
117	Total Female Participation	141	135	135	148	146	146	0.0%	0.7%
118	Total Participants	326	309	325	340	332	327	-1.5%	0.1%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenue and Expenditures
University of Idaho**

		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
Full Ride Scholarships (Hdct)									
119 Men's Programs:									
120 Football		65.0	67.0	66.0	62.0	61.0	66.0	8.2%	0.3%
121 Basketball		12.0	11.0	11.0	11.0	10.0	12.0	20.0%	0.0%
122 Track & Field/Cross Country		5.0	6.0	6.0	4.0	5.0	5.0	0.0%	0.0%
123 Tennis		1.0	0.0	0.0	0.0	0.0	1.0		0.0%
124 Baseball									
125 Wrestling									
126 Golf		2.0	1.0	1.0	0.0	0.0	0.0		-100.0%
127 Volleyball									
128 Subtotal		85.0	85.0	84.0	77.0	76.0	84.0	10.5%	-0.2%
129 Women's Programs									
130 Volleyball		12.0	9.0	12.0	11.0	11.0	11.0	0.0%	-1.7%
131 Basketball		11.0	14.0	13.0	13.0	12.0	11.0	-8.3%	0.0%
132 Track & Field/Cross Country		7.0	7.0	8.0	9.0	7.0	9.0	28.6%	5.2%
133 Tennis		7.0	8.0	8.0	5.0	7.0	8.0	14.3%	2.7%
134 Gymnastics									
135 Golf		6.0	5.0	4.0	5.0	3.0	3.0	0.0%	-12.9%
136 Soccer		3.0	3.0	2.0	2.0	1.0	0.0	-100.0%	-100.0%
137 Skiing									
138 Softball									
139 Swimming		6.0	7.0	7.0	8.0	6.0	6.0	0.0%	0.0%
140 Subtotal		52.0	53.0	54.0	53.0	47.0	48.0	2.1%	-1.6%
141 Total Scholarships		137.0	138.0	138.0	130.0	123.0	132.0	7.3%	-0.7%
142 Partial Scholarships by Sport (FTE)									
143 Men's Programs:									
144 Football		6.14	5.89	8.48	10.34	12.48	7.71	-38.2%	4.7%
145 Basketball		0.00	1.61	0.74	0.00	2.15	0.56	-74.0%	
146 Track & Field/Cross Country		6.67	6.40	5.19	7.98	7.09	6.89	-2.8%	0.7%
147 Tennis		3.47	4.49	4.50	4.44	4.45	3.50	-21.3%	0.2%
148 Baseball									
149 Wrestling									
150 Golf		2.33	3.12	3.51	3.70	3.12	3.98	27.6%	11.3%
151 Volleyball									
152 Rodeo									
153 Subtotal		18.61	21.51	22.42	26.46	29.29	22.64	-22.7%	4.0%
154 Women's Programs									
155 Volleyball		0.00	1.40	0.00	1.00	0.48	0.00	-100.0%	
156 Basketball		1.08	0.46	1.01	0.62	1.47	0.50	-66.0%	-14.3%
157 Track & Field/Cross Country		9.63	9.27	8.12	7.34	9.65	5.62	-41.8%	-10.2%
158 Tennis		0.50	0.00	0.00	3.00	0.50	0.00		
159 Gymnastics									
160 Golf		0.00	0.69	1.96	0.97	2.94	2.98	1.4%	
161 Soccer		8.82	9.48	10.38	10.77	12.57	12.31	-2.1%	6.9%
162 Softball									
163 Skiing									
164 Swimming		5.03	6.35	6.47	4.04	6.34	6.82	7.6%	6.3%
165 Rodeo									
166 Subtotal		25.06	27.65	27.94	27.74	33.95	28.23	-16.8%	2.4%
167 Total Scholarships		43.67	49.16	50.36	54.20	63.24	50.87	-19.6%	3.1%

THIS PAGE INTENTIONALLY LEFT BLANK

**College & Universities
Intercollegiate Athletics Report
Summary of Revenues and Expenditures
Lewis-Clark State College**

Revenues/Expend/Fund Balance							1 YR	Ave Ann
	FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	% Chg	% Chg
1 Revenue (Detail):								
2 Program Revenue:								
3 Ticket Sales	34,339	37,188	37,100	37,159	41,177	35,000	-15.0%	0.4%
4 Game Guarantees								
5 Contributions	517,505	515,511	550,514	624,717	622,670	581,700	-6.6%	2.4%
6 NCAA/Conference/Tournaments								
7 TV/Radio/Internet Rights	5,900	8,800	6,350	5,700	7,300	7,300	0.0%	4.4%
8 Program/Novelty Sales,								
9 Concessions, Parking								
10 Royalty, Advertisement, Sponsorship								
11 Endowment/Investment Income								
12 Other								
13 Total Program Revenue	557,744	561,499	593,964	667,576	671,147	624,000	-7.0%	2.3%
14 Non-Program Revenue:								
15 NCAA/Bowl/World Series	504,117	463,657	427,581	416,796	459,212	500,000	8.9%	-0.2%
16 Student Activity Fees	292,440	319,920	331,329	386,450	411,617	425,000	3.3%	7.8%
17 General Education Funds	844,675	817,036	783,656	762,186	836,221	910,650	8.9%	1.5%
18 GenEd Funds for Gender Eq.	* See Note	* See Note	* See Note	* See Note	* See Note	* See Note		
19 Institutional Funds	126,500	126,500	126,500	126,500	126,500	126,500	0.0%	0.0%
20 Subtotal State/Inst. Support	971,175	943,536	910,156	888,686	962,721	1,037,150	7.7%	1.3%
21 Total Non-Program Revenue	1,767,732	1,727,113	1,669,066	1,691,932	1,833,549	1,962,150	7.0%	2.1%
22 Subtotal Operating Revenue:	2,325,476	2,288,612	2,263,030	2,359,508	2,504,697	2,586,150	3.3%	2.1%
23 Non-Cash Revenue								
24 Third Party Support	29,500	36,989	25,550	29,250	32,100	32,400	0.9%	1.9%
25 Indirect Institutional Support	162,004	184,702	159,528	160,123	201,415	197,000	-2.2%	4.0%
26 Non-Cash Revenue								
27 Non-Resident Tuition Waivers	979,004	1,001,002	1,030,456	1,077,904	1,234,194	1,247,800	1.1%	5.0%
28 Subtotal Non-Cash Revenue	1,170,508	1,222,693	1,215,534	1,267,277	1,467,709	1,477,200	0.6%	4.8%
29 Total Revenue:	3,495,984	3,511,305	3,478,564	3,626,785	3,972,406	4,063,350	2.3%	3.1%
* Institutional gender equity for FY2009 thru FY2014 is reflected in line 27 Non-Resident Tuition Waivers as a result								
31 Expenditures:								
of the increased Athletic Fee Waivers approved by Board action on August 10, 2006								
32 Operating Expenditures:								
33 Athletics Student Aid	450,610	455,825	478,700	460,623	522,750	573,000	9.6%	4.9%
34 Guarantees	31,247	56,567	36,963	37,555	25,183	38,500	52.9%	4.3%
35 Coaching Salary/Benefits	470,251	495,978	410,023	409,133	507,559	569,436	12.2%	3.9%
36 Admin Staff Salary/Benefits	257,402	212,584	235,815	266,289	249,018	246,464	-1.0%	-0.9%
37 Severance Payments								
38 Recruiting	25,905	33,810	41,703	32,122	41,690	30,200	-27.6%	3.1%
39 Team Travel	231,311	232,572	286,549	299,834	316,550	303,000	-4.3%	5.5%
40 Equipment, Uniforms and Supplies	133,200	139,711	178,779	154,149	196,940	174,180	-11.6%	5.5%
41 Game Expenses	75,964	83,699	62,707	66,101	87,410	71,070	-18.7%	-1.3%
42 Fund Raising, Marketing, Promotion								
43 Direct Facilities/Maint/Rentals								
44 Debt Service on Facilities								
45 Spirit Groups								
46 Medical Expenses & Insurance	20,000	16,800	17,930	15,600	15,600	15,500	-0.6%	-5.0%
47 Memberships & Dues								
48 NCAA/Bowls/World Series	497,730	495,660	458,361	429,826	422,574	480,000	13.6%	-0.7%
49 Other Operating Expenses	102,401	94,268	74,843	65,672	72,525	64,800	-10.7%	-8.7%
50 Subtotal Operating Expenditures	2,296,021	2,317,474	2,282,373	2,236,904	2,457,799	2,566,150	4.4%	2.2%
51 Non-Cash Expenditures								
52 3rd Party Coaches Compensation								
53 3rd Party Admin Staff Compensation								
54 Indirect Facilities & Admin Support	162,004	184,702	159,528	160,123	201,415	197,000	-2.2%	4.0%
55 Non-Cash Expense	29,500	36,989	25,550	29,250	32,100	32,400	0.9%	1.9%
56 Non-Resident Tuition Waivers	979,004	1,001,002	1,030,456	1,077,904	1,234,194	1,247,800	1.1%	5.0%
57 Subtotal Non-Cash Expenditures	1,170,508	1,222,693	1,215,534	1,267,277	1,467,709	1,477,200	0.6%	4.8%
58 Total Expenditures:	3,466,529	3,540,167	3,497,907	3,504,181	3,925,508	4,043,350	3.0%	3.1%
59								
60 Net Income/(deficit)	29,455	(28,862)	(19,343)	122,604	46,898	20,000	-57.4%	-7.5%
61								
62 Ending Fund Balance 6/30	143,630	114,768	95,425	218,029	264,927	284,927	7.5%	14.7%
63								
64 Sport Camps & Clinics								
65 Camp Revenue	83,582	55,901	56,367	84,417	98,580	113,000	14.6%	6.2%
66 Coach Compensation from Camp	17,450	18,675	15,500	24,296	35,158	25,000	-28.9%	7.5%
67 Camp Expenditures	45,027	33,252	29,922	27,096	39,800	37,000	-7.0%	-3.9%
68 Total Expenses	62,477	51,927	45,422	51,392	74,958	62,000	-17.3%	-0.2%
69 Net Income from Camps	21,105	3,974	10,945	33,025	23,622	51,000	115.9%	19.3%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenues and Expenditures
Lewis-Clark State College**

		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
1	General Revenue:								
2	Student Fees	292,440	319,920	331,329	386,450	411,617	425,000	3.3%	7.8%
3	Contributions	181,674	79,846	85,450	180,824	86,881	217,700	150.6%	3.7%
4	State Support	844,675	817,036	783,656	762,186	836,221	910,650	8.9%	1.5%
5	Institutional Gender Equity	* See Note	* See Note	* See Note	* See Note	* See Note	* See Note		
6	Institutional Support	126,500	126,500	126,500	126,500	126,500	126,500	0.0%	0.0%
7	NCAA/Conference /World Series	504,117	463,657	427,581	416,796	459,212	500,000	8.9%	-0.2%
8	TV/Radio/Internet	5,900	8,800	6,350	5,700	7,300	7,300	0.0%	4.4%
9	Concessions/program/etc.								
10	Advertising/sponsorship/Royalty								
11	Endowments								
12	Special Events								
13	Other								
14	Total General Revenue	1,955,306	1,815,759	1,760,866	1,878,456	1,927,731	2,187,150	13.5%	2.3%
15	Revenue By Sport:								
16	Men's Programs:								
17	Football								
18	Ticket Sales								
19	Game Guarantees								
20	Other (Tourn/Bowl/Conf)								
21	Basketball								
22	Ticket Sales	7,555	8,181	8,162	8,175	9,059	7,700	-15.0%	0.4%
23	Game Guarantees								
24	Contributions (Fundraising)	29,394	60,508	76,569	57,921	91,579	35,000	-61.8%	3.6%
25	Track & Field/Cross Country	18,729	28,118	24,997	27,536	28,351	25,000	-11.8%	5.9%
26	Tennis	24,183	28,315	20,326	5,360	4,916	11,000	123.7%	-14.6%
27	Baseball								
28	Ticket Sales	17,169	18,594	18,550	18,579	20,588	17,500	-15.0%	0.4%
29	Contributions (Fundraising)	51,037	69,558	68,921	74,067	111,221	93,000	-16.4%	12.8%
30	Wrestling								
31	Golf (Contributions & Fundraising)	16,038	12,594	15,840	16,385	35,268	20,000	-43.3%	4.5%
32	Volleyball								
33	Total Men's Sport Revenue	164,105	225,868	233,365	208,023	300,982	209,200	-30.5%	5.0%
34	Women's Programs								
35	Volleyball								
36	Ticket Sales	2,060	2,231	2,226	2,230	2,471	2,100	-15.0%	0.4%
37	Game Guarantees								
38	Contributions (Fundraising)	40,769	35,556	43,445	45,317	43,850	50,000	14.0%	4.2%
39	Basketball								
40	Ticket Sales	7,555	8,181	8,162	8,175	9,059	7,700	-15.0%	0.4%
41	Game Guarantees								
42	Contributions (Fundraising)	57,416	77,301	91,420	111,542	106,462	62,000	-41.8%	1.5%
43	Track & Field/Cross Country	47,284	58,317	60,457	65,118	65,199	36,000	-44.8%	-5.3%
44	Tennis	35,264	37,473	30,337	10,491	5,642	12,000	112.7%	-19.4%
45	Gymnastics								
46	Golf (Contributions & Fundraising)	15,717	27,926	32,752	30,156	43,301	20,000	-53.8%	4.9%
47	Soccer								
48	Softball								
49	Skiing								
50	Swimming								
51	Total Women's Sport Rev	206,065	246,985	268,799	273,029	275,984	189,800	-31.2%	-1.6%
52	Total Revenue	2,325,476	2,288,612	2,263,030	2,359,508	2,504,697	2,586,150	3.3%	2.1%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenues and Expenditures
Lewis-Clark State College**

Expenditures by Admin/Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
53	Administrative and General								
54	Athletic Director Office	350,040	318,686	318,775	353,690	371,397	383,942	3.4%	1.9%
55	Fund Raising Office	6,381	595	174	188	1,280	1,500	17.2%	-25.1%
56	Academic Support								
57	Media Relations								
58	Marketing and Promotions								
59	Ticket Office								
60	Athletic Training Room	52,083	46,440	29,232	33,677	40,521	34,500	-14.9%	-7.9%
61	Memberships and Dues								
62	Facilities Mtn & Debt Service								
63	Capital Improvements								
64	NCAA/Special Event/Bowls								
65	Other Miscellaneous/World Series	497,730	495,660	458,361	429,826	422,574	480,000	13.6%	-0.7%
66	Total Admin & General	906,234	861,381	806,542	817,381	835,772	899,942	7.7%	-0.1%
67									
68	Men's Programs:								
69	Football								
70	Basketball	213,147	227,163	268,385	226,151	205,771	230,662	12.1%	1.6%
71	Track & Field/Cross Country	45,480	59,148	59,036	57,959	59,363	76,835	29.4%	11.1%
72	Tennis	32,749	40,353	52,783	50,405	31,519	48,429	53.6%	8.1%
73	Baseball	441,992	459,335	391,130	385,383	491,415	491,054	-0.1%	2.1%
74	Wrestling								
75	Golf	47,926	47,042	46,833	38,348	64,972	58,827	-9.5%	4.2%
76	Volleyball								
77	Rodeo								
78	Total Men's Programs	781,294	833,041	818,167	758,246	853,040	905,807	6.2%	3.0%
79									
80	Women's Programs								
81	Volleyball	199,757	209,998	227,731	203,421	249,885	229,001	-8.4%	2.8%
82	Basketball	229,567	234,090	229,988	256,048	276,324	266,090	-3.7%	3.0%
83	Track & Field/Cross Country	82,642	92,151	86,496	101,571	124,008	137,340	10.8%	10.7%
84	Tennis	38,828	49,462	60,271	50,657	37,696	51,729	37.2%	5.9%
85	Gymnastics								
86	Golf	57,699	37,351	53,178	49,580	81,074	76,241	-6.0%	5.7%
87	Soccer								
88	Softball								
89	Skiing								
90	Swimming								
91	Total Women's Programs	608,493	623,052	657,664	661,277	768,987	760,401	-1.1%	4.6%
92									
93	Total Expenditures	2,296,021	2,317,474	2,282,373	2,236,904	2,457,799	2,566,150	4.4%	2.2%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenues and Expenditures
Lewis-Clark State College**

Participants by Sport		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
94	Men's Programs:								
95	Football								
96	Basketball	13	10	14	16	16	15	-6.3%	2.9%
97	Track & Field/Cross Country	17	18	14	24	22	20	-9.1%	3.3%
98	Tennis	13	15	12	11	9	10	11.1%	-5.1%
99	Baseball	42	37	35	34	41	37	-9.8%	-2.5%
100	Wrestling								
101	Golf	8	7	10	8	8	8	0.0%	0.0%
102	Volleyball								
103	Rodeo								
104	Total Male Participation	93	87	85	93	96	90	-6.3%	-0.7%
105	Women's Programs								
106	Volleyball	17	16	17	17	16	15	-6.3%	-2.5%
107	Basketball	11	11	12	14	12	12	0.0%	1.8%
108	Track & Field/Cross Country	23	23	20	28	29	25	-13.8%	1.7%
109	Tennis	13	14	12	11	13	12	-7.7%	-1.6%
110	Gymnastics								
111	Golf	10	10	10	8	9	10	11.1%	0.0%
112	Soccer								
113	Softball								
114	Skiing								
115	Swimming								
116	Rodeo								
117	Total Female Participation	74	74	71	78	79	74	-6.3%	0.0%
118	Total Participants	167	161	156	171	175	164	-6.3%	-0.4%

**College & Universities
Intercollegiate Athletics Report
Summary of Revenues and Expenditures
Lewis-Clark State College**

		FY09 Act	FY10 Act	FY11 Act	FY12 Act	FY13 Act	FY14 Est	1 YR % Chg	Ave Ann % Chg
Full Ride Scholarships (Hdct)									
119	Men's Programs:								
120	Football								
121	Basketball								
122	Track & Field/Cross Country								
123	Tennis								
124	Baseball								
125	Wrestling								
126	Golf								
127	Volleyball								
128	Subtotal	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
129	Women's Programs								
130	Volleyball								
131	Basketball								
132	Track & Field/Cross Country								
133	Tennis								
134	Gymnastics								
135	Golf								
136	Soccer								
137	Skiing								
138	Softball								
139	Swimming								
140	Subtotal	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
141	Total Scholarships	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
142	Partial Scholarships by Sport (FTE)								
143	Men's Programs:								
144	Football								
145	Basketball	7.98	5.64	8.20	6.09	3.66	6.31	72.4%	-4.6%
146	Track & Field/Cross Country	2.84	2.74	2.84	7.26	3.59	3.85	7.2%	6.3%
147	Tennis	2.22	1.87	0.70	1.59	1.66	1.61	-3.0%	-6.2%
148	Baseball	10.95	9.83	9.05	8.76	8.83	9.48	7.4%	-2.8%
149	Wrestling								
150	Golf	1.69	1.55	2.80	2.28	1.76	2.02	14.8%	3.6%
151	Volleyball								
152	Rodeo								
153	Subtotal	25.68	21.63	23.59	25.98	19.50	23.27	19.3%	-2.0%
154	Women's Programs								
155	Volleyball	5.43	2.96	2.70	2.65	4.30	3.61	-16.0%	-7.8%
156	Basketball	4.41	4.77	3.61	4.57	4.01	4.27	6.5%	-0.6%
157	Track & Field/Cross Country	2.64	2.98	4.92	9.23	1.93	4.34	124.9%	10.5%
158	Tennis	2.18	1.36	1.65	1.66	1.13	1.60	41.6%	-6.0%
159	Gymnastics								
160	Golf	1.84	1.00	1.81	2.36	2.72	1.95	-28.3%	1.2%
161	Soccer								
162	Softball								
163	Skiing								
164	Swimming								
165	Rodeo								
166	Subtotal	16.50	13.07	14.69	20.47	14.09	15.77	11.9%	-0.9%
167	Total Scholarships	42.18	34.70	38.28	46.45	33.59	39.04	16.2%	-1.5%

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

SUBJECT

Intercollegiate Athletics Department, Employee Compensation Report

APPLICABLE STATUTE, RULE OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section II.H.

BACKGROUND/ DISCUSSION

In FY 1997 the Board adopted an annual report on the compensation of the employees of the intercollegiate athletic departments. The attached reports include FY 2013 actual compensation and FY 2014 estimated compensation for each institution.

IMPACT

The report details the contracted salary received by administrators and coaches, including bonuses, supplemental compensation and perquisites, if applicable.

ATTACHMENTS

Attachment 1 - Boise State University	FY13 Actual	Pages 3-6
	FY14 Estimate	Pages 7-10
Attachment 2 - Idaho State University	FY13 Actual	Pages 11-12
	FY14 Estimate	Pages 13-14
Attachment 3 - University of Idaho	FY13 Actual	Pages 15-16
	FY14 Estimate	Pages 17-18
Attachment 4 - Lewis-Clark State College	FY13 Actual	Pages 19-20
	FY14 Estimate	Pages 21-22

STAFF COMMENTS AND RECOMMENDATIONS

The Board has delegated to the Chief Executive Officer of each institution the appointing authority for all athletic department positions, except multi-year contracts for head coaches and athletic directors.

BOARD ACTION

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

THIS PAGE INTENTIONALLY LEFT BLANK

Intercollegiate Athletics Compensation Report

Boise State University

FY2013 Actual Compensation

Depart/Name/Title	Athletic FTE	Base Salary	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding		
			Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbrship	Car	Other	Program Revenue			All Other		
Athletic Administration																	
Andy Atkinson		Director, Ath Info & Digital Tech	1.000	66,831	0	0	0	0	0	0	No	No	No	No		66,831	-
* Anita Guerricabeitia		Asst AD - Tkt Operations	0.835	56,273	0	0	0	0	0	0	No	No	No	No		56,273	-
Ashlee Anderson-Ching		Dir, Student Ath Enhancement Prog	1.000	47,320	0	0	250	0	0	0	No	No	No	No	47,320	-	250
* Bob Madden		Assoc AD, Development	0.690	73,554	0	0	0	0	0	0	No	Yes	No	No		73,554	-
Brandon Voigt		Asst Athletic Trainer	1.000	38,314	600	0	0	0	0	0	No	No	No	No	38,314	-	600
Brent Moore		Director, Annual Giving & Premium Seating	1.000	45,844	0	0	0	0	0	0	No	No	No	No		45,844	-
Christina Van Tol		Sr. Assoc AD - SWA	1.000	96,928	0	0	2,500	0	0	0	No	Yes	No	No		96,928	2,500
Christopher Mackay		Asst Coach, Strength & Conditioning	1.000	27,560	0	0	750	0	0	0	No	No	No	No		27,560	750
Curt Apsey		Sr. Assoc AD, Advancement	1.000	153,026	0	0	2,500	0	0	0	Yes	Yes	No	No		153,026	2,500
Cynthia Rice		Senior Business Manager	1.000	57,346	0	0	200	0	0	0	No	No	No	No	57,346	-	200
Dale Holste		Dir, Athletic Equipment Operations	1.000	58,157	6,000	0	2,000	0	0	0	No	No	No	No		58,157	8,000
David Kinard		Assoc Director, Development	1.000	80,018	0	0	1,000	0	0	0	Yes	Yes	No	No		80,018	1,000
Doug Link		Asst Sports Info Director	1.000	41,975	0	0	500	0	0	0	No	No	No	No		41,975	500
Elizabeth Johnson		Asst Ticket Manager	1.000	36,359	0	0	0	0	0	0	No	No	No	No		36,359	-
Eric Kile		Academic Advisor	1.000	40,165	0	0	250	0	0	0	No	No	No	No	40,165	-	250
Eric Thorpe		Dir, Game Operations/Events	1.000	36,317	0	0	0	0	0	0	No	No	No	No		36,317	-
Gabe Rosenvall		Asst AD, Student Services	1.000	68,516	0	0	2,000	4,000	0	0	No	No	No	No	68,516	4,000	2,000
Heather Little		Director, Athletics HR & Student Insurance	1.000	45,012	0	0	400	0	0	0	No	No	No	No		45,012	400
James Spooner		Asst Athletic Trainer	1.000	40,831	0	0	0	0	0	0	No	No	No	No	40,831	-	-
Jeffrey Bourque		Assistant Coach, Strength	1.000	34,508	100	0	750	0	0	0	No	No	No	No		34,508	850
Jennifer Bellomy		Director, NCAA Compliance Monitoring	1.000	53,332	0	0	200	0	0	0	No	No	No	No		53,332	200
Jentry Walsh		Event Coordinator	1.000	36,359	0	0	0	0	0	0	No	No	No	No		36,359	-
Jessica Perretta		Academic Advisor	1.000	36,733	0	0	250	0	0	0	No	No	No	No	36,733	-	250
Joe Nickell		Director, Sports Information	1.000	43,972	0	0	500	0	0	0	No	No	No	No		43,972	500
Jolenne Dimeo		Facility Operations Supervisor	1.000	53,332	0	0	0	0	0	0	No	No	No	No		53,332	-
* Julie Stevens		Head Dance Coach	0.384	15,662	0	0	0	0	0	0	No	No	No	No		15,662	-
Christopher Mitchell		Coordinator, Video Services	1.000	39,208	0	0	0	0	0	0	No	No	No	No		39,208	-
Justin LaChapelle		Athletic Technical Support Specialist	1.000	35,610	0	0	0	0	0	0	No	No	No	No		35,610	-
Kathryn Ham		Asst Athletic Trainer	1.000	36,359	0	0	0	0	0	0	No	No	No	No	-	36,359	-
Keila Mintz		Accountant	1.000	39,978	0	0	200	0	0	0	No	No	No	No	39,978	-	200
Keita Shimada		Asst Athletic Trainer	1.000	36,359	0	0	0	0	0	0	No	No	No	No		36,359	-
Lauren Rodgers		Asst Athletic Trainer	1.000	35,610	0	0	0	0	0	0	No	No	No	No		35,610	-
Linsey Saras		Coordinator, Athletic Events & Ops	1.000	36,005	0	0	0	0	0	0	No	No	No	No		36,005	-
Marc Paul		Asst AD/Athletic Trainer	1.000	73,466	0	0	2,000	0	0	0	No	No	No	No		73,466	2,000
Mark Coyle		Executive Director, Athletics	1.000	331,500	0	0	1,000	15,000	0	20,000	Yes	Yes	No	Yes		366,500	1,000
Matthew Beckman		Asst AD, Mktg & Promotions	1.000	64,272	0	0	0	0	0	0	No	No	No	No		64,272	-

Intercollegiate Athletics Compensation Report

Boise State University

FY2013 Actual Compensation

Depart/Name/Title		Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding	
			Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other			Program Revenue	All Other
Matthieu Gaudry	Director, Fan Development & Strategies	1.000	40,831	0	0	0	0	0	0	No	No	No	No		40,831	-
Max Corbet	Assoc Athletic Director, Communications	1.000	61,007	0	0	1,000	0	0	0	No	Yes	No	No		61,007	1,000
Michael McDonald	Assoc Coach, Strength & Cond	1.000	45,012	0	0	750	0	0	0	No	No	No	No	40,810	4,202	750
Michael Walsh	Asst Sports Info Director	1.000	35,610	0	0	500	0	0	0	No	No	No	No		35,610	500
Michelle Smith	Asst Sports Info Dir/Website Coord	1.000	38,085	0	0	500	0	0	0	No	No	No	No	38,085	-	500
Mike Waller	Asst Athletic Director, Event Operations	1.000	67,018	0	0	1,000	0	0	0	No	Yes	No	No		67,018	1,000
Natalie Keffer	Director, Athletic Relations	1.000	50,004	0	0	200	0	0	0	No	No	No	No		50,004	200
Nicole Gamez	Assoc AD, Finance	1.000	86,716	0	0	1,000	0	0	0	No	Yes	No	No		86,716	1,000
* Rachel Bickerton	Dir, Trademark Lic/Enforcement	0.437	35,007	0	0	0	0	0	0	No	No	No	No		35,007	-
Raul Ibarra	Director, Team Operations	1.000	42,037	0	0	0	0	0	0	No	No	No	No		42,037	-
Rhonda McFarland	Senior Business Manager	1.000	65,354	0	0	200	0	0	0	No	No	No	No		65,354	200
Robert Carney	Assoc AD, Facilities and Operations	1.000	76,711	0	0	0	0	0	0	No	Yes	No	No		76,711	-
Sara Swanson	Academic Advisor	1.000	36,733	0	0	250	0	0	0	No	No	No	No	36,733	-	250
Scott Duncan	Facility Maintenance Supervisor	1.000	40,207	0	0	0	0	0	0	No	No	No	No		40,207	-
Shaela Priaulx-Soho	Ticket Manager	1.000	46,946	0	0	0	0	0	0	No	No	No	No		46,946	-
Spencer Jahn	Athletic Multimedia Specialist	1.000	35,610	0	0	0	0	0	0	No	No	No	No		35,610	-
Suzanne Goss	Director, Donor Relations Events	1.000	40,020	0	0	0	0	0	0	No	No	No	No		40,020	-
Taylor Little	Coordinator, Video Services	1.000	40,914	0	0	0	0	0	0	No	No	No	No		40,914	-
TBD	Director, NCAA Compliance Education	1.000	59,176	0	0	200	0	0	0	No	No	No	No	59,176	-	200
TBD	Assoc AD, Operations	1.000	60,092	0	0	2,500	0	0	0	No	Yes	No	No		60,092	2,500
TBD	Asst Coach, Strength & Conditioning	1.000	40,810	0	0	750	0	0	0	No	No	No	No		40,810	750
TBD	Asst AD/Oper & Event Mgt	1.000	52,312	0	0	0	0	0	0	No	No	No	No		52,312	-
TBD	Exec Dir, Press Box/Sky Suite	1.000	63,253	0	0	0	0	0	0	No	No	No	No		63,253	-
TBD	Assistant to AD, Major Gifts	1.000	57,804	0	0	0	0	0	0	No	No	No	No		57,804	-
TBD	Assistant Director-Compliance	1.000	49,504	0	0	200	0	0	0	No	No	No	No		49,504	200
Tim Socha	Head Coach, Strength	1.000	136,552	7,870	0	2,000	0	0	3,000	No	Yes	No	No		139,552	9,870
Tyler Smith	Assoc Athletic Trainer	1.000	42,682	0	0	0	0	0	0	No	No	No	No	42,682	-	-
Victoria Lewis	Assistant Business Manager	1.000	39,208	0	0	0	0	0	0	No	No	No	No		39,208	-

Intercollegiate Athletics Compensation Report

Boise State University

FY2013 Actual Compensation

Depart/Name/Title		Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding	
			Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other			Program Revenue	All Other
Men's Sports																
Football																
	Chris Petersen	Head Coach	1.000	1,423,014	0	250,000	Nike	APR	Winning	Bowl	No	Yes	No	Yes	1,808,014	3,500
	Jonathan Smith	Assistant Coach	1.000	226,096	7,870	0	2,000	0	0	3,000	No	Yes	No	No	229,096	9,870
	Pete Kwiatkowski	Assistant Coach	1.000	321,922	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No	329,922	9,870
	Chris Strausser	Assistant Coach	1.000	288,600	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No	296,600	9,870
	Bob Gregory	Assistant Coach	1.000	288,600	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No	296,600	9,870
	Robert Prince	Assistant Coach	1.000	306,904	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No	314,904	9,870
	Andy Avalos	Assistant Coach	1.000	135,991	7,870	0	2,000	0	0	3,000	No	Yes	No	No	138,991	9,870
	Scott Huff	Assistant Coach	1.000	235,456	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No	243,456	9,870
	James Lake	Assistant Coach	1.000	255,196	7,870	0	2,000	0	0	3,000	No	Yes	No	No	258,196	9,870
	Keith Bhonapha	Assistant Coach	1.000	143,312	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No	151,312	9,870
	Louis Major	Director, Football Operations	1.000	63,004	6,000	0	2,000	5,000	0	3,000	No	No	No	No	71,004	8,000
	Richard Rasmussen	Director, Player Personnel	1.000	60,008	7,869	0	2,000	0	0	3,000	No	No	No	No	63,008	9,869
	Dwayne Taylor	Assistant Director, Player Personnel	1.000	50,004	2,000	0	500	0	0	3,000	No	No	No	No	53,004	2,500
	Brad Larrondo	Asst Athletic Director, Football	1.000	65,000	7,870	0	2,000	0	0	3,000	No	No	No	No	68,000	9,870
	TBD	Executive Assistant	1.000	49,504	2,000	0	500	0	0	0	No	No	No	No	49,504	2,500
Basketball																
	Leon Rice	Head Coach	1.000	438,627	0	0	10,000	0	0	0	Yes	Yes	No	Yes	438,627	10,000
	Daniel Henderon	Assistant Coach, Men's Basketball	1.000	91,016	0	0	2,500	0	0	0	No	Yes	No	No	91,016	2,500
	Jeff Linder	Associate Head Coach, Men's Basketball	1.000	130,020	0	0	2,500	0	0	0	No	Yes	No	No	130,020	2,500
	John Rillie	Assistant Coach, Men's Basketball	1.000	100,016	2,117	0	2,500	0	0	0	No	Yes	No	No	100,016	4,617
	TBD	Director, Men's BB Operations	1.000	36,457	0	0	0	0	0	0	No	No	No	No	36,457	-
Wrestling																
	Greg Randall	Head Coach	1.000	70,970	1,030	0	1,500	0	0	0	No	Yes	No	No	70,970	-
	Chris Owens	Assistant Coach	1.000	43,348	3,150	0	0	0	0	0	No	No	No	No	43,348	-
	Kirk White	Assistant Coach	1.000	31,512	2,150	0	0	0	0	0	No	No	No	No	31,512	-
Golf																
	Kevin Burton	Head Coach	1.000	44,242	0	0	1,500	0	0	0	Yes	Yes	No	No	41,725	1,500
Tennis																
	Greg Patton	Head Coach	1.000	100,048	0	0	1,500	0	3,000	5,000	No	Yes	No	No	108,048	1,500
	TBD	Assistant Coach	1.000	28,580	13,571	0	0	0	1,000	0	No	No	No	No	28,580	13,571
Men/Women's Track & Field																
	JW Hardy	Head Coach	1.000	86,710	0	0	4,000	4,000	1,500	0	No	Yes	No	Yes	92,210	4,000
	Jeff Petersmeyer	Assistant Coach	1.000	54,101	0	0	0	2,100	1,000	0	No	No	No	No	54,101	3,100
	Kelly Watson	Assistant Coach	1.000	32,656	0	0	0	2,100	0	0	No	No	No	No	32,656	2,100
	Keith Vance	Assistant Coach	1.000	31,637	0	0	0	2,100	1,750	0	No	No	No	No	35,487	-
	Brad Wick	Assistant Coach	1.000	28,580	0	0	0	2,100	0	0	No	No	No	No	28,580	2,100

Intercollegiate Athletics Compensation Report

Boise State University

FY2013 Actual Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding		
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other			Program Revenue	All Other	
Women's Sports																
Basketball																
Gordon Presnell	Head Coach	1.000	183,619	0	0	7,500	0	0	0	No	Yes	No	Yes		183,619	7,500
Benjamin Finkbeiner	Assistant Coach	1.000	70,011	550	0	0	0	0	0	No	Yes	No	No	70,011	-	550
Cody Butler	Assistant Coach	1.000	60,010	0	0	0	0	0	0	No	Yes	No	No	60,010	-	-
Heather Sower	Assistant Coach	1.000	61,221	0	0	0	0	0	0	No	Yes	No	No	61,221	-	-
Cariann Ramirez	Dir, Women's BB Operations	1.000	40,299	1,100	0	0	0	0	0	No	No	No	No	40,299	-	1,100
Soccer																
James Thomas	Head Coach	1.000	70,011	0	0	2,000	1,600	0	0	No	Yes	No	No	44,807	26,804	2,000
TBD	Assistant Coach	1.000	37,666	0	0	0	0	0	0	No	No	No	No	37,666	-	-
Madison Collins	Assistant Coach	1.000	30,924	0	0	0	1,000	0	0	No	No	No	No		31,924	-
Volleyball																
Shawn Garus	Head Coach	1.000	86,715	13,134	0	3,500	2,000	0	0	Yes	Yes	No	Yes		88,715	16,634
Allisha Young	Assistant Coach	1.000	24,012	0	0	0	0	0	0	No	No	No	No		24,012	-
Candy Murphy	Assistant Coach	1.000	51,929	6,000	0	0	0	0	0	No	No	No	No	45,936	5,993	6,000
Gymnastics																
Neil Resnick	Co-Head Coach	1.000	66,228	10,904	0	2,000	0	3,500	0	Yes	Yes	No	No	66,228	3,500	12,904
Tina Bird	Co-Head Coach	1.000	61,215	10,904	0	2,000	0	3,500	0	No	Yes	No	No		64,715	12,904
Patti Murphy	Assistant Coach	1.000	36,005	4,690	0	0	0	750	0	No	No	No	No	36,005	750	4,690
Tennis																
Sherman Roghaar	Head Coach	1.000	37,752	8,687	0	1,500	0	0	0	No	Yes	No	No	37,752	-	10,187
Catrina Thompson	Assistant Coach	1.000	28,580	8,881	0	0	0	0	0	No	No	No	No	28,580	-	8,881
Golf																
Nicole Bird	Head Coach	1.000	41,580	0	0	1,500	1,600	0	0	Yes	Yes	No	No	41,580	1,600	1,500
Softball																
Erin Thorpe	Head Coach	1.000	56,015	8,800	0	2,000	0	0	0	No	Yes	No	No	56,015	-	10,800
Samantha Marder	Assistant Coach	1.000	25,876	5,338	0	0	0	0	0	No	No	No	No	25,876	-	5,338
Shelly Prochaska	Assistant Coach	1.000	33,010	8,800	0	0	0	0	0	No	No	No	No		33,010	8,800
Swimming																
Kristin Hill	Head Coach	1.000	70,013	2,543	0	2,000	1,600	3,000	4,000	Yes	Yes	No	No	70,013	8,600	4,543
Kirk Ermels	Associate Coach, Swimming	1.000	44,013	2,543	0	2,000	1,000	1,000	0	No	No	No	No	44,013	2,000	4,543
TBD	Diving Coach	1.000	37,004	0	0	0	0	0	0	No	No	No	No		37,004	-

Notes:

* Employee works 1 FTE at the University. The FTE and Base Salary on this report reflect the amount of the employee's salary which is funded by Athletics.

Intercollegiate Athletics Compensation Report
Boise State University
FY2014 Estimated Compensation

		Athletic	Compensation				Contract Bonus			Perks				Funding			Base	
Depart/Name/Title		FTE	Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other	Multi-Yr Contract	State Approp.	Program Revenue	All Other	Salary Annualized Change	Comments
Athletic Administration																		
	Andy Atkinson	Director, Ath Info & Digital Tech	1.000	66,831	0	0	0	0	0	No	No	No	No		66,831	-	0%	
	Anita Guerricabeitia	Asst AD - Tkt Operations	1.000	70,013	0	0	0	0	0	No	No	No	No		70,013	-	4% Equity	
	Ashlee Anderson-Ching	Dir, Student Ath Enhancement Prog	1.000	47,320	0	0	250	0	0	No	No	No	No	47,320	-	250	0%	
*	Bob Madden	Assoc AD, Development	0.690	73,554	0	0	0	0	0	No	Yes	No	No		73,554	-	0%	
	Brandon Voigt	Asst Athletic Trainer	1.000	38,314	600	0	0	0	0	No	No	No	No	38,314	-	600	0%	
	Brent Moore	Director, Annual Giving & Premium Seating	1.000	45,844	0	0	0	0	0	No	No	No	No		45,844	-	0%	
	Bryan Klobucar	Assoc Coach, Strength & Cond	1.000	30,015	0	0	750	0	0	No	No	No	No		30,015	750	New	
	Christina Van Tol	Sr. Assoc AD - SWA	1.000	100,943	0	0	2,500	0	0	No	Yes	No	No		100,943	2,500	4% Equity	
	Christopher Mackay	Asst Coach, Strength & Conditioning	1.000	32,344	0	0	750	0	0	No	No	No	No		32,344	750	17% Promotion	
	Curt Apsey	Sr. Assoc AD, Advancement	1.000	153,026	0	0	2,500	0	0	Yes	Yes	No	No		153,026	2,500	0%	
	Cynthia Rice	Senior Business Manager	1.000	57,346	0	0	200	0	0	No	No	No	No	57,346	-	200	0%	
	Dale Holste	Dir, Athletic Equipment Operations	1.000	58,157	6,000	0	2,000	0	0	No	No	No	No		58,157	8,000	0%	
	Danielle Charters	Assistant Director-Compliance	1.000	40,914	0	0	200	0	0	No	No	No	No		40,914	200	New	
	David (DJ) Giumento	Asst AD, Facility Operations	1.000	55,016	0	0	0	0	0	No	No	No	No		55,016	-	New	
Compensation in lieu of																		
	David Kinard	Assoc Director, Development	1.000	83,637	0	0	1,000	0	0	Yes	No	No	No		83,637	1,000	5% courtesy car	
	Doug Link	Asst Sports Info Director	1.000	41,975	0	0	500	0	0	No	No	No	No		41,975	500	0%	
	Eric Kile	Academic Advisor	1.000	40,165	0	0	250	0	0	No	No	No	No	40,165	-	250	0%	
	Eric Thorpe	Dir, Game Operations/Events	1.000	36,317	0	0	0	0	0	No	No	No	No		36,317	-	0%	
	Gabe Rosenvall	Asst AD, Student Services	1.000	68,516	0	0	2,000	4,000	0	No	No	No	No	68,516	4,000	2,000	0%	
	Heather Little	Director, Athletics HR & Student Insurance	1.000	45,012	0	0	400	0	0	No	No	No	No		45,012	400	0%	
	James Spooner	Asst Athletic Trainer	1.000	54,600	0	0	0	0	0	No	No	No	No	54,600	-	-	34% Promotion	
	Jeff Pitman	Head Coach, Strength	1.000	125,000	0	0	0	0	0	No	Yes	No	No		125,000	-	New Contract	
	Jennifer Bellomy	Director, NCAA Compliance Monitoring	1.000	54,018	0	0	200	0	0	No	No	No	No		54,018	200	1% Equity	
	Jentry Walsh	Event Coordinator	1.000	36,359	0	0	0	0	0	No	No	No	No		36,359	-	0%	
	Jessica Perretta	Academic Advisor	1.000	36,733	0	0	250	0	0	No	No	No	No	36,733	-	250	0%	
	John Perkins	Asst Director, Athletic Equipment Operations	1.000	35,610	0	0	500	0	0	No	No	No	No		35,610	500	New	
	Jolenne Dimeo	Facility Operations Supervisor	1.000	53,332	0	0	0	0	0	No	No	No	No		53,332	-	0%	
	Joseph Nickell	Director, Sports Information	1.000	43,972	0	0	500	0	0	No	No	No	No		43,972	500	New	
	Christopher Mitchell	Coordinator, Video Services	1.000	39,208	0	0	0	0	0	No	No	No	No		39,208	-	0%	
	Justin LaChapelle	Athletic Technical Support Specialist	1.000	35,610	0	0	0	0	0	No	No	No	No		35,610	-	0%	
	Keila Mintz	Accountant	1.000	39,978	0	0	200	0	0	No	No	No	No	39,978	-	200	0%	
	Keita Shimada	Asst Athletic Trainer	1.000	36,359	0	0	0	0	0	No	No	No	No		36,359	-	0%	
	Lauren Rodgers	Asst Athletic Trainer	1.000	35,610	0	0	0	0	0	No	No	No	No		35,610	-	0%	
	Lee Marks	Assistant Coach, Strength	1.000	45,000	0	0	0	0	0	No	No	No	No		45,000	-	New Contract	
	Linsey Saras	Coordinator, Athletic Events & Ops	1.000	36,005	0	0	0	0	0	No	No	No	No		36,005	-	0%	
	Marc Paul	Asst AD/Athletic Trainer	1.000	73,466	0	0	2,000	0	0	No	No	No	No		73,466	2,000	0%	
	Mark Coyle	Executive Director, Athletics	1.000	331,500	0	0	1,000	15,000	0	20,000	Yes	Yes	No	Yes	366,500	1,000	0%	
	Mark Wheeler	Director of Compliance	1.000	45,012	0	0	0	0	0	No	No	No	No	45,012	-	-	New	
	Matthew Beckman	Asst AD, Mktng & Promotions	1.000	64,272	0	0	0	0	0	No	No	No	No		64,272	-	0%	

**Intercollegiate Athletics Compensation Report
Boise State University
FY2014 Estimated Compensation**

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding		All Other	Base Salary Annualized Change	Comments
		Base Salary	Camps/Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other			Program Revenue				
Matthieu Gaudry	Director, Fan Development & Strategies	1.000	40,831	0	0	0	0	0	No	No	No	No		40,831		-	0%	
Max Corbet	Assoc Athletic Director, Communications	1.000	64,626	0	0	1,000	0	0	No	No	No	No		64,626	1,000		6%	Compensation in lieu of
Michael Walsh	Asst Sports Info Director	1.000	35,610	0	0	500	0	0	No	No	No	No		35,610	500		0%	courtesy car
Michelle Smith	Asst Sports Info Dir/Website Coord	1.000	38,085	0	0	500	0	0	No	No	No	No	38,085	-	500		0%	
Natalie Keffer	Director, Athletic Relations	1.000	50,004	0	0	200	0	0	No	No	No	No		50,004	200		0%	
Nicole Gamez	Assoc AD, Finance	1.000	90,335	0	0	1,000	0	0	No	No	No	No		90,335	1,000		4%	Compensation in lieu of
Paul Frushour	Asst Athletic Director, Event Operations	1.000	55,016	0	0	1,000	0	0	No	No	No	No		55,016	1,000		New	courtesy car
* Rachel Bickerton	Dir, Trademark Lic/Enforcement	0.437	35,007	0	0	0	0	0	No	No	No	No		35,007	-		0%	
Raul Ibarra	Director, Team Operations	1.000	42,037	0	0	0	0	0	No	No	No	No		42,037	-		0%	
Rhonda McFarland	Senior Business Manager	1.000	65,354	0	0	200	0	0	No	No	No	No		65,354	200		0%	
Robert Carney	Assoc AD, Facilities and Operations	1.000	80,330	0	0	0	0	0	No	No	No	No		80,330	-		5%	Compensation in lieu of
Sabrina Nottingham	Asst Ticket Manager	1.000	36,359	0	0	0	0	0	No	No	No	No		36,359	-		New	courtesy car
Scott Duncan	Facility Maintenance Supervisor	1.000	40,207	0	0	0	0	0	No	No	No	No		40,207	-		0%	
Shaela Prialux-Soho	Ticket Manager	1.000	46,946	0	0	0	0	0	No	No	No	No		46,946	-		0%	
Shayla Filani	Academic Advisor	1.000	36,005	0	0	250	0	0	No	No	No	No	36,005	-	250		New	
Spencer Jahn	Athletic Multimedia Specialist	1.000	35,610	0	0	0	0	0	No	No	No	No		35,610	-		0%	
Suzanne Goss	Director, Donor Relations Events	1.000	40,020	0	0	0	0	0	No	No	No	No		40,020	-		0%	
Syringa Stark	Asst Athletic Trainer/ Insurnace Coord	1.000	35,610	0	0	0	0	0	No	No	No	No		35,610	-		New	
Taylor Little	Coordinator, Video Services	1.000	40,914	0	0	0	0	0	No	No	No	No		40,914	-		0%	
TBD	Auction coordinator	1.000	40,020	0	0	0	0	0	No	No	No	No		40,020	-			
TBD	Asst Athletic Trainer	1.000	36,359	0	0	0	0	0	No	No	No	No	-	36,359	-			
TBD	Asst Coach, Strength & Cond	1.000	45,012	0	0	0	0	0	No	No	No	No	45,012	-	-			Combined cheer/dance
Tobruk Everman	Head Dance Coach	1.000	45,012	0	0	0	0	0	No	No	No	No		45,012	-		New positions	
Tyler Smith	Assoc Athletic Trainer	1.000	54,600	0	0	0	0	0	No	No	No	No	54,600	-	-		28%	Promotion
Victoria Lewis	Assistant Business Manager	1.000	39,208	0	0	200	0	0	No	No	No	No		39,208	200		0%	

Intercollegiate Athletics Compensation Report
Boise State University
FY2014 Estimated Compensation

Depart/Name/Title		Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding		Base Salary Annualized Change	Comments
			Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other			Program Revenue	All Other		
Men's Sports																		
Football						Nike	APR	Winning Bowl/Other										
#	Bryan Harsin	Head Coach	1.000	1,000,000	0	0	0	0	0	0	Yes	Yes	No	Yes		1,000,000	-	New Contract
#	Mike Sanford	Assistant Coach	1.000	305,000	0	0	0	0	0	0	No	Yes	No	No		305,000	-	New Contract
#	Marcel Yates	Assistant Coach	1.000	317,500	0	0	0	0	0	0	No	Yes	No	No		317,500	-	New Contract
#	Kent Riddle	Assistant Coach	1.000	250,000	0	0	0	0	0	0	No	Yes	No	No		250,000	-	New Contract
#	Steve Caldwell	Assistant Coach	1.000	220,000	0	0	0	0	0	0	No	Yes	No	No		220,000	-	New Contract
#	Robert Prince	Assistant Coach	1.000	341,204	7,870	0	2,000	5,000	0	3,000	No	No	No	No		349,204	9,870	11% Contract
#	Andy Avalos	Assistant Coach	1.000	210,000	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No		218,000	9,870	54% Contract
#	Scott Huff	Assistant Coach	1.000	270,000	7,870	0	2,000	5,000	0	3,000	No	Yes	No	No		278,000	9,870	15% New Contract
#	Elijah Drinkwitz	Assistant Coach	1.000	160,000	0	0	0	0	0	0	No	Yes	No	No		160,000	-	New Contract
#	Alton Adams	Assistant Coach	1.000	160,000	0	0	0	0	0	0	No	Yes	No	No		160,000	-	New Contract
#	Julius Brown	Assistant Coach	1.000	160,000	0	0	0	0	0	0	No	Yes	No	No		160,000	-	New Contract
#	Brian Wilkinson	Director, Football Operations	1.000	72,500	0	0	0	0	0	0	No	No	No	No		72,500	-	New Contract
#	Blake Baker	Director, Player Personnel	1.000	65,000	0	0	0	0	0	0	No	No	No	No		65,000	-	New Contract
#	Dwayne Taylor	Assistant Director, Player Personnel	1.000	50,004	2,000	0	500	0	0	3,000	No	No	No	No		53,004	2,500	0%
#	Antwon Murray	Assistant Director, Player Personnel	1.000	45,000	0	0	0	0	0	0	No	No	No	No		45,000	-	New Contract
#	Brad Larrondo	Asst Athletic Director, Football	1.000	71,511	7,870	0	2,000	0	0	3,000	No	Yes	No	No		74,511	9,870	10% Contract
#	Sara Swanson	Executive Assistant	1.000	45,012	2,000	0	500	0	0	0	No	No	No	No		45,012	2,500	23% Changed positions
Basketball																		
	Leon Rice	Head Coach	1.000	482,120	0	0	10,000	0	0	0	Yes	Yes	No	Yes		482,120	10,000	10% Contract
	Daniel Henderon	Assistant Coach, Men's Basketball	1.000	91,016	0	0	2,500	0	0	0	No	Yes	No	No		91,016	2,500	0%
	Jeff Linder	Associate Head Coach, Men's Basketball	1.000	130,020	0	0	2,500	0	0	0	No	Yes	No	No		130,020	2,500	0%
	John Rillie	Assistant Coach, Men's Basketball	1.000	103,628	2,117	0	2,500	0	0	0	No	No	No	No		103,628	4,617	Compensation in lieu of
	Isaac Williams	Director, Men's BB Operations	1.000	40,904	0	0	2,500	0	0	0	No	No	No	No	40,904	-	2,500	4% courtesy car New
Wrestling																		
	Greg Randall	Head Coach	1.000	70,970	1,030	0	1,500	0	0	0	No	Yes	No	No	70,970	-	2,530	0%
	Chris Owens	Assistant Coach	1.000	43,348	3,150	0	0	0	0	0	No	No	No	No	43,348	-	3,150	0%
	Kirk White	Assistant Coach	1.000	31,512	2,150	0	0	0	0	0	No	No	No	No	31,512	-	2,150	0%
Golf																		
	Kevin Burton	Head Coach	1.000	44,242	0	0	1,500	0	0	0	Yes	Yes	No	No	41,725	2,517	1,500	0%
Tennis																		
																		-
	Greg Patton	Head Coach	1.000	97,053	0	0	1,500	0	3,000	5,000	No	Yes	No	No		105,053	1,500	Reduced salary to pay
	Paluka Shields	Assistant Coach	1.000	31,596	13,571	0	0	0	1,000	0	No	No	No	No	31,596	1,000	13,571	-3% asst more salary New
Men/Women's Track & Field																		
	Corey Ihmels	Head Coach	1.000	75,005	0	0	4,000	4,000	1,500	15,000	No	No	No	Yes		95,505	4,000	New
	Grant (Charles) Wall	Assistant Coach	1.000	43,992	0	0	0	2,100	1,000	0	No	No	No	No	43,992	3,100	-	New
	Gavin O'Neal	Assistant Coach	1.000	43,992	0	0	0	2,100	0	0	No	No	No	No	27,353	18,739	-	New
	Travis Hartke	Assoc Head CC & Asst Track and Field Coar	1.000	43,992	0	0	0	2,100	1,750	0	No	No	No	No	43,992	3,850	-	New

**Intercollegiate Athletics Compensation Report
Boise State University
FY2014 Estimated Compensation**

Depart/Name/Title		Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding Program Revenue	All Other	Base Salary Annualized Change	Comments
			Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other						
Women's Sports																		
Basketball																		
	Gordon Presnell	Head Coach	1.000	187,231	0	0	7,500	0	0	0	No	No	No	Yes		187,231	7,500	Compensation in lieu of 2% courtesy car
	Benjamin Finkbeiner	Assistant Coach	1.000	73,623	550	0	0	0	0	0	No	No	No	No	73,623	-	550	Compensation in lieu of 5% courtesy car
	Cody Butler	Assistant Coach	1.000	60,010	0	0	0	0	0	0	No	Yes	No	No	60,010	-	-	0%
	Heather Sower	Assistant Coach	1.000	61,221	0	0	0	0	0	0	No	Yes	No	No	61,221	-	-	0%
	Cariann Ramirez	Dir, Women's BB Operations	1.000	40,299	1,100	0	0	0	0	0	No	No	No	No	40,299	-	1,100	0%
Soccer																		
	James Thomas	Head Coach	1.000	73,623	0	0	2,000	1,600	0	0	No	No	No	No	48,591	26,632	2,000	Compensation in lieu of 5% courtesy car
	Edward Moore	Assistant Coach	1.000	30,924	0	0	0	0	0	0	No	No	No	No	30,924	-	-	New
	Madison Collins	Assistant Coach	1.000	30,924	0	0	0	1,000	0	0	No	No	No	No		31,924	-	0% New contract
Volleyball																		
	Shawn Garus	Head Coach	1.000	86,715	13,134	0	3,500	2,000	0	0	Yes	Yes	No	Yes		88,715	16,634	0%
	Breann Crowell	Assistant Coach	1.000	24,012	0	0	0	0	0	0	No	No	No	No		24,012	-	New
	Candy Murphy	Assistant Coach	1.000	51,929	6,000	0	0	0	0	0	No	No	No	No	51,929	-	6,000	0% Market
Gymnastics																		
	Neil Resnick	Co-Head Coach	1.000	71,407	10,904	0	2,000	0	3,500	0	Yes	Yes	No	Yes	71,407	3,500	12,904	8% Contract
	Tina Bird	Co-Head Coach	1.000	61,215	10,904	0	2,000	0	3,500	0	No	Yes	No	No		64,715	12,904	0%
	Patti Murphy	Assistant Coach	1.000	36,005	4,690	0	0	0	750	0	No	No	No	No	36,005	750	4,690	0%
Tennis																		
	Sherman Roghaar	Head Coach	1.000	51,356	8,687	0	1,500	0	0	0	No	No	No	No	46,364	4,992	10,187	36% Market
	Suzanne Matzenauer	Assistant Coach	1.000	28,018	8,881	0	0	0	0	0	No	No	No	No	28,018	-	8,881	New
Golf																		
	Nicole Bird	Head Coach	1.000	41,580	0	0	1,500	1,600	0	0	Yes	Yes	No	No	41,580	1,600	1,500	0%
Softball																		
	Erin Thorpe	Head Coach	1.000	59,634	8,800	0	2,000	0	0	0	No	No	No	No	59,634	-	10,800	Compensation in lieu of 6% courtesy car
	Sarah Gaston	Assistant Coach	1.000	25,876	5,338	0	0	0	0	0	No	No	No	No	25,876	-	5,338	New
	Shelly Prochaska	Assistant Coach	1.000	33,010	8,800	0	0	0	0	0	No	No	No	No		33,010	8,800	0%
Swimming																		
	Kristin Hill	Head Coach	1.000	70,013	2,543	0	2,000	1,600	3,000	4,000	Yes	Yes	No	No	70,013	8,600	4,543	0%
	Kirk Ermels	Associate Coach, Swimming	1.000	44,013	2,543	0	2,000	1,000	1,000	0	No	No	No	No	44,013	2,000	4,543	0%
	John Lynch	Diving Coach	1.000	38,002	0	0	0	0	0	0	No	No	No	No		38,002	-	New

Notes:

* Employee works 1 FTE at the University. The FTE and Base Salary on this report reflect the amount of the employee's salary which is funded by Athletics.

Football staff in transition; FB staff equipment allotment will start FY15

Intercollegiate Athletics Compensation Report

Idaho State University

FY 2013 Actual Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonuses			Perks			Multi-Yr Contract	Funding		
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform..	Other	Club Mbership	Car	Other		State Approp.	Program Revenue	All Other
Athletic Administration:															
Jeff Tingey	Athletic Director	1.00	102,606					3,654		Yes		Yes	102,606	3,654	
Jim Kramer	Asst Athl Dir/ UBO	1.00	67,621									No	67,621		
Nancy Graziano	Assoc Athl Dir	1.00	68,869									No	68,869		
Matthew Steuart	Asst AD - Academics	1.00	42,370									No		42,370	
Steve Schaack	Asst AD - Media Rel	1.00	49,816									No	49,816		
Jaime Schroeder	Asst Dir Media Rel	0.81	32,057									No	32,057		
Jodi Wotowey	Hd Athl Trainer	1.00	45,011	622								No	45,011		622
Brandon Payne	Assist Trainer	1.00	35,194									No	35,194		
Daryl Finch	Assist Trainer	1.00	35,194									No	35,194		
Thomas Brock	(A) Assist Trainer	0.58	22,804									No	22,804		
Rachel Geoghegan	(B) Assist Trainer	0.02	692									No	692		
Mark Campbell	Stngth Coach	1.00	42,661									No	42,661		
Kalee Kopp	Director of Marketing & Promo	1.00	35,880									No		35,880	
Jay McMillin	Asst AD/ Major Gifts	0.81	37,292							Yes		No		37,292	
Quinton Freeman	(A) Academic Advisor - Football	0.94	30,347									No	30,347		
Elizabeth Johnson	(B) Academic Advisor - Football	0.06	2,051									No	2,051		
Tyson Munns	Athletic Equipment Manager	1.00	35,194									No	35,194		
Bengal Foundation															
Donna Hayes	Exec Dir Bengal Foun	1.00	46,134									No		46,134	
Men's Sports															
Football															
Mike Kramer	Hd Coach	0.91	126,553					9,700		Yes		Yes	126,553	9,700	
Ruditsky Griffin	(A) Asst Coach	0.54	23,689	1,210								No	23,689		1,210
Spencer Toone	(B) Asst Coach	0.50	19,769	835								No	19,769		835
Donald Bailey	Offensive Coordinator	1.00	74,901	7,840						Yes		No	74,901		7,840
Roger Cooper	Asst Coach	1.00	36,838	835								No	36,838		835
Thomas Steiner	Director of Operations	0.98	33,844									No	33,180	664	
Daniel Drayton	(A) Asst Coach	0.54	23,689	1,210								No	23,689		1,210
Steven Fifita	(B) Asst Coach	0.27	10,231	835								No	10,231		835
Matthew Troxel	Asst Coach	1.00	34,763	2,345						Yes		No	34,763		2,345
Anthony Tucker	(A) Asst Coach	0.62	25,712	1,210								No	25,712		1,210
Sheldon Cross	(B) Asst Coach	0.39	15,700	1,065								No	15,700		1,065
Derrick Roche	(A) Asst Coach	0.54	23,689	1,210								No	23,689		1,210
Stanley Franks	(B) Asst Coach	0.27	8,618	650								No	8,618		650
Todd Bates	(A) Asst Coach	0.54	23,689	1,210								No	23,689		1,210
Michael Ferriter	(B) Asst Coach	0.50	15,929	835								No	15,929		835
Basketball															
William Evans	Hd Coach	0.95	97,357	1,775	20,000					Yes		Yes	97,357	20,000	1,775
Andrew Ward	Asst Coach	1.00	60,008	1,775						Yes		No	60,008		1,775
Jay Collins	Asst Coach	1.00	35,006	1,775								No	35,006		1,775
Tim Walsh	Asst Coach	0.98	39,250	325								No	39,250		325
Tennis															
Robert Goeltz	Hd Coach	0.43	19,789									No	19,789		
Mark Rodel	Asst Coach	0.35	8,051									No	8,051		

(A) = indicates previous coach / employee

(B) = indicates current coach / employee

Intercollegiate Athletics Compensation Report

Idaho State University

FY 2013 Actual Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonuses			Perks			Multi-Yr Contract	Funding		
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform..	Other	Club Mbership	Car	Other		State Approp.	Program Revenue	All Other
Track & Field															
David Nielsen		0.46	28,695									No	28,695		
Jackie Poulson		0.09	3,750									No	3,750		
Cross Country															
Brian Janssen		0.50	24,336									No	24,336		
Women's Sports															
Basketball															
Seton Sobolewski		0.95	87,754		5,000			2,070		Yes		Yes	87,754	7,070	
Anthony Giannotti		1.00	40,456							Yes		No	40,456		
Laura Dinkins		1.00	30,014									No	30,014		
Nkem Nkele		0.98	23,215									No	23,215		
Volleyball															
Chad Teichert		0.91	51,320	5,000	2,000					Yes		Yes	51,320	2,000	5,000
David Hyte	(A)	0.16	6,020									No	6,020		
Alison Gorny	(B)	0.88	31,874									No	31,874		
Tennis															
Robert Goeltz		0.43	19,790									No	19,790		
Mark Rodel		0.35	8,051									No	8,051		
Track & Field															
David Neilsen		0.46	28,695									No	28,695		
Jackie Poulson		0.09	3,750									No	3,750		
Golf															
Kelly Hooper		0.50	20,160									No	20,160		
Cross Country															
Brian Janssen		0.50	24,336									No	24,336		
Soccer															
Allison Gibson		1.00	60,278	3,800						Yes		Yes	60,278		3,800
Stephanie Beall		1.00	26,546	3,800								No	26,546		3,800
Softball															
Julia Wright		1.00	48,422	965			1,862			Yes		Yes	48,422	1,862	965
Jessica Rogers		1.00	24,627	1,495								No	24,627		1,495

(A) = indicates previous coach / employee

(B) = indicates current coach / employee

(*) These coaches receive pay for their participation in off-campus clinics or events.
These earnings are not reflected in the Regular Salary payroll costs for Idaho State University.

If a coach has an agreement with an apparel company, cash payments (payroll) should be reported as compensation. Report the value of of clothes and equipment that you know coaches receive in the Perks--Other column. Payments from the foundation should be reported in the other column. Indicate "Yes" or "No" if department employees have an assigned car. If there has been turnover in a position, the FTE should reflect the percent of time employed.

Intercollegiate Athletics Compensation Report

Idaho State University

FY 2014 Estimated Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonus			Perks			Multi-Yr Contract	Funding		All Other	Base Salary Annualized Change	Comments	
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other		State Approp.	Program Revenue				
Athletic Administration:																		
Jeff Tingey		1.00	105,685							Yes		Yes	105,685				3% Merit	
Nancy Graziano		1.00	70,949									No	70,949				3% Merit	
Jim Kramer		1.00	68,994									No	68,994				2% Merit	
Matthew Steuart		1.00	44,075									No		44,075			4% Merit	
Steve Schaack		1.00	51,314									No	51,314				3% Merit	
Jerek Wolcott		0.95	32,915									No	32,915				New	
Jodi Wotowey		1.00	46,821	150								No	46,821		150		4% Merit	
Daryl Finch		1.00	35,547									No	35,547				1% Merit	
Brandon Payne		1.00	36,254									No	36,254				3% Merit	
Rachel Geoghegan		1.00	36,005									No	36,005				0%	
Mark Campbell		1.00	43,534									No	43,534				2% Merit	
Kalee Kopp		1.00	36,962									No		36,962			3% Merit	
Thomas Steiner		0.87	38,934									No		38,934			New	
Tyson Munns		1.00	36,254									No	36,254				3% Merit	
Bengal Foundation																		
Donna Hayes		1.00	47,070									No		47,070			2% Merit	
Men's Sports																		
Football																		
Mike Kramer		0.91	126,553					8,500		Yes		Yes	126,553	8,500			0%	
Stanley Franks		1.00	32,011									No	32,011				0%	
Spencer Toone		1.00	47,507									No	47,507				19% Change in duties	
Donald Bailey		1.00	76,419							Yes		No	76,419				2% Merit	
Roger Cooper		1.00	48,464									No	48,464				32% Change in duties	
Thomas Steiner	(A)	0.13	4,785									No	4,785				3% Merit	
Braeden Steiner	(B)	0.85	29,198									No	29,198				New	
Steven Fifita		1.00	38,002									No	38,002				0%	
Matthew Troxel		1.00	41,226							Yes		No	41,226				19% Change in duties	
Sheldon Cross		1.00	40,019									No	40,019				0%	
Michael Ferriter		1.00	32,011									No	32,011				0%	
Basketball																		
William Evans		0.91	93,504	1,700	20,000					Yes		Yes	93,504	20,000	1,700		0%	
Andrew Ward		1.00	61,214	1,700						Yes		No	61,214		1,700		2% Merit	
Jay Collins		1.00	39,357	1,700								No	39,357		1,700		12% Change in duties	
Tim Walsh		1.00	40,830	1,700								No	40,830		1,700		2% Merit	
Tennis																		
Robert Goeltz		0.50	23,918									No	23,918				3% Merit	
Mark Rodel		0.35	8,296									No	8,296				3% Merit	

(A) = indicates previous coach / employee

(B) = indicates current coach / employee

Intercollegiate Athletics Compensation Report

Idaho State University

FY 2014 Estimated Compensation

Depart/Name/Title	Athletic FTE	Base Salary	Compensation			Contract Bonus			Perks			Multi-Yr Contract	State Approp.	Funding Program Revenue	All Other	Base Salary Annualized Change	Comments
			Camps/ Clinics	Media	Equip Co & Other	Academic Perform.	Winning Perform.	Other	Club Mbership	Car	Other						
Track & Field																	
David Nielsen		Hd Coach	0.46	29,272									No	29,272			2% Merit
Hillary Merkley		Asst Track & Field Coach	0.49	13,372									No	13,372			New
Cross Country																	
Brian Janssen		Hd Coach	0.50	25,074									No	25,074			3% Merit
Women's Sports																	
Basketball																	
Seton Sobolewski		Hd Coach	0.91	87,599	450	5,000				1,770	Yes	Yes	87,599	6,770	450		4% Merit
Anthony Giannotti	(A)	Assoc Head Coach	0.04	1,734							Yes	No	1,734				0%
Timothy Dixon	(B)	Assoc Head Coach	0.98	38,515							Yes	No	38,515				New
Laura Dinkins		Asst Coach	1.00	30,326	2,500							No	30,326		2,500		1% Merit
Nkem Nkele		Asst Coach	1.00	23,920	3,000							No	23,920		3,000		1% Merit
Volleyball																	
Chad Teichert		Hd Coach	0.90	52,528	3,300	2,000			2,245		Yes	Yes	52,528	4,245	3,300		3% Merit
Alison Gorny		Asst Coach	1.00	36,296	1,650							No	36,296		1,650		0%
Tennis																	
Robert Goeltz		Hd Coach	0.50	23,918								No	23,918				3% Merit
Mark Rodel		Asst Coach	0.35	8,296								No	8,296				3% Merit
Track & Field																	
David Neilsen		Hd Coach	0.46	29,272								No	29,272				2% Merit
Hillary Merkley		Asst Track & Field Coach	0.49	13,372								No	13,372				New
Golf																	
Kelly Hooper		Hd Coach	0.50	20,160								No	20,160				0%
Cross Country																	
Brian Janssen		Hd Coach	0.50	25,074								No	25,074				3% Merit
Soccer																	
Allison Gibson		Hd Coach	1.00	62,691	8,975						Yes	Yes	62,691		8,975		4% Merit
Stephanie Beall	(A)	Asst Coach	0.62	19,277	7,500							No	19,277		7,500		17% Change in duties
Vacant	(B)	Asst Coach	0.38	11,652								No	11,652				New
Softball																	
Julia Wright		Hd Coach	1.00	49,400	1,000						Yes	Yes	49,400		1,000		2% Merit
Jessica Rogers	(A)	Asst Coach	0.08	1,961								No	1,961				0%
Jessica Moore	(B)	Asst Coach	0.83	21,610	1,200							No	21,610		1,200		New

(A) = indicates previous coach / employee

(B) = indicates current coach / employee

(*) These coaches receive pay for their participation in off-campus clinics or events.
These earnings are not reflected in the Regular Salary payroll costs for Idaho State University.

If a coach has an agreement with an apparel company, cash payments (payroll) should be reported as compensation. Report the value of of clothes and equipment that you know coaches receive in the Perks--Other column. Payments from the foundation should be reported in the other column. Indicate "Yes" or "No" if department employees have an assigned car. If there has been turnover in a position, the FTE should reflect the percent of time employed.

Intercollegiate Athletics Compensation Report

University of Idaho

FY2013 Actual Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonus			Other			Multi-Yr Contract	Funding		
		Base Salary	Camps/ Clinics	Media	Equip Co & Other^^	Academic Perform.	Winning Perform.	Other	Club Memb.	Car	Other		State Approp.	Program Revenue	All Other
Athletic Administration:															
Rob Spear	Athletic Director	1.00	172,285		15,000	1,080				yes		yes	172,285	16,080	
John Wallace	Dir. of Compl.	1.00	75,468			1,080								76,548	
Becky Paull	Dir. Med. Rel	1.00	50,942			360								51,302	
Spencer Farrin	Asst. Med Rel	0.73	27,186			135								27,321	
Nick Heidelberger	Asst. Med Rel	1.00	27,040			180								27,220	
Megan Shiflett	Asst Trainer	1.00	41,111	250		480								41,591	250
Max Bertman	Asst Trainer	0.12	4,440			40								4,480	
Toby van Amerongen	Asst Trainer	0.85	34,813			440								35,253	
Barrie Steele	Hd Trainer	1.00	72,517			480								72,997	
Tim Mooney	Assoc AD	0.50	53,520	^		960				yes+				54,480	
Tom Sanford	Acad. Coor	1.00	33,483			480								33,963	
Jake Scharnhorst	Strength Coach	1.00	50,963			300								51,263	
Joe Herold	Asst Stren	1.00	37,794			0								37,794	
Matt Kleffner	Sr. Assoc AD	0.81	80,788		2,500	810								84,098	
Matt Childers	Video Coor.	1.00	39,760			360								40,120	0
Nick Popplewell	Asst. Ath Dir/Promotions	0.15	10,082			65								10,147	
Ryan Gilmore	Dir Marketing/Promotions	0.73	32,101			293								32,394	0
Kelly Sharp	Asst Dir Marketing/Promotions	0.62	19,183			260								19,443	0
Damian Garnett	Dir. Equip Rm	1.00	49,496			480								49,976	
Anthony Castro	Asst. Equip	1.00	28,152			480								28,632	
Shelly Robson	Devl. Coor.	0.50	20,175	^		960				yes				21,135	
Emily Adams	Devl. Coor.	1.00	35,511			0								35,511	
Joe Church	Devl. Coor.	0.44	16,662	^		880				yes				17,542	
Chris Apenbrink	Ticket Mgr	0.81	29,081			400								29,481	
Nick Jutila	Ticket Mgr	0.81	29,081			400								29,481	
Kera Bardsley	Ticket Coor	0.15	7,596			80								7,676	
Men's Sports															
Football															
Robb Akey	Hd Coach	1.00	165,797	#	105,000	400							165,797	105,400	0
Paul Petrino	Hd Coach	0.50	87,506		125,417	560		10,000 *		yes+		yes	87,506	125,977	0
Al Pupunu	Assistant	1.00	63,934			960				yes			63,934	960	0
Eti Ena	Assistant	0.98	62,702	#		480							62,702	480	0
Mark Criner	Assistant	0.85	112,572	#		480							112,572	480	0
Eric Brown	Assistant	0.08	3,400			80				yes			3,400	80	
Steve Axman	Assistant	0.04	5,003			0							5,003	0	
Luther Carr	Assistant	0.04	2,615			0							2,615	0	
Jason Gesser	Assistant	0.69	73,238	#		480							73,238	480	
Wayne Moses	Assistant	0.65	32,090	#		480							32,090		
Patrick Libey	Assistant	0.88	73,221			800							73,221	800	0
Mike Levenseller	Assistant	1.00	72,779	#		480							72,779	480	0
Torey Hunter	Assistant	1.00	67,995	#		480							67,995	480	
Gordy Shaw	Assistant	0.62	52,314	#		480							52,314	480	0
Mike Anderson	Assistant	0.50	25,150			560							25,150		
Jon Carvin	Assistant	0.50	35,006			560				yes			35,006		
Byron Hardmon	Assistant	0.08	4,119			80				yes			4,119		
Kris Cinkovich	Assistant	0.42	57,121			560				yes			57,121		
Bryce Erickson	Assistant	0.50	35,006			560				yes			35,006		
Ron Lee	Assistant	0.50	63,946			560				yes			63,946		
Mike Mickens	Assistant	0.46	19,392			560				yes			19,392		
Jason Shumaker	Assistant	0.50	37,502			560				yes			37,502		
Mark Vaught	Dir. of FB Ops	1.00	46,203			960							46,203	960	0

Intercollegiate Athletics Compensation Report

University of Idaho

FY2013 Actual Compensation

Depart/Name/Title		Athletic FTE	Compensation				Contract Bonus			Other			Multi-Yr Contract	Funding		
			Base Salary	Camps/ Clinics	Media	Equip Co & Other^^	Academic Perform.	Winning Perform.	Other	Club Memb.	Car	Other		State Approp.	Program Revenue	All Other
Basketball																
Don Verlin	Hd Coach	1.00	150,980		60,000	960		10,000	8,039		yes		yes	150,980	60,960	0
Tim Murphy	Assistant	1.00	63,704		15,000	960					yes+			63,704	15,960	0
Chris Helbling	Assistant	0.96	28,860		4,500	960								28,860	5,460	0
Mike Freeman	Assistant	1.00	30,302		15,000	960					yes+			30,302	15,960	0
Kirk Earlywine	Dir Player Development	0.96	38,018		5,000											0
Men's Track & XC																
Wayne Phipps - M	Dir. Of T&F	0.50	31,603		4,000	480		3,000					yes		36,083	0
Julie Taylor - M	Assistant	0.50	25,482			480									25,962	0
Allen Simms	Assistant	0.17	5,258			160										
Jason Graham - M	Assistant	0.15	6,483			160									6,643	0
Golf																
John Means	Hd Coach	1.00	36,705			960		250							37,665	0
Tennis																
Jeff Beaman - M	Hd Coach	0.50	18,488		3,000	480							yes		21,968	0
Women's Sports																
Basketball																
Jon Newlee	Hd Coach	1.00	91,742		15,000	960					yes		yes	91,742	15,960	0
Jordan Green	Assistant	1.00	50,963	550		960					yes+			50,963	960	550
Christa Sanford	Assistant	1.00	35,686	925		960					yes+			35,686	960	925
Kristi Zeller	Assistant	1.00	25,502	550		960					yes+			25,502	960	550
Women's Track & XC																
Wayne Phipps - W	Dir. Of T&F	0.50	31,603		4,000	480	450	3,000					yes		36,083	0
Julie Taylor - W	Head	0.50	25,482			480									25,962	0
Allen Simms	Assistant	0.17	5,258			160										
Jason Graham - W	Assistant	0.15	6,483			160									6,643	0
Volleyball																
Debbie Buchanan	Hd Coach	1.00	84,634		15,000	960	5,000		4,000		yes		yes	84,634	15,960	0
Steve Whitaker	Assistant	1.00	39,594		5,000	960								39,594	5,960	0
Brian Lamppa	Assistant	1.00	34,668		5,000	960								34,668	5,960	0
Women's Soccer																
Peter Showler	Hd Coach	1.00	38,410		12,300	960		2,000			yes+		yes	38,410	13,260	0
Grant Williams	Assistant	1.00	25,336			960								25,336	960	
Women's Golf																
Lisa Johnson	Hd Coach	1.00	42,566			960	1,000	1,250							43,526	0
Tennis																
Jeff Beaman - W	Hd Coach	0.50	18,488		3,000	480							yes		21,968	0
Women's Swimming																
Mark Sowa	Hd Coach	1.00	50,963		10,000	960		1,000			yes		yes	50,963	10,960	0
Scott Cameron	Assistant	0.87	21,444		5,000	880								21,444	5,880	0

[^].50 paid by Advancement

^{^^}includes cell phone stipend

as of December 2012, no longer FT employee, but will be paid through their contract: replacements not hired or listed

yes+ = receive a car stipend between \$200-\$400/month rather than a car; this amount not included in base salary

* signing bonus

Intercollegiate Athletics Compensation Report

University of Idaho

FY2014 Estimated Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonus			Other			Multi-Yr Contract	State Approp.	Funding		Base Salary Annualized Change	Comments	
		Base Salary	Camps/ Clinics	Media	Equip Co & Other^	Academic Perform	Winning Perform.	Other	Club Memb.	Car	Other			Program Revenue	All Other			
Athletic Administration:																		
Rob Spear	Athletic Director	1.00	174,886		15,000	1,080				yes		yes	174,886	16,080		2%		
John Wallace	Assoc. AD/Internal Ops	1.00	75,524			1,080								76,604		0%		
Becky Paull	Dir. Med. Rel	1.00	50,980			360								51,340		0%		
Seth Pringle	Asst. Med Rel	1.00	23,869			165								24,034		New		
Nick Heidelberg	Asst. Med Rel	0.86	32,890			180								33,070		41%		
Megan Shiflett	Asst Trainer	1.00	41,142	882		480								41,622		0%		
Toby Van Amerongen	Asst Trainer	1.00	41,142			480								41,622		0%		
Barrie Steele	Hd Trainer	1.00	72,571	650		480								73,051		0%		
Tim Mooney	Assoc AD/External Ops	0.50	52,512	^		960				yes				53,472		-2%		
Susan Steele	Dir. Academics	0.81	37,002			480								37,482		New		
Jessica Atkins	Dir. Of Compliance/SWA	1.00	67,496			480								67,976		New		
Jake Scharnhorst	Strength Coach	1.00	51,001			300								51,301		0%		
Joe Herold	Asst Stren	1.00	37,793			0								37,793		0%		
Matt Childers	Video Coord.	0.61	24,486			219								24,705		1%		
Ryan Gilmore	Dir. Mark & Promotions	1.00	45,115			390								45,505		3%		
Kelly Sharp	Asst. Marketing	1.00	32,177			390								32,567		4%		
Damian Garnett	Dir. Equip Rm	1.00	49,530			480								50,010		0%		
Anthony Castro	Asst. Equip	1.00	31,829			480								32,309		13%		
Shelly Robson	Devl. Coord.	0.50	20,191	^		960				yes				21,151		0%		
Emily Adams	Devl. Coord.	1.00	43,475			480								43,955		22%		
Ryan Gerulf	Devl. Coord.	0.50	18,896	^		960								19,856		New		
Joe Church	Devl. Coord.	0.29	19,000	^		960				yes				19,960		74%		
Chris Apenbrink	Ticket Mgr-Sales	1.00	36,004			480								36,484		0%		
Nick Jutila	Ticket Mgr-Marketing	1.00	36,004			480								36,484		0%		
Men's Sports																		
Football																		
Robb Akey	Hd Coach	1.00	165,797	0									165,797	0	0	0%		
Paul Petrino	Hd Coach	1.00	179,816	1,500	215,000	960				yes		yes				3%		
Ronnie Lee	Assistant	1.00	126,450	1,150		960				yes			126,450	960	1,150	New		
Kris Cinkovich	Assistant	1.00	135,012	1,150		960				yes			135,012	960	1,150	0%		
Jonathan Carvin	Assistant	1.00	70,012	1,150		960				yes			70,012	960	1,150	New		
Bryce Erickson	Assistant	1.00	70,012	1,150		960				yes			70,012	960	1,150	0%		
Alfred Pupunu	Assistant	1.00	63,932	1,150		960				yes			63,932	960	1,150	New		
Byron Hardmon	Assistant	1.00	63,248	1,150		960				yes			63,248	960	1,150	23%		
Jason Shumaker	Assistant	1.00	75,004	1,150		960				yes			75,004	960	1,150	0%		
Brown, Eric	Assistant	1.00	52,000	1,150		960				yes			52,000	960	1,150	New		
Mike Mickens	Assistant	1.00	53,014	1,800		960							53,014	960	1,800	26%		
Mark Vaught	Dir. of FB Ops	1.00	46,203	1,800		960							46,203	960	1,800	0%		
Basketball																		
Don Verlin	Hd Coach	1.00	156,832		60,000	960		6,453		yes		yes	156,832	60,960	0	4%		
Tim Murphy	Assistant	1.02	63,752		15,000	960				yes			63,752	15,960	0	-2%		
Kirk Earlywine	Assistant	1.00	40,019		10,000	960							40,019	10,960	0	1%		
Chris Helbling	Assistant	1.00	30,014		14,500	960							30,014	15,460		0%		
Mike Freeman	Assistant	0.08	4,489			78				yes			4,489	78	0	85%		

Intercollegiate Athletics Compensation Report

University of Idaho

FY2014 Estimated Compensation

Depart/Name/Title	Athletic FTE	Compensation				Contract Bonus			Other			Multi-Yr Contract	Funding			Base Salary Annualized Change	Comments
		Base Salary	Camps/ Clinics	Media	Equip Co & Other^^	Academic Perform	Winning Perform.	Other	Club Memb.	Car	Other		State Approp.	Program Revenue	All Other		
Men's Track & XC																	
Wayne Phipps - M	Dir of Track & Field	0.50	31,626		4,000	480	2,000					yes		36,106	0	0%	
Julie Taylor - M	Hd Coach	0.50	25,500			480								25,980	0	0%	
Allen Simms	Assistant	0.27	4,391			130								4,521	0	-47%	
Golf																	
John Means	Hd Coach	1.00	36,732			960								37,692	0	0%	
Tennis																	
Jeff Beaman - M	Hd Coach	0.50	18,502		6,500	480	1,250					yes		25,482	0	0%	
Women's Sports																	
Basketball																	
Jon Newlee	Hd Coach	1.00	92,811		15,000	960	13,139			yes		yes	92,811	15,960	0	1%	
Jordan Green	Assistant	1.00	51,001			960				yes			51,001	960	0	0%	
Christa Sanford	Assistant	1.00	35,713		5,000	960	300			yes			35,713	5,960	0	0%	
Kristi Zeller	Assistant	1.00	25,521			960				yes			25,521	960	0	0%	
Women's Track & XC																	
Wayne Phipps - W	Dir of Track & Field	0.50	31,626		4,000	480	450							36,106	0	0%	
Julie Taylor - W	Hd Coach	0.50	25,500			480								25,980	0	0%	
Allen Simms	Assistant	0.27	4,391			130								4,521	0	-47%	
Volleyball																	
Debbie Buchanan	Hd Coach	1.00	84,698		15,000	960				yes		yes	84,698	15,960	0	0%	
Steve Whitaker	Assistant	1.00	39,624		5,000	960							39,624	5,960	0	0%	
Brian Lamppa	Assistant	1.00	34,695		5,000	960							34,695	5,960	0	0%	
Women's Soccer																	
Peter Showler	Hd Coach	0.58	22,176		6,150	960				yes		yes	22,176	7,110	0	0%	
Ashley O'Brien	Assistant	1.00	25,355			960							25,355	960	0	New	
Women's Golf																	
Lisa Johnson	Hd Coach	1.00	42,016			1,000	1,000							43,016	0	-1%	
Tennis																	
Jeff Beaman - W	Hd Coach	0.50	18,138		6,500	500						yes		25,138	0	-2%	
Women's Swimming																	
Mark Sowa	Hd Coach	1.00	51,001		10,000	960	1,000			yes		yes	51,001	10,960	0	0%	
Scott Cameron	Assistant	1.00	25,001		5,000	960							25,001	5,960	0	1%	

^.50 paid by Advancement

Salaries do not reflect any annual leave payouts.

>Includes overtime pay

< does not include any annual leave payoff

+ put on terminal leave during the year; paid our full contract

^^cell phone stipend

Intercollegiate Athletics Compensation Report

Lewis-Clark State College

FY2013 Actual Compensation

Depart/Name/Title	FTE	Compensation				Contract Bonus			Other		Multi-Yr Contract	All Compensation		
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Grad Rate	Winning Perform.	Other	Club Memb.	Car		State Approp.	Program Revenue	All Other
Athletic Administration														
Gary Picone	Director, Athletics	1.00	71,343						No	Yes	No	63,495		7,848
Brooke Cushman	Asst. Director	1.00	56,625						No	Yes	No	22,084		34,541
Tracy Collins	Trainer	1.00	38,350						No	No	No	38,350		
Paul Thompson	Athl. Advancement	0.31	10,713						No	No	No	10,713		
Brian Adamowsky (New)	Athletic Operations Manager	1.00	27,075						No	No	No	27,075		
Katie Savage (Old)	Athletic Operations Manager	1.00	3,890						No	No	No	3,890		
Paula Hasfurther	Admin. Asst. 1	1.00	31,782						No	No	No	10,806		20,976
Men's Sports														
Basketball														
Brandon Rinta	Head Coach	1.00	46,582	12,000					No	Yes	No	46,582	12,000	
Austin Johnson	Asst. Coach	0.16	5,000	1,000					No	No	No		6,000	
Baseball														
Jeremiah Robbins	Head Coach	1.00	60,000						No	No	No	60,000		
Gus Knickrehm	Asst. Coach	1.00	38,570						No	No	No	38,570		
Allen Balmer	Asst. Coach	0.75	25,880	2,052					No	No	No	25,880	2,052	
Justin Fuller	Asst. Coach	0.43	15,000	4,055					No	No	No		19,055	
Cross-Country														
Mike Collins	Head Coach	0.09	8,186						No	No	No	6,978	1,208	
Tennis														
Kai Fong	Head Coach	0.50	25,000						No	No	No	7,000		18,000
Golf														
Paul Thompson	Head Coach	0.23	7,958						No	No	No	7,958		
Clifford Carrick	Asst. Coach	0.09	3,000						No	No	No		3,000	

Intercollegiate Athletics Compensation Report

Lewis-Clark State College

FY2013 Actual Compensation

Page 2

Depart/Name/Title	FTE	Compensation				Contract Bonus			Perks		Multi-Yr Contract	All Compensation		
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Grad Rate	Winning Perform.	Other	Club Mbership	Car		State Approp.	Program Revenue	All Other
Women's Sports														
Basketball														
Brian Orr		Head Coach	1.00	50,000	8,600				No	Yes	No	50,000	8,600	
Kyle Palmer		Asst. Coach	0.29	10,000	500				No	No	No		10,500	
Cross-Country														
Mike Collins		Head Coach	0.09	8,186					No	No	No	6,978	1,208	
Track														
Mike Collins		Head Coach	0.13	11,538					No	No	No	10,327	1,211	
Volleyball														
Latoya Harris		Head Coach	1.00	44,545	800				No	Yes	No	44,545	800	
Theoddeus Millan		Asst. Coach	0.14	5,000	800				No	No	No		5,800	
Tennis														
Kai Fong		Head Coach	0.50	25,000					No	No	No	7,000		18,000
Golf														
Paul Thompson		Head Coach	0.36	11,937					No	No	No	11,937		
Clifford Carrick		Asst. Coach	0.09	3,000					No	No	No		3,000	

Intercollegiate Athletics Compensation Report

Lewis-Clark State College

FY2014 Estimated Compensation

Depart/Name/Title	FTE	Compensation				Contract Bonus			Other		All Compensation			Base Salary	Comments
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Grad Rate	Winning Perform.	Other	Club Memb.	Multi-Yr Car	Contract	State Approp.	Program Revenue	All Other	
Athletic Administration															
Gary Picone		Director, Athletics	1.00	71,343					No	Yes	No	63,495		7,848	0%
Brooke Cushman		Assoc. Director	1.00	56,625					No	Yes	No	22,084		34,541	0%
Tracy Collins		Trainer	1.00	38,350					No	No	No	38,350			0%
Paul Thompson		Athl. Advancement	0.31	10,713					No	No	No	10,713			0%
Brian Adamowsky		Athletic Operations Manager	1.00	34,507					No	No	No	34,507			New
Paula Hasfurther		Admin. Asst. 1	1.00	31,782					No	No	No	10,806		20,976	0%
Men's Sports															
Basketball															
Brandon Rinta		Head Coach	1.00	46,582	14,000				No	Yes	No	46,582	14,000		0%
Austin Johnson		Asst. Coach	0.16	5,000	1,300				No	No	No		6,300		0%
Baseball															
Jeremiah Robbins		Head Coach	1.00	60,000					No	Yes	No	60,000			0%
Colby Hawk		Asst. Coach	1.00	35,000	2,000				No	No	No	35,000	2,000		New
Allen Balmer		Asst. Coach	1.00	44,000	3,300				No	No	No	44,000	3,300		28% FTE increase
Cross-Country															
Mike Collins		Head Coach	0.33	15,840					No	No	No	15,840			-47% Change in duties
Tennis															
Kai Fong		Head Coach	0.50	25,000					No	No	No	7,000		18,000	0%
Golf															
Paul Thompson		Head Coach	0.23	7,958					No	No	No	7,958			0%
Clifford Carrick		Asst. Coach	0.09	3,000					No	No	No		3,000		0%

Intercollegiate Athletics Compensation Report

Lewis-Clark State College

FY2014 Estimated Compensation

Page 2

Depart/Name/Title	FTE	Compensation				Contract Bonus			Perks		Multi-Yr Contract	All Compensation			Base Salary Annualized Change
		Base Salary	Camps/ Clinics	Media	Equip Co & Other	Grad Rate	Winning Perform.	Other	Club Mbership	Car		State Approp.	Program Revenue	All Other	
Women's Sports															
Basketball															
Brian Orr		Head Coach	1.00	50,000	10,800				No	Yes	No	50,000	10,800		0%
Kyle Palmer		Asst. Coach	0.29	10,000	1,000				No	No	No		11,000		0%
Cross-Country															
Mike Collins		Head Coach	0.33	15,840					No	No	No	15,840			-47% Change in duties
Track															
Mike Collins		Head Coach	0.34	16,320					No	No	No	16,320			-47% Change in duties
Volleyball															
LaToya Harris		Head Coach	1.00	44,545					No	Yes	No	44,545			0%
Theoddeus Millan (Old)		Asst. Coach	0.18	3,500	875				No	No	No		4,375		Resigned
Tennis															
Kai Fong		Head Coach	0.50	25,000					No	No	No	7,000		18,000	0%
Golf															
Paul Thompson		Head Coach	0.31	11,937					No	No	No	11,937			0%
Clifford Carrick		Asst. Coach	0.09	3,000					No	No	No		3,000		0%

LEWIS-CLARK STATE COLLEGE

SUBJECT

Dependent fee proposal

REFERENCE

March 2013

Board approved amendment to policy V.R.3, allowing institutions to determine employee/spouse and dependent fees, subject to Board approval

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies and Procedures, Section V.R.3.a.vi.

BACKGROUND/DISCUSSION

Idaho State Board of Education policy on dependent fees states: *"The fee for eligible participants shall be set by each institution, subject to Board approval. Eligibility shall be determined by each institution. Employees, spouses and dependents at institutions and agencies under the jurisdiction of the Board may be eligible for this fee....Special course fees may also be charged."* After reviewing programs at other institutions (including Boise State University and the University of Idaho), a team of Lewis-Clark State College (LCSC) faculty, classified staff, and professional (exempt) staff representatives developed the program outlined below, which has subsequently been reviewed and recommended for Board approval by LCSC's President.

- The dependent educational tuition and fee reduction benefit would provide a 50% reduction in resident and non-resident student tuition and fees for dependents of eligible employees enrolled either part-time or full-time in LCSC undergraduate academic credit courses. No other fees are waived by this benefit. Any applicable course, lab, and other fees will apply. The benefit would not apply to non-credit courses, summer session courses, continuing education courses, or courses delivered by institutions other than LCSC. Overload credits are not eligible for the reduced fee rate.
- A cumulative GPA of 2.0 or above must be maintained in order for the dependent to be eligible for the waiver in subsequent semesters.
- The dependent fee reduction benefit is restricted to the dependents of permanent College employees, on regular appointments, who work at least 20 hours per week (including those on official leave) and who have completed at least six months of benefit-eligible service with the College.
- Only one dependent fee waiver for one child will be allowed per semester per family. If both parents work for the College, only one child will be permitted to

BUSINESS AFFAIRS & HUMAN RESOURCES
FEBRUARY 27, 2014

use the dependent fee waiver. An employee may use reduced fee benefits themselves and for their spouse (as described in the employee/spouse fee policy) or for one eligible child dependent for the dependent fee benefit as described herein.

- An eligible dependent:
 - is defined as an unmarried child through age 25 as of the first day of the semester. A child is defined as a son, daughter, stepchild, adopted child, or foster child.
 - must be an admitted student who has met all normal academic requirements for the course(s) taken.
 - may use the tuition and fee reduction for a maximum of eight semesters (applies to both full- and part-time students).
 - of an employee whose employment terminates due to death or permanent disability shall continue to be eligible for this program until the dependent meets one of the below conditions, whichever comes first:
 - Completes a degree.
 - Reaches the maximum number of eight semesters.

LCSC intends that the proposed dependent fee benefit will be a qualified Educational Assistance Program under Internal Revenue Code Section 127 in which *“an educational organization can exclude the value of a qualified tuition reduction it provides to an employee from the employee’s wages if it is for the education of one of the following individuals:*

- 1. A current employee.*
- 2. A former employee who retired or left on disability.*
- 3. A widow or widower of an individual who died while an employee.*
- 4. A widow or widower of a former employee who retired or left on disability.*
- 5. A dependent child or spouse of any individual listed in 1-4 above.”*

LCSC staff members sincerely appreciate the Board’s policy revision which makes dependent fee reductions possible, and the College is eager to adopt an approach which has been successful at other institutions.

IMPACT

Implementation of a dependent tuition benefit at LCSC should have a positive impact on employee recruitment, retention, and morale—and is expected to increase student enrollment. LCSC has adequate capacity to absorb a modest increase in enrolled students as a result of this program. Foregone revenue from this discount would not have a deleterious impact on the College’s ability to deliver courses and support infrastructure costs.

ATTACHMENTS

Attachment 1 – Dependent Fee Comparisons

Page 5

BUSINESS AFFAIRS & HUMAN RESOURCES
FEBRUARY 27, 2014

STAFF COMMENTS AND RECOMMENDATIONS

The Board has previously approved a dependent fee program for the three universities. This is a request by LCSC to avail its employees of the benefit. Each institution defines the benefit differently as permitted in Board policy. See Attachment 1 for a comparison of the key program eligibility criteria and benefits for each institution.

Staff recommends approval.

BOARD ACTION

I move to approve the dependent fee program proposed by Lewis-Clark State College, as outlined above.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

THIS PAGE INTENTIONALLY LEFT BLANK

	BSU	ISU	UI	LCSC
<u>Eligibility</u>				
Employee status	dependent of benefit-eligible employee working at least 20 hrs per week with at least 5 mths of service	dependent of benefit-eligible employee at 0.5 FTE or greater	dependent of employee working at least half-time	dependent of permanent employee working at least 20 hrs per week with at least 6 mths of benefit-eligible service
Impact on Employee/ Spouse fee	dependent fee cannot be claimed concurrently with an employee or spouse fee during the same semester	employees enrolling a maximum of one dependent will continue to be eligible for both the employee and spouse fee	employees enrolling a maximum of one dependent will continue to be eligible for both the employee and spouse fee	employees enrolling a maximum of one dependent will continue to be eligible for the employee or spouse fee
Applies to part-time and full-time students	Yes	Yes	Yes	Yes
Degree level	undergraduate and graduate	undergraduate	undergraduate and graduate*	undergraduate academic**
<u>Benefits</u>				
Cost	\$25 registration fee and 35% of tuition & fees	50% of tuition & fees	50% of tuition & fees	50% of tuition & fees (resident or non-resident)
Fees	excludes course, professional and other certain fees	excludes course, lab and professional fees	excludes course, professional and other certain fees	excludes course, lab, overload and other fees
Limit		140 credit hrs or 10 semesters	maximum of eight semesters	maximum of eight semesters

* Excluding courses offered through College of Law, WWAMI, EMBA, and other identified programs

** Excluding non-credit courses, summer session courses, continuing ed courses and courses delivered by institutions other than LCSC

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

UNIVERSITY OF IDAHO

SUBJECT

Capital Project Authorization Request, Tenant Improvements for the Idaho Law and Justice Learning Center, Planning and Design Phase

REFERENCE

August 21, 2008	The Board authorized the University of Idaho to expand its offerings in Boise to a full third year curriculum to include a legislative appropriation in the FY 2010 budget for the expansion.
August 16, 2012	The Board gave preliminary approval for a FY 2014 Line Item request for a new appropriation of \$400,000 to help support the cost of delivering the second year law curriculum in Boise subject to programmatic review at the October 2012 meeting. The Board reviewed the University of Idaho's
October 18, 2012	The Board authorized the University of Idaho to offer a second-year law curriculum in Boise.
August 15, 2013	The Board approved a FY 2015 Line Item request for a new appropriation of \$400,000 to help support the cost of delivering the second year law curriculum in Boise.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Sections V.K.1 and V.K.3.a.

BACKGROUND/ DISCUSSION

This is a request for Regents' Authorization to implement the planning and design phase for tenant improvements as part of an overall project in Boise commonly known as the Idaho Law and Justice Learning Center. If authorized, the University of Idaho (UI) will proceed through the design phase, and then seek further Regents' authorization of the project budget and subsequent construction of the tenant improvements.

Since the fall of 2010, the College of Law ("College") has operated its third-year program in Boise in the Idaho Water Center building, a modern educational facility that houses University of Idaho graduate programs in law, education, agriculture, and engineering as well as entities engaged in research on water and public lands.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

In 2011, the Idaho Supreme Court and the University entered into an MOU under which the Supreme Court co-located the Idaho State Law Library with the University's law program in Boise. Pursuant to this arrangement, the State Law Library is also currently located at the Idaho Water Center Building.

Facility planners for the state have always anticipated the Department of Administration would renovate the existing old Ada County Courthouse in Boise, and that the renovated facility (to be called the "Idaho Law and Justice Learning Center" (ILJLC)) would house (a) the educational and outreach programs of the College and the State Judiciary, and (b) the State Law Library as managed and operated by the College.

The State has funded several phases of renovation and restoration of the old Courthouse (\$5M to date), with the final \$1M phase of work expected to be funded in FY15. The state Division of Public Works (DPW) has completed several phases of the renovation, with another phase of construction getting underway in the near future. DPW is slated to soon begin design work for the final phase of work.

In the meantime, the College has raised over \$1.5 million in private funds for tenant improvements to be implemented in addition to the state funding. DPW intends to implement the UI-funded tenant improvements as part of DPW's final phase of building renovations in FY15. Authorization for this UI-funded element of the work is required before DPW initiates the final phase of design.

The College plans to move to the ILJLC upon completion of the renovation and tenant improvements, targeted for fall 2015. Until these improvements are made, the College will continue to operate out of the Idaho Water Center.

IMPACT

In this phase of planning and design, the fiscal impact is estimated at \$150K, allowing for more precise development of building and financial plans through the course of design.

<u>Funding</u>		<u>Estimate Budget</u>	
State	\$ 0	Construction	\$ 0
Federal (Grant):	\$ 0	A/E & Consultant Fees	\$ 143,000
Other (Gifts)	\$ 150,000	Contingency	\$ 7,000
Total	\$ 150,000	Total	\$ 150,000

The total fiscal impact of this project, if later approved for construction, is estimated at \$1.6M. The project funding for the tenant improvements is provided through private donations.

ATTACHMENTS

Attachment 1 – Capital Project Tracking Sheet

Page 5

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

STAFF COMMENTS AND RECOMMENDATIONS

This project contemplates the College paying for all tenant improvements to the space it will occupy. Upon completion, the College will lease the old Courthouse space from the state at the standard rate for office space on the Capitol Mall (currently \$10.74 /sf). Board policy provides that space must be owner-occupied in order to be eligible to request funding for occupancy costs.

Staff recommends approval.

BOARD ACTION

I move to approve the request by the University of Idaho to implement the design and planning phase for the tenant improvements at the Idaho Law and Justice Learning Center pursuant to the estimated budget set forth in the materials as submitted at a cost not to exceed \$150,000.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

THIS PAGE INTENTIONALLY LEFT BLANK

Office of the Idaho State Board of Education
Capital Project Tracking Sheet
As of Nov 2013

History Narrative

- 1 Institution/Agency:** University of Idaho **Project:** Planning and Design Phase Authorization, Tenant Improvements at the Idaho Law Learning Center, Boise
- 2 Project Description:** Planning and Design Phase for a project to implement tenant improvements in the old Ada County Courthouse for the Idaho Law Learning Center. The project will include necessary interior mechanical, electrical, and plumbing systems and all interior finishes to support program operations.
- 3 Project Use:** The Idaho Law Learning Center will house (a) the educational and outreach programs of the College of Law and the State Judiciary, and (b) the State Law Library as managed and operated by the College of Law.
- 4 Project Size:** roughly 30,000 GSF

	Sources of Funds				Use of Funds			
	PBF	ISBA	Other	Total Sources	Planning	Use of Funds Const	Other**	Total Uses
Initial Cost of Project. Planning and Design Phase Only	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ 143,000	\$ -	\$ 7,000	\$ 150,000
History of Revisions:								
Total Project Costs	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ 143,000	\$ -	\$ 7,000	\$ 150,000

History of Funding:	* Other Sources of Funds						
	PBF	ISBA	Institutional Funds (Gifts/Grants)	Student Revenue	Other*	Total Other	Total Funding
Initial Authorization Request, Planning and Design Phase Only, Dec 2013	\$ -				\$ 150,000	\$ 150,000	\$ 150,000
						-	-
Total	\$ -	\$ -	\$ -	\$ -	\$ 150,000	\$ 150,000	\$ 150,000

* Donated gift funds

** Design Contingency

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2013

UNIVERSITY OF IDAHO

SUBJECT

Capital Project Planning and Design Additional Expenditures, Executive Residence, Moscow Campus

REFERENCE

June 20, 2013	Information Item: Discussion of executive residence
August 15, 2013	Approval by the Regents for design and planning expenditures up to \$75,000 for modernization, including potential replacement, of the executive residence. Approval of a resolution authorizing the university to reimburse planning and design expenditures from future bond proceeds.
October 17, 2013	Information Item: University progress report.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Sections V.K.1 and V.K.3.a.

BACKGROUND/ DISCUSSION

This is a request for Regents approval to increase the authorized amount for the planning and design phase related to replacing the existing Executive Residence located on the main campus of the University of Idaho (UI). The Board initially approved expenditure of up to \$75,000. UI now seeks approval to expend up to an additional \$137,000, for a total of \$212,000. The additional expenditure is necessary to ensure the most cost effective design prior to the University seeking final approval from the Board for the construction phase of the project.

UI is working with the University of Idaho Foundation on a plan under which the construction costs for the new private residence itself (anticipated to be \$980,000) will be funded entirely with private funds. See Attachment 1 for Concept drawings for the structure.

The University will bear the “soft” costs of planning, permitting, site preparation (including demolition of the old residence) and landscaping (anticipated to be \$500,000 to \$600,000). The University’s commitment is roughly equal to what the initial review committee estimated would be the cost of renovating the existing structure.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2013

IMPACT

The University requests authority to expend up to an additional \$137,000, for a total of \$212,000, to complete planning and design. The project funding is expected through a combination of private donors for the private residence portion and central university reserves for the remainder. The University anticipates replacing any central reserves through future bonding, combining this with bonds for future anticipated campus construction projects.

ATTACHMENTS

Attachment 1 – Concept Drawings

Page 3

Attachment 2 – Capital Project Tracking Sheet

Page 9

STAFF COMMENTS AND RECOMMENDATIONS

Staff recommends approval.

BOARD ACTION

I move to approve the request by the University of Idaho for authority to expend up to an additional \$137,000, for a total of \$212,000, for design and planning for the modernization, including potential replacement, of the executive residence. Approval includes the authority to execute all requisite consulting, design, and vendor contracts necessary to fully implement the planning and design phase of the project.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

University of Idaho Executive Residence
Moscow, Idaho



MAIL 2785 N. BOGUS
BASIN RD.
BOISE, IDAHO
83702
PHONE 208.343.7523
FAX 208.343.0940
WWW HUMMELARCH.COM

DATE 12/10/2013
REVISIONS



South Elevation
Scale: 1/8" = 1'-0"



East Elevation
Scale: 1/8" = 1'-0"



North Elevation
Scale: 1/8" = 1'-0"



West Elevation
Scale: 1/8" = 1'-0"



Schematic Site Plan



MAIL 2785 N. BOGUS
BASIN RD.
BOISE, IDAHO
83702
PHONE 208.343.7523
FAX 208.343.0940
WWW HUMMELARCH.COM

DATE 12/04/2013
REVISIONS

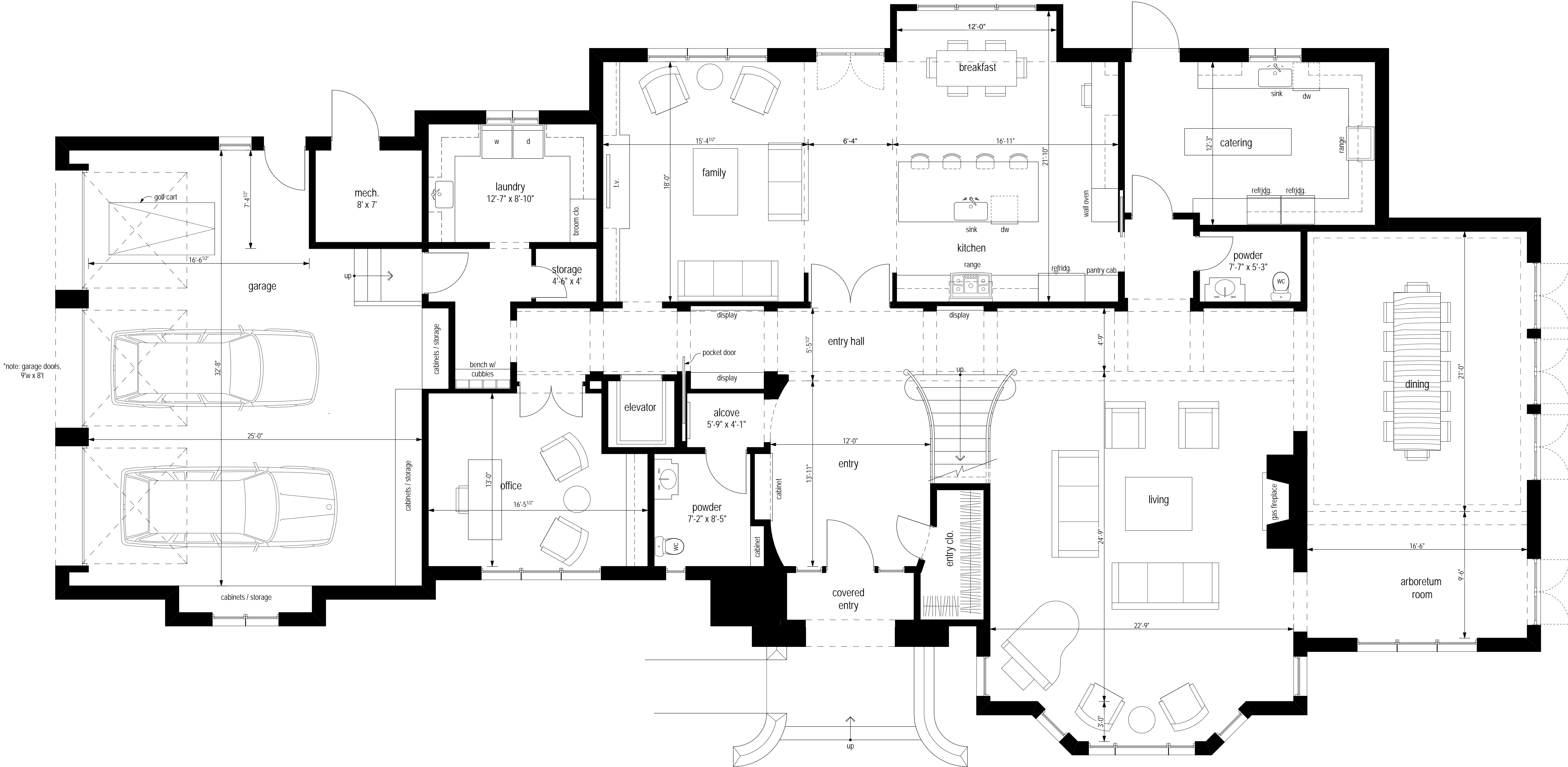


MAIL 2785 N. BOGUS
BASIN RD.
BOISE, IDAHO
83702
PHONE 208.343.7523
FAX 208.343.0940
WWW HUMMELARCH.COM

DATE 12/04/2013
REVISIONS



First Floor Plan



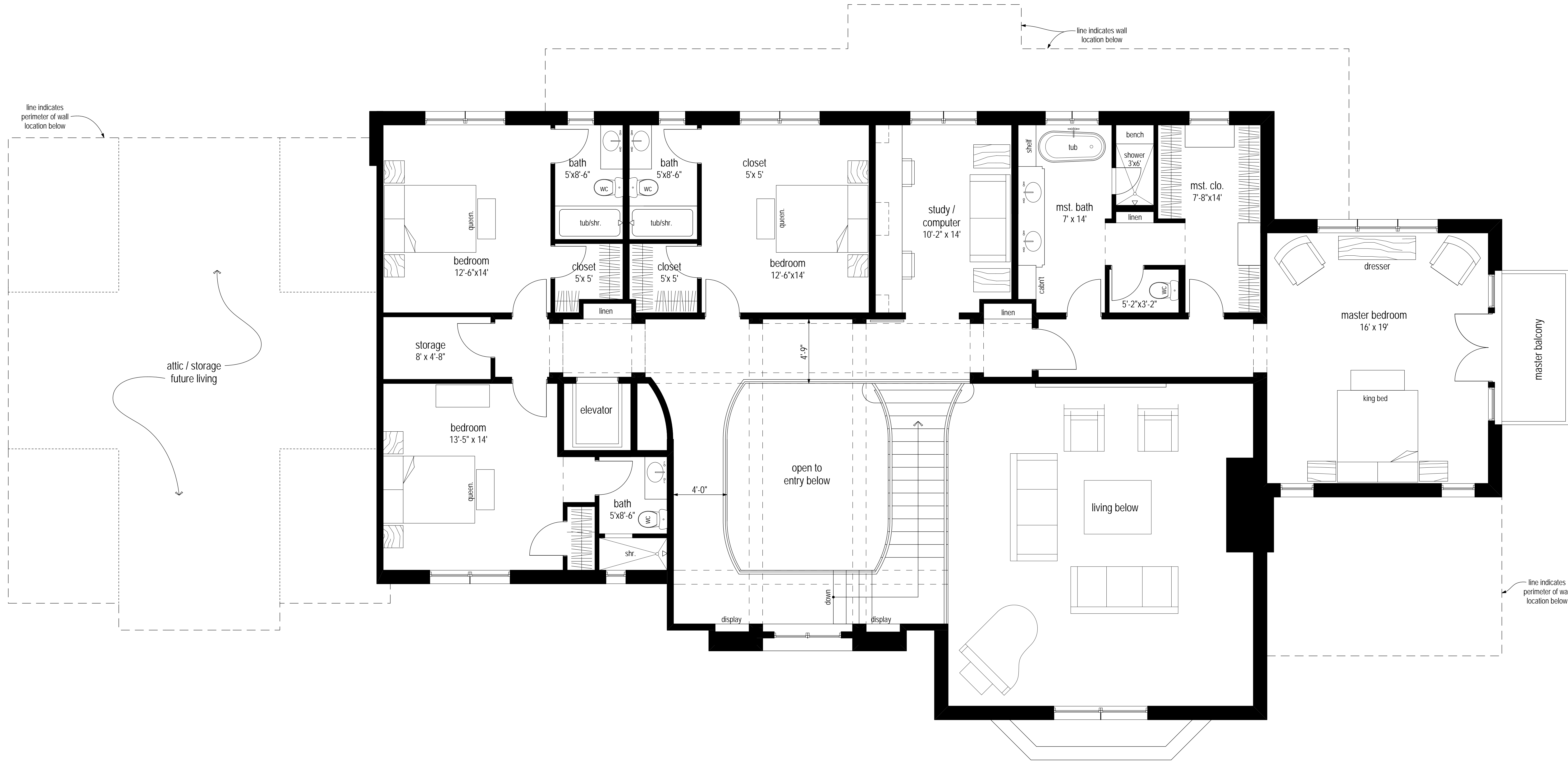
Area Takeoff

First Floor: 3,457 sq.ft.
Second Floor: 2,004 sq. ft.
Total Living: 5,461 sq.ft.

Garage/ Mech.: 906 sq. ft.

Grand Total 6,367 sq.ft.

*All Square Footages are Gross not Net



Second Floor Plan



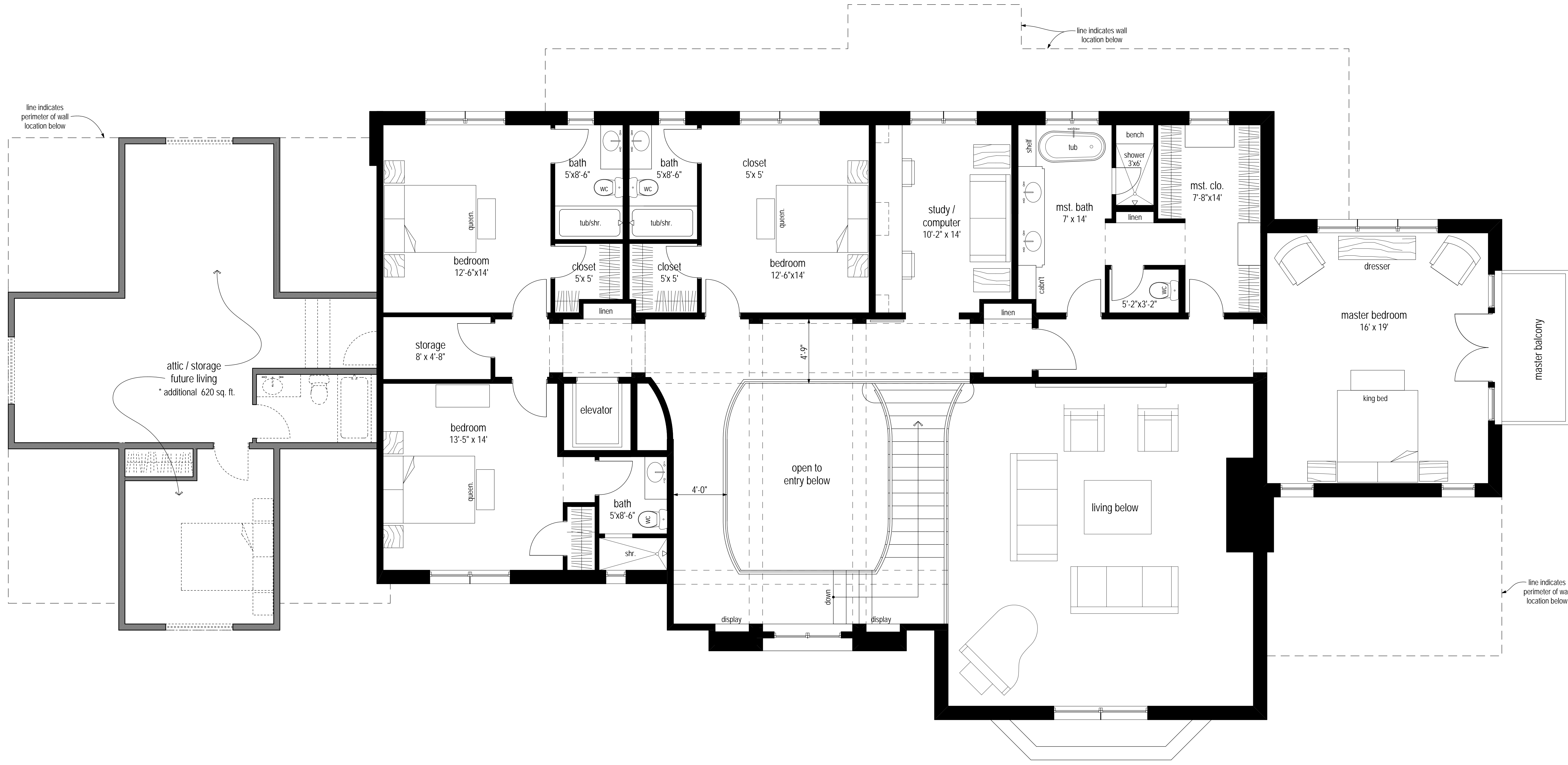
MAIL 2785 N. BOGUS
BASIN RD.
BOISE, IDAHO
83702
PHONE 208.343.7523
FAX 208.343.0940
WWW HUMMELARCH.COM

DATE 12/04/2013
REVISIONS



MAIL 2785 N. BOGUS
BASIN RD.
BOISE, IDAHO
83702
PHONE 208.343.7523
FAX 208.343.0940
WWW HUMMELARCH.COM

DATE 12/04/2013
REVISIONS



Second Floor Plan (Future Expansion over Garage)

Scale: 1/4" = 1'-0"



THIS PAGE INTENTIONALLY LEFT BLANK

Office of the Idaho State Board of Education
Capital Project Tracking Sheet
As of Jan 2014

History Narrative

- 1 Institution/Agency:** University of Idaho **Project:** Planning and Design Phase Authorization, Replace Executive Residence, University of Idaho, Moscow, Idaho.
- 2 Project Description:** Planning and Design Phase for a project to replace the executive residence on the main campus of the University of Idaho, Moscow, Idaho. The project will include the demolition of the existing structure, site prep and improvements, construction of the new residence, including public event space. Also included are the furnishings and equipment for the public event venue portion of the facility.
- 3 Project Use:** The proposed project will serve as the private residence for the President, as well as an event venue for a variety of activities hosted on the property.
- 4 Project Size:** 5,000 - 7,000 GSF

	Sources of Funds				Use of Funds			
	PBF	ISBA	Other	Total Sources	Planning	Use of Funds Const	Other**	Total Uses
Initial Cost of Project. Planning and Design Phase Only	\$ -	\$ -	\$ 75,000	\$ 75,000	\$ 68,200	\$ -	\$ 6,800	\$ 75,000
History of Revisions: Jan 2014; increase design expenditures			\$ 137,000	\$ 137,000	\$ 137,000			\$ 137,000
Total Project Costs	\$ -	\$ -	\$ 212,000	\$ 212,000	\$ 205,200	\$ -	\$ 6,800	\$ 212,000

History of Funding:	PBF	ISBA	* Other Sources of Funds				Total Other	Total Funding
			Institutional Funds (Gifts/Grants)	Student Revenue	Other*			
Initial Authorization Request, Planning and Design Phase Only, Aug 2013	\$ -				\$ 75,000		\$ 75,000	\$ 75,000
2nd Authorization to increase Planning and design phase expenditures, Jan 2014					\$ 137,000		\$ 137,000	\$ 137,000
							-	-
Total	\$ -	\$ -	\$ -	\$ -	\$ 212,000		\$ 212,000	\$ 212,000

27 * Internal Strategic Reserves

28 ** Project Contingency

THIS PAGE INTENTIONALLY LEFT BLANK

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

SUBJECT

Institution Intellectual Property Policies

REFERENCE

October 2010	Board approved First Reading of Board Policy V.M. Intellectual Property
December 2010	Board approved Second Reading of Board Policy V.M. Intellectual Property
June 2012	Board considered institution specific IP policies and requested additional amendments to Board Policy V.M. Intellectual Property
April 2013	Board approved First Reading of Board Policy V.M. Intellectual Property
June 2013	Board approved Second Reading of Board Policy V.M. Intellectual Property

APPLICABLE STATUTE, RULE, OR POLICY

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

BACKGROUND/DISCUSSION

The Board's intellectual property (IP) 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 Board's IP policy was amended were approved to address concerns by industry that the previous Board policy was vague regarding the Board's versus an institution's claim of ownership, and an institution's authority in transferring, conveying, or disclaiming those ownership rights. As required in Board policy V.M. the three research institutions are required to bring their intellectual property policies forward to the Board for approval. In June of 2012 the institutions presented their policies to the Board. During this meeting the Board discussed feedback received from business and industry indicating that there were continued barriers to working with the institutions. At this time the Board postponed the approval of the institutions' intellectual property and requested the Instruction, Research, and Student Affairs (IRSA) committee do additional work on the Board's policy regarding this mater. At the June 2013 Board meeting the Board approved additional amendments to Board Policy V.M. including the incorporation of the technology transfer guidelines.

At this time the institutions are bringing forward their institution specific intellectual property policies for Board consideration.

IMPACT

Approval of the submitted policies will bring the institutions into compliance with Board Policy V.M. Intellectual Property.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

ATTACHMENTS

Attachment 1 – Board Policy V.M. Intellectual Property	Page 5
Attachment 2 – Institution Technology Licensing Guidelines	Page 10
Attachment 3 – University of Idaho Intellectual Property Policy	Page 29
Attachment 4 – Boise State University Intellectual Property Policy	Page 35
Attachment 5 – Idaho State University Intellectual Property Policy	Page 46

STAFF COMMENTS AND RECOMMENDATIONS

Board Policy V.M. requires the institutions to establish policies setting out technology transfer administration, including evaluating, financing, assignment, marketing, protection, and the division and use of royalties. Institutional policies must provide for institutional ownership in circumstances including, but not limited to, the following:

1. In cases of specific contracts providing for institutional ownership,
2. In cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work,
3. Where institutional ownership is deemed necessary in order to reflect the contribution of the institution to the work, or
4. Where a sponsored agreement requires institutional ownership.

Further, each institution's technology transfer policy must at a minimum include:

1. The name of the institutional position (or office) with the authority and responsibility for carrying out the policy and binding the institution contractually.
2. 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 disputes).
3. 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).
4. The requirement that institution employees and other persons subject to this Board policy make an assignment of rights to the institution (including future rights) in intellectual property to which the Board claims ownership by this policy and/or the institution claims ownership by its institutional policy and in any related applications for legal protection of such intellectual property.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

BOARD ACTION

I move to approve the Intellectual Property policies of the University of Idaho, Boise State University and Idaho State University as submitted.

Moved by _____ Seconded by _____ Carried Yes _____ No _____

THIS PAGE INTENTIONALLY LEFT BLANK

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: V. FINANCIAL AFFAIRS
Subsection: M. Intellectual Property

June 2013

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 "Board") recognizes intellectual property, including patentable inventions and copyrightable works, may be the natural outgrowth of the educational, research, and outreach missions of Idaho's postsecondary education institutions. The Board is dedicated to promoting the beneficial use of such intellectual property for Idaho and the nation. This intellectual property policy seeks to balance the institutional obligation to preserve open access and inquiry with the concomitant obligation to foster and advance the dissemination and use of institutional intellectual property for the public benefit, which may occur through development of protectable discoveries and inventions through rigorous scientific investigation and research, and the development, acquisition, and licensing of patents and other intellectual property for the economic growth and development of Idaho and the nation.

In furtherance of this objective, institutions when assigning, transferring, selling or licensing inventions, or patents or other intellectual property owned by the institutions, shall do so:

- a. to entities that make, market and sell products or services or that contractually agree to do so in connection with the licensed or transferred intellectual property;
- b. where the primary purpose of such assignment, transfer, sale or license directly aids and promotes the further development and commercialization of licensed products or services by such entity, and is not intended primarily for the purpose of further licensing or sublicensing such invention or patent to third parties for monetary gain only;
- c. where necessary for the institution to perform or have performed sponsored research or other institutional activities, including compliance with applicable requirements of law or contract associated with such research or other activity; or
- d. where the transferee is a non-profit entity engaged in research and education and the assignment, transfer, sale or license promotes further research and education for the public good and does not unduly impact use of the intellectual property to contribute to economic growth and development.

Any such transfer of institution intellectual property shall be made in accordance with the Idaho Institution Technology Licensing Guidelines, adopted by the Board June 2013.

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

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES

SECTION: V. FINANCIAL AFFAIRS

Subsection: M. Intellectual Property

June 2013

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 Board, 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") claims ownership of any intellectual property developed under any of the following circumstances:
 - i. Arising from any work performed by an employee of any institution during the course of their duties to the institution;
 - ii. Arising from any use by an employee of an institution or other person use of Board or institution resources not 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 an institution under contract in a program or project sponsored by an institution or between institutions or a closely related research foundation.
- c. Disclaimer of ownership interest. The Board claims no ownership interest in any intellectual property developed by the employee(s) or other person(s), including but not limited to contractor(s) of an institution under the following circumstances:
 - i. When the work is performed outside the assigned duties of the employee/other person; and
 - ii. When the employee/other person is without benefit of Board or institution facilities except libraries.
- d. Policy review. Institutional policies setting out 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 Board for its review and approval.
- e. Condition of employment. Institution employees and contractors, as a condition of employment or contract, shall adhere to this policy and the Board approved institutional policy on intellectual property and shall assign to the institution all right, title, and interest in intellectual property to which the Board claims ownership under this policy or the institution claims ownership under its institutional policy and shall assign any related applications for legal protection of such intellectual property.

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: V. FINANCIAL AFFAIRS
Subsection: M. Intellectual Property

June 2013

3. Copyrights

- a. Notwithstanding Section 2.c. of this Policy, when institution employees/other persons are specially ordered or commissioned to produce specific work, the institution reserves the right to seek and obtain registration of copyright for such works in the name of the State of Idaho or the institution or to use such work without securing a copyright registration.
- b. Except as noted in Section 3.a. above, neither the Board nor any institution is required to claim an ownership interest in works submitted for publication, performance or display by institution employees/other persons. Instead, institutions subject to this policy may elect, by contract or institutional policy, to claim an interest in copyrightable material produced, in whole or part, by their employees or other persons subject to this policy. Institutional policy shall provide for institutional ownership in circumstances including, but not limited to, the following:
 - i. In cases of specific contracts providing for institutional ownership,
 - ii. In cases where the constituent institution or sponsor may employ personnel for the purpose of producing a specific work,
 - iii. Where institutional ownership is deemed necessary in order to reflect the contribution of the institution to the work, or
 - iv. Where a sponsored agreement requires institutional ownership.

4. Intellectual Property Transfer

- a. The Board delegates to the institutions the right to transfer, convey, license, or disclaim, in accordance with the Institution Technology Licensing Guidelines, rights in intellectual properties developed within each respective institution. This policy allows the institutions to effect knowledge transfer and foster economic growth and development. Under this policy, each respective institution may:
 - i. Grant any or all intellectual property rights to affiliated research foundations for further development or transfer.
 - ii. Sell, assign, transfer, or exclusively or non-exclusively license intellectual property rights owned by the institution to for-profit, non-profit, and/or governmental entities that make, market and sell products or services or that contractually agree to do so in connection with the transferred or licensed intellectual property, or where the primary purpose of such assignment, transfer, sale or license directly aids and promotes the further development of

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: V. FINANCIAL AFFAIRS
Subsection: M. Intellectual Property

June 2013

the intellectual property or commercialization of products or services or the underlying intellectual property by such entity. However, such assignment, transfer, sale or license to third parties must not be for monetary gain only.

- iii. Sell assign, transfer, or exclusively or non-exclusively license to institution employees or other persons subject to this policy.
 - iv. Collect and disburse license payments in accordance with institutional policy to inventors and their departments and colleges, as well as to their institutions.
 - v. Permit institutional employees the right to participate in ownership and governance of for-profit, non-profit, and/or governmental entities that licensed institutional intellectual property to produce and market products and technology based on or derived from the license of the intellectual property, subject to the conflict of interest policies set forth in Idaho State Board of Education Governing Policies and Procedures, Section I.G. and II.Q.
- b. Each institution shall develop an institutional policy on technology transfer. At a minimum, an institution's policy shall 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).
 - iv. The requirement that institution employees and other persons subject to this Board policy make a present assignment to the institution of rights, including future rights, in intellectual property to which the Board claims ownership by this policy and/or the institution claims ownership by its institutional policy and in any related applications for legal protection of such intellectual property.
- c. At the request of the Board the appropriate officer of each institution shall report on 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. The report shall also indicate whether any

Idaho State Board of Education
GOVERNING POLICIES AND PROCEDURES
SECTION: V. FINANCIAL AFFAIRS
Subsection: M. Intellectual Property

June 2013

employees of the institution or its respective research foundation have a financial interest in the entity to which the intellectual property rights were conveyed. Terms of any license or technology transfer contract will be made available in confidence upon request for inspection by the Board.

Idaho State Board of Education
Institution Technology Licensing Guidelines
Adopted June 2013

The Idaho State Board of Education (Board) recognizes that institutions must share intellectual property with the public for the betterment of society. To provide a set of operating guidelines for such technology transfer, the Board has adopted these guidelines, derived from the “Nine Points” publication produced by the Association of Institution Technology Managers (AUTM) and the “University Licensing Guidelines” adopted by the Regents of the University of California.

The College and Universities under the Board’s governance (hereinafter collectively “institutions” or “institution”) share certain core values that can and should be maintained to the fullest extent possible in all technology transfer agreements. The purpose of licensing institution intellectual property (IP) rights and materials is to: encourage the practical application of the results of institution research by industry for the broad public benefit; meet our obligations to sponsors of institution research; build research relationships with industry partners to enhance the research and educational experience of researchers and students; stimulate commercial uptake and investment; stimulate economic development; and ensure an appropriate return of taxpayer investments in institution research. Financial returns from technology licensing provide additional support for research and education, an incentive for faculty retention, and support of the institution technology transfer program. Institutions are charged to pursue these objectives in licensing institution IP. In carrying out these objectives, institutions are called upon to make complex licensing decisions based upon a multiplicity of facts and circumstances and by applying their professional experience, in consideration of the following guidelines. It is incumbent of the institutions to analyze each licensing opportunity individually in a manner that reflects the business needs and values of their institution, but at the same time, to the extent appropriate, also to bear in mind the concepts articulated herein when crafting agreements with industry. Multiple factors must be considered in each transaction, such as: the nature and stage of development of the technology; the breadth and complexity of the potential fields of use; the product development path and timeline; the extent of intellectual property protection; the relevant markets and market niches; specific campus practices; unique needs of prospective licensees; ethical considerations for the use of future products; and emerging issues, among other elements. All factors require careful consideration in developing a relationship with a prospective licensee, and the institution needs flexibility to address each of these issues. Further, the result of any one licensing decision may or may not be appropriate to another similar situation, as changes in knowledge and individual factors should be taken into consideration for each case-specific circumstance.

In all cases, the institution reserves the right, to the fullest extent permitted by Board policy and law, to exercise its discretion over decisions regarding its choice of licensee, the extent of rights licensed, and/or a refusal to license to any party.

GUIDELINES

1. The primary objective in developing a patenting and licensing strategy for an invention should be to support the education, research, and public benefit mission of the institution.

The institution recognizes the need for and desirability of broad utilization of the results of institution research, not only by scholars but also for the general public benefit, and acknowledges the importance of the patent system in providing incentives to create practical applications that achieve this latter goal.

In addition, with respect to federally-funded inventions (which comprise a large portion of the institution's invention portfolio), the Bayh-Dole Act (35 U.S.C. 200-212) requires the institution's use of the patent system to promote the utilization of inventions arising from federally supported research, to encourage maximum participation of small business firms, to promote collaboration between commercial concerns, nonprofits and universities and to promote free enterprise without unduly encumbering future research and discovery. As such, the institution is responsible for crafting a technology management strategy that supports the education, research, and public service mission of the institution. This requires establishing a balance of priorities between the timely transfer of technology to industry for commercialization while preserving open access to research results for use by the institution and the research community.

A primary licensing decision is whether to license exclusively or non-exclusively. The institution should consider licensing either non-exclusively, or exclusively within specific fields-of- use when an invention is broad in scope and can be used in multiple industries as well as for a platform technology that could form the basis of new industries. In general, institutions should consider granting exclusive licenses to inventions that require significant investment to reach the market or are so embryonic that exclusivity is necessary to induce the investment needed to develop and commercialize the invention or when the technology requires a company willing to dedicate financial resources and the additional research to realize the commercial potential. Finally, as noted below, exclusive licensing must have performance milestones connected to the continuation of such exclusivity.

Alternatively, an exclusive "field-of-use" license is a way to create market incentives for one company while enabling the institution to identify additional licensees to commercialize the invention in additional markets. In some cases, a limited-term exclusive license that converts to a non-exclusive license can be an effective strategy to meet the public benefit objective. Further, special consideration should be given to the impact of an exclusive license on uses of a technology that may not be appreciated at the time of initial licensing. A license grant that encompasses all fields of use for the life of the licensed patent(s) may have negative consequences if the subject technology is found to have unanticipated utility. This possibility is particularly troublesome if the licensee is not able or willing to develop the technology in fields outside of its core business. Institutions are encouraged to use approaches that balance a licensee's legitimate commercial needs against the university's goal (based on its educational mission and the public interest) of ensuring broad practical application of the fruits of its research programs.

Finally, the licensing strategy should ensure prompt broad access to unique research resources developed by the institution. To preserve the ability of the institutions to perform research, ensuring that researchers are able to publish the results of their research in dissertations and peer-reviewed journals and that other scholars are able to verify published results without concern for patents, the institution should consider reserving rights in all fields of use, even if the invention is licensed exclusively to a commercial entity, for themselves and other non-profit and governmental organizations. This is designed to practice inventions and to use associated information and data for research and educational purposes, including research sponsored by commercial entities and to transfer research materials and results to others in the non-profit and governmental sectors. Clear articulation of the scope of reserved rights is critical.

2. Institution must meet existing third party obligations

Research projects increasingly involve a multiplicity of third party agreements and relationships. For some inventions, the institution will have existing licensing obligations to a company or other research partner based upon contractual commitments made under sponsored research, material transfer, database access, inter-institutional, or other third-party IP agreements. Institutions shall seek to identify all licensing obligations to third parties so that such obligations can be met. While the inventor(s) should be required to identify these obligations at the time of disclosure to the institution, the institution is encouraged to verify the completeness or accuracy of the inventor(s) obligations.

Direct discussions with the inventor(s) and/or review of system-wide and local contract and grant databases may help determine whether the appropriate agreements are identified. Careful review of these agreements is critical to understanding the nuances of any third party obligations. Copies of any relevant agreements should be retained in the licensing file for future reference and to document the basis for decisions affecting the status of such third party obligations.

In addition, the institution should evaluate any other factors that may affect the institution's right to license the invention. The institution should investigate whether an inventor's disclosed invention entails a possible claim to prior ownership rights by a third party based upon the inventor's previous or current outside activities, for example, consulting arrangements, visiting scientist agreements, inventor start-up companies, and other contract obligations, particularly in light of court decisions (e.g. *Stanford v. Roche*, Fed Cir., 2009).

3. The selected licensee should be capable of bringing the invention to the marketplace and the license should be structured in a manner that encourages technology development and use.

The institution should seek licensees capable of bringing the invention to the marketplace in a timely manner. While often only one potential licensee comes forward for any given institution invention, the institution should nevertheless assess the potential licensee's technical, managerial and financial capability to commercialize the technology. From a programmatic perspective, licensing preference should be given to small business concerns, when appropriate, pursuant to federal law and regulations, provided such small businesses appear capable of bringing the technology to the marketplace.

Institutions should use care when licensing multiple technologies, invention portfolios, or a single technology with multiple variant applications to a single commercial organization to ensure that the licensing strategy meets the institution's desire to maximize public benefit.

In selecting a licensee, the institution, should consider whether the potential licensee:

- has a general business plan that delineates a clear strategy to commercialize the invention
- has or can secure the technical, financial and personnel resources to develop and commercialize the invention in a timely manner
- has experience relevant to developing and commercializing the invention
- has appropriate marketing capabilities
- possesses a strong desire and commitment to make the product/technology a success
- is able to meet any regulatory requirements needed to commercialize the technology
- has, or can develop sufficient capacity to satisfy the market demand for the technology
- demonstrates commitment to the institution's invention in light of other technologies competing for resources in the company
- has goals that generally align with those of the institution with respect to public benefit

The institution should obtain and retain documents that address the licensee's ability to bring the technology to the market. In the case of a start-up company, not all factors necessary to commercialize the technology may be present at the outset. The institution should consider whether the start-up has an appropriate level of resources and technical capabilities, given the development stage of the company and the nature of the invention, as well as whether the start-up has the potential to acquire the necessary resources to successfully develop and market the technology in a timely manner.

Institutions also need to be mindful of the impact of granting overly broad exclusive rights and should strive to grant just those rights necessary to encourage development of the technology. Performance milestones are a necessary part of any license, and are even more important in exclusive licenses.

In situations where an exclusive license is warranted, it is important that licensees commit to diligently develop the technology to protect against a licensee that is unable or unwilling to move an innovation forward. In long-term exclusive licenses, diligent development should be well-defined and regularly monitored during the exclusive term of the agreement and should promote the development and broad dissemination of the licensed technology. Ideally, objective, time-limited performance milestones are set, with termination or non-exclusivity (subject to limited, but reasonable, cure provisions) as the penalty for breach of the diligence obligation.

Another means of ensuring diligent development, often used in conjunction with milestones, is to require exclusive licensees to grant sublicenses to third parties to address unmet market or public health needs ("mandatory sublicensing") and/or to diligently commercialize new applications of the licensed rights. Such a requirement could also be implemented through a reserved right of the licensor to grant direct licenses within the scope of the exclusive grant to third parties based on unmet need. In such situations, it is important to ensure that the parties have a common

understanding of what constitutes a new application or unmet need for the purpose of implementing such a provision.

3.A. Future Improvements

Although licensees often seek guaranteed access to future improvements on licensed inventions, the obligation of such future inventions may effectively enslave a faculty member's research program to the company, thereby exerting a chilling effect on their ability to receive corporate and other research funding and to engage in productive collaborations with scientists employed by companies other than the licensee – perhaps even to collaborate with other academic scientists. In particular, if such future rights reach to inventions made elsewhere in the university, researchers who did not benefit from the licensing of the original invention may have their opportunities restricted as well, and may be disadvantaged economically relative to the original inventors if the licensing office has pre-committed their inventions to a licensee.

For these reasons, exclusive licensees should not automatically receive rights to “improvement” or “follow-on” inventions. Instead, as a matter of course, licensed rights should be limited to existing patent applications and patents, and only to those claims in any continuing patent applications that are (i) fully supported by information in an identified, existing patent application or patent and (ii) entitled to the priority date of that application or patent.

In the rare case where a licensee is granted rights to improvement patents, it is critical to limit the scope of the grant so that it does not impact uninvolved researchers and does not extend indefinitely into the future. It is important to further restrict the grant of improvements to inventions that are owned and controlled by the licensor institution - i.e., (i) not made by the inventor at another institution, should they move on or (ii) co- owned with, or controlled by, another party. One refinement to this strategy would be to limit the license to inventions that are dominated by the original licensed patents, as these could not be meaningfully licensed to a third party, at least within the first licensee's exclusive field. As was discussed earlier, appropriate field restrictions enable the licensing not only of the background technology, but also of improvements, to third parties for use outside the initial licensee's core business. In all cases, a license to improvements should be subject to appropriate diligent development requirements.

It should be recognized, however, that not all “improvements” have commercial potential (for example, they may not confer sufficient additional benefit over the existing technology to merit the expense of the development of new or modified products), in which case a licensee might not wish to develop them. In general, it may be best simply not to patent such improvements.

4. The license agreement should include diligence terms that support the timely development, marketing, and deployment of the invention.

The institution should include diligence provisions in a license agreement to ensure that the licensee develops and commercializes the invention in a timely manner, especially when an invention is exclusively licensed. The institution's commitment to public benefit is not met by allowing an invention to languish due to a licensee's lack of commitment, “shelving” the technology to protect its competing product lines, or inadequate technical or financial resources.

Appropriate diligence provisions are invention-specific and will vary depending on the circumstances. Common diligence obligations that an institution should consider include:

- the amount of capital to be raised (for a start-up) or the amount of funding committed (for an existing business) by the company to support the technology's development.
- specific dates by which the licensee must achieve defined milestones, such as: secure levels of regulatory approval; make a working prototype; initiate beta testing of a licensed product; receive formal market/customer feedback; achieve specific prototype performance thresholds (such as efficiency or size); establish a production facility; first sell the commercial product; or achieve a certain level of sales.

To ensure that the institution continues to manage its technologies as assets for the public's benefit, clearly defined diligence provisions allow verification of the licensee's compliance with its diligence obligations. Therefore, the licensing agreement language should be sufficiently specific so that both parties can determine whether the diligence obligations have been met. Further, the license should provide a remedy for failure to meet diligence obligations, such as termination of the license or, in the case of an exclusive license, a reduction to a non-exclusive license.

5. The license agreement should be approved as to legal integrity and consistency.

In order to ensure that the institution has the right to enter into licensing discussion, the institution should ensure that the inventors have signed an agreement that acknowledges the institution's patent policy, and institution claim of ownership of inventions under the Policy, and/or an actual Assignment Agreement that confirms the institution's ownership in the invention and that includes a present assignment of invention rights.

In determining the rights that can be granted in a license agreement, the institution should ask the inventors about past and present sponsors of their research, material providers, and independent consulting and other agreements (e.g., visitor, confidentiality, etc.) they have signed that could be related to the invention to determine if conflicting obligations exist between such agreements and the proposed license.

The institution shall ensure that the provisions of the license agreement are reviewed and approved by the institution Office of General Counsel, and comply with institution policies with regard to legal integrity and consistency, including the following concerns:

5.A. Use of Name:

The institution shall ensure that the license agreement prohibits the use of the institution's name, or the names of its employees, to promote the licensee or its products made under the license agreement, unless specifically approved by authorized institution personnel. The license may provide limited use of the institution's name where required by law, to give effective legal notice such as a copyright mark, or to make a statement of fact regarding the origin of plant material.

5.B. Indemnification:

The institution shall ensure that the license agreement contains an indemnification provision under which the licensee assumes all responsibility for any product or other liability arising from the exercise of the license covering the invention. The licensee should assume all responsibility as it has complete control over product development while the institution only provides rights under the patents it holds.

5.C. Limitation of Liability:

The institution shall ensure that the license agreement contains a provision that limits the institution's liability for any damages that may result from the licensee's acts under the license agreement (e.g., intellectual property infringement, lost profits, lost business, cost of securing substitute goods, etc.).

5.D. Insurance:

The institution shall ensure that the license agreement requires the licensee to carry sufficient insurance or have an appropriate program of self-insurance to meet its obligations to protect the institution, and provide evidence of such.

5.E. Limited Warranty:

The institution shall ensure that the license agreement contains a limited warranty provision stating that nothing in the license shall be construed as (i) a warranty or representation regarding validity, enforceability, or scope of the licensed patent rights; (ii) a warranty or representation that any exploitation of the licensed patent rights will be free from infringement of patents, copyrights, or other rights of third parties; (iii) an obligation for the institution to bring or prosecute actions or suits against third parties for patent infringement except as provided in the infringement provision of the license; (iv) conferring by implication, estoppel, or otherwise any license or rights under any patents or other rights of institution other than the licensed patent rights, regardless of whether such patents are dominant or subordinate to the licensed patent rights; and (v) an obligation to furnish any new developments, know-how, technology, or technological information not provided in the licensed patent rights.

5.F. Patent Prosecution:

The institution shall ensure that the license agreement contains a patent prosecution provision that stipulates the institution will diligently prosecute and maintain the patent rights using counsel of its choice who will take instructions solely from the institution. The institution will use reasonable efforts to amend any patent application to include claims requested by the Licensee. For an exclusive license, all such costs will be borne by the licensee. For non-exclusive licenses, a common practice is for each licensee to pay a pro-rata share of such costs.

5.G. Patent Infringement:

The institution shall ensure that an exclusive license agreement contains a patent infringement provision that stipulates that neither the institution nor the licensee will notify a third party (including the infringer) of infringement or put such third party on notice of the existence of any patent rights without first obtaining consent of the other party; with additional language that addresses infringement notification process, participation, control and prosecution of the suit, and payment of costs and sharing of awarded damages.

5.G.1. Infringement Action Considerations

In considering enforcement of their intellectual property, it is important that universities be mindful of their primary mission to use patents to promote technology development for the benefit of society. All efforts should be made to reach a resolution that benefits both sides and promotes the continuing expansion and adoption of new technologies. Litigation is seldom the preferred option for resolving disputes.

However, after serious consideration, if a university still decides to initiate an infringement lawsuit, it should be with a clear, mission-oriented rationale for doing so- one that can be clearly articulated both to its internal constituencies and to the public. Ideally, the university's decision to litigate is based on factors that closely track the reasons for which universities obtain and license patents in the first place, as set out elsewhere in this paper. Examples might include:

- Contractual or ethical obligation to protect the rights of existing licensees to enjoy the benefits conferred by their licenses; and
- Blatant disregard on the part of the infringer for the university's legitimate rights in availing itself of patent protection, as evidenced by refusal on the part of the infringer to negotiate with or otherwise entertain a reasonable offer of license terms.

5.G.2. Patent Aggregators and "Flippers"

As is true of patents generally, the majority of university-owned patents are unlicensed. With increasing frequency, university technology transfer offices are approached by parties who wish to acquire rights in such 'overstock' in order to commercialize it through further licenses. These patent aggregators typically work under one of two models: the 'added value' model and the so-called 'patent troll' model.

Under the added value model, the primary licensee assembles a portfolio of patents related to a particular technology. In doing so, they are able to offer secondary licensees a complete package that affords them freedom to operate under patents perhaps obtained from multiple sources. As universities do not normally have the resources to identify and in-license relevant patents of importance, they cannot offer others all of the rights that may control practice (and, consequently, commercialization) of university inventions. By consolidating rights in patents that cover foundational technologies and later improvements, patent aggregators serve an important translational function in the successful development of new technologies and so exert a

positive force toward commercialization. For example, aggregation of patents by venture capital groups regularly results in the establishment of corporate entities that focus on the development of new technologies, including those that arise from university research programs. To ensure that the potential benefits of patent aggregation actually are realized, however, license agreements, both primary and secondary, should contain terms (for example, time-limited diligence requirements) that are consistent with the university's overarching goal of delivering useful products to the public.

In contrast to patent aggregators who add value through technology-appropriate bundling of intellectual property rights, there are also aggregators (the 'patent trolls') who acquire rights that cut broadly across one or more technological fields with no real intention of commercializing the technologies. In the extreme case, this kind of aggregator approaches companies with a large bundle of patent rights with the expectation that they license the entire package on the theory that any company that operates in the relevant field(s) must be infringing at least one of the hundreds, or even thousands, of included patents. Daunted by the prospect of committing the human and financial resources needed to perform due diligence sufficient to establish their freedom to operate under each of the bundled patents, many companies in this situation will conclude that they must pay for a license that they may not need. Unlike the original patent owner, who has created the technology and so is reasonably entitled to some economic benefit in recognition for its innovative contribution, the commercial licensee who advances the technology prior to sublicensing, or the added value aggregator who helps overcome legal barriers to product development, the kind of aggregator described in this paragraph typically extracts payments in the absence of any enhancement to the licensed technology. Without delving more deeply into the very real issues of patent misuse and bad-faith dealing by such aggregators, suffice it to say that universities would better serve the public interest by ensuring appropriate use of their technology by requiring their licenses to operate under a business model that encourages commercialization and does not rely primarily on threats of infringement litigation to generate revenue.

A somewhat related issue is that of technology 'flipping', wherein a non-aggregator licensee of a university patent engages in sublicensing without having first advanced the technology, thereby increasing product development costs, potentially jeopardizing eventual product release and availability. This problem can be addressed most effectively by building positive incentives into the license agreement for the licensee to advance the licensed technology itself – e.g., design instrumentation, perform hit-to-lead optimization, file an IND. Such an incentive might be to decrease the percentage of sublicense revenues due to the university as the licensee meets specific milestones.

5.H. Third Party Obligations and Conflicts of Interest:

Technology transfer offices should be particularly conscious and sensitive about their roles in the identification, review and management of conflicts of interest, both at the investigator and institutional levels. Licensing to a start-up founded by faculty, student or other university inventors raises the potential for conflicts of interest; these conflicts should be properly reviewed and managed by academic and administrative officers and committees outside of the technology transfer office. A technology licensing professional ideally works in an open and collegial

manner with those directly responsible for oversight of conflicts of interest so as to ensure that potential conflicts arising from licensing arrangements are reviewed and managed in a way that reflects well on their university and its community. Ideally, the university has an administrative channel and reporting point whereby potential conflicts can be non-punitively reported and discussed, and through which consistent decisions are made in a timely manner.

5.I. Export Controls

Institution technology transfer offices should have a heightened sensitivity about export laws and regulations and how these bodies of law could affect university licensing practices. Licensing “proprietary information” or “confidential information” can affect the “fundamental research exclusion” (enunciated by the various export regulations) enjoyed by most university research, so the use of appropriate language is particularly important. Diligence in ensuring that technology license transactions comply with federal export control laws helps to safeguard the continued ability of technology transfer offices to serve the public interest.

6. The institution should receive fair consideration in exchange for the grant of commercial licensing rights.

The institution should ensure that institution receives fair consideration for commercial licenses of its inventions (as public assets created using public funds, supplies, equipment, facilities, and/or staff time) to private entities. Generally, the value of the consideration received by the institution should be based on the licensee’s sale or distribution of licensed products or licensed services by the licensee. Other factors that impact the negotiation of the institution’s consideration may include:

- the type of technology and industry
- the stage of development and market consideration
- the perceived value to the licensee’s business and competitive position (“must-have” vs. “nice-to-have”)
- the market potential, contribution of the technology to market penetration, and market sector dynamics (i.e. growing, static, declining?)
- the projected cost and risk of product development and marketing
- the competitive advantage over alternative products; is the invention a seminal “game-change” one or an incremental improvement?
- the likelihood of competing technologies
- the net profit margin of the anticipated product
- comparable prices for similar technologies or products
- the scope and enforceability of the institution’s patent claims, extent of freedom-to- operate required, and years remaining on patent term
- the projected decrease in the cost of production or R&D expenditures
- the scope of license (exclusive/nonexclusive, narrow/broad fields of use, U.S./non- U.S.)
- the opportunity for accelerated time to market based upon the necessity for meeting a critical public need.

In general, the fair consideration to the institution should be in cash, but other forms of consideration may be accepted in partial lieu of cash fee(s) such as equity in the company (discussed below). The form of such consideration negotiated by the institution may vary widely based on case-specific factors.

The institution should consider including some or all of the following elements as part of the consideration:

6.A. Reimbursement of institution's patent costs:

The licensee pays for domestic and/or foreign patent applications either through an up-front fee that covers past and future costs and/or through a requirement to reimburse past, present and future costs upon invoicing by the institution. Where the technology is licensed to multiple parties, reimbursement may be done on a pro-rata basis. Full reimbursement by an exclusive licensee is standard institution practice.

6.B. License Issue fee:

The licensee pays a fee to the institution upon final execution of the license agreement either in a lump sum or on an agreed upon schedule. The amount of this fee should reflect the value of the invention at the time it is made available to the licensee. Such fees range widely, depending on the circumstance. Under some circumstances, the issue fee for small companies or start-ups may be partially postponed until sufficient investment capital is secured, or may be replaced in part by the institution's acceptance of equity in the company (see *Equity* below).

6.C. Running royalties:

The licensee pays ongoing consideration to the institution in the form of a running (or earned) royalty, typically calculated as a percentage of net sales or use of licensed products or services that incorporate the technology. Such royalties should not be "capped" at a pre-determined dollar level, as the institution should share fully in the success of any commercial use of technology made available to the licensee. In some rare cases, a running royalty value may be difficult to assess due to the particular market and the type of products being developed. In such cases a fixed amount for each unit of licensed product sold or a one-time or annual fee may be contemplated, where the fee should reflect the value of the invention over the projected length of patent protection (both U.S. and foreign).

6.D. Annual maintenance fee/minimum annual royalty:

The licensee pays an annual license maintenance fee which serves as a form of diligence and represents the licensee's continuing interest in and a financial commitment to commercialize the invention. A minimum annual royalty begins in the first year of commercial sales and serves not only as a diligence obligation but also incentivizes the licensee to achieve sales generating royalties that meet or exceed the minimum annual royalty. Typically, annual maintenance fees cease after commercial sales begin when they are replaced by the minimum annual royalty. Minimum annual royalties, if paid in advance, are generally creditable against the running

royalty due that year. The institution may use these fees singly, in combination, or not at all as judgment dictates, however, including such fees not only creates diligence obligations but also provides annual income to support the institution's research and education mission.

6.E. Sublicensing fees:

Under an exclusive license where the licensee is permitted to transfer rights to third parties (a sublicense), the licensee pays the institution consideration for sales or use of licensed products or services by its sublicensees. The institution should receive a fair share of all consideration, including royalty and non-royalty income, received by the licensee from the sublicensee. It is institution practice not to include sublicensing rights under its non-exclusive licenses as the granting of such rights could place the licensee in direct licensing competition with the institution, except in those cases where the sublicensee's activities are necessary for the sublicensor to commercialize the licensed technology (e.g. sublicensee is a contract research organization or contract manufacturer providing a vital component to the sublicensor necessary for the licensed technology, etc.).

6.F. Equity:

To encourage commercialization of institution technology, the institution may accept equity in a company as partial consideration for invention licensing in a manner consistent with Board and institution policies. This option may be particularly useful in working with small or startup companies where financial considerations limit the company's and its investors' willingness to pay cash to the university for licensing costs, such as license issue fees and annual maintenance fees. When accepting equity, institutions should consider the risk-adjusted value of equity and the potential loss of value associated with dilution of equity.

6.G. Other:

The institution may negotiate forms of consideration other than those described above, such as milestone payments upon the completion of certain licensed product development events or upon financing or investment triggers (e.g., investment rounds, merger or acquisition, or a public stock offering). Other unique exchanges of value occasionally may be appropriate forms of fair consideration. The institution should note, however, that such non-monetary forms of consideration (other than equity) fall outside the royalty-sharing provisions of the institution Patent Policy. The institution should take care to not designate research funding as a form of consideration in a license as license income is subject to the royalty-sharing provisions of the institution Patent Policy whereas research funding is not consideration for a license but is fixed at a level to pay for the cost of conducting the research (*Singer v. The Regents*, 1996).

Finally, the institution should be aware that "overly-aggressive" negotiation of financial consideration may impede commercialization of an invention and may not be consistent with certain research sponsor guidelines (e.g., Federal, State, or non-profit extramural sponsorship policies). However, undervaluing a commercial license reduces the additional monetary support for research and education and compromises the principle of seeking a fair return on the public asset that is the institution's technology. The institution should weigh all appropriate

factors discussed above in crafting a commercial license to create an optimal structure and fair consideration.

7. The license agreement should support the academic principles of the institution.

The institution should ensure that the provisions of the license agreement support the institution's academic teaching and research mission, including the following concerns:

7.A. Open Dissemination of Research Results and Information:

License agreements with external parties shall not limit the ability of institution researchers to disseminate their research methods and results in a timely manner. The most fundamental tenet of the institution is the freedom to interpret and publish, or otherwise disseminate, research results to support knowledge transfer and maintain an open academic environment that fosters intellectual creativity.

7.B. Accessibility for Research Purposes:

The institution should ensure that the license agreement protects the ability of institution researchers, including their student and research collaborators, to use their inventions in future research, thus protecting the viability of the institution's research programs. The institution has a commitment to make the results of its research widely available through publication and open distribution of research products for verification and ongoing research. The institution also seeks to foster open inquiry beyond the interests of any one research partner, particularly where the invention is a unique research tool. One way in which the institution addresses this is through the retention in the license agreement of the institution's right to use and distribute inventions to other non-profit research institutions for research and educational purposes.

7.C. Broad Access to Research Tools:

Consistent with the NIH Guidelines on Research Tools, principles set forth by various charitable foundations that sponsor academic research programs and by the mission of the typical university to advance scientific research, universities are expected to make research tools as broadly available as possible. Such an approach is in keeping with the policies of numerous peer-reviewed scientific journals, on which the scientific enterprise depends as much as it does on the receipt of funding: in order to publish research results, scientists must agree to make unique resources (e.g., novel antibodies, cell lines, animal models, chemical compounds) available to others for verification of their published data and conclusions.

Through a blend of field-exclusive and non-exclusive licenses, research tools may be licensed appropriately, depending on the resources needed to develop each particular invention, the licensee's needs and the public good. The drafting of such an exclusive grant should make clear that the license is exclusive for the sale, but not use, of such products and services; in doing so, the university ensures that it is free to license non-exclusively to others the right to use the patented technology, which they may do either using products purchased from the exclusive licensee or those that they make in-house for their own use.

8. *All decisions made about licensing institution inventions should be based upon legitimate institutional academic and business considerations and not upon matters related to personal financial gain.*

It is important that the institution conduct the technology transfer process, including patenting, marketing, and licensing in a manner that supports the education, research, and public service missions of the institution over individual financial gain.

Because institutions and inventors may have the opportunity to influence institution business decisions in ways that could lead to personal gain or give advantage to associates or companies in which they have a financial interest, the institution and the inventor must comply with existing Board policy, institution policy and State law concerning such potential conflicts of interest. Under Board policy and State conflict of interest law, any institution employee or representative is prohibited from making, participating in making, or influencing an institution decision (including selection of licensees and other decisions made in the course of commercializing institution technology) in which they have a personal financial interest. Certain specific actions may be taken, however, consistent with Board policy, institution policy and State law, to allow participation in the licensing process by such inventors. An inventor's expectancy of receiving money or equity as inventor share under the institution Patent Policy is not a disqualifying financial interest.

For institutions who have a personal financial interest in potential licensees, this situation can be readily managed by having the invention case assigned for management to another institution without a financial interest. For inventors who have a personal financial interest in potential licensees, another individual with appropriate scientific and technical background may be able to carry out the duties and responsibilities typically handled by the inventor. In both cases, personal disqualification requirements would need to be satisfied under Board policy, institution policy and State law.

Institution inventors, however, may not be able to reasonably remove themselves from involvement in the process under disqualification requirements as their expertise and input may be essential to successful technology transfer. It may be necessary for the inventor to work closely with the institution and with potential licensees, or involve themselves in companies that are potential licensees, with the objective of commercializing institution inventions, even when they have a personal financial interest. It is in this context, when the inventor is involved in the process, that the selection of a licensee and other commercialization decisions may have the potential to raise concerns about conflicts of interest. Some inventor contributions to the licensing process are primarily technical advice and do not constitute "participation in" or "attempting to influence" a licensing decision under State conflict of interest law. They are called "ministerial." An action is ministerial, even if it requires considerable expertise and professional skill, if there is no discretion with respect to the outcome. Thus an inventor can provide technical or scientific information about an invention where necessary without being considered to be participating in a licensing decision. This exception, however, does not apply

to technical tasks such as most data gathering or analysis in which the inventor makes professional judgments which can affect the ultimate decision in question.

Therefore, the institution and inventor(s) should discuss: i) the disqualification option; ii) an approach to and level of inventor involvement in the technology transfer process; iii) compliance with Board policy, institution policy and State law concerning potential conflicts of interest; and (iv) where helpful, these institution Licensing Guidelines.

In general, the role in the technology transfer process of any inventor who has a personal financial interest in a potential licensee should be kept to the minimum necessary to successfully achieve the institution's objectives in patenting, marketing, and licensing. When an inventor has a personal financial interest in a potential licensee and does not fully disqualify him or herself from involvement in the process, an independent substantive review (Licensing Decision Review - LDR) and recommendation concerning the licensee selection and other licensing decisions is required. Thus, both the institution and the inventor should understand that the extent to which the inventor is involved in the technology transfer process may be a factor in the considerations and ultimate recommendations of the LDR body. The LDR body, composed of one or more qualified individuals with appropriate expertise, knowledge and professional judgment, must independently check the original data and analysis upon which recommendations for the selection of licensees and for other licensing determinations were made by the institution and make its own independent recommendations concerning those decisions. The LDR may be performed by the a institution committee responsible for review and management of conflicts of interest; such committee, when undertaking an LDR, should have the expertise, knowledge and professional judgment required of the LDR body under these Guidelines.

The institution must ensure that disclosure and management of potential inventor conflicts of interest are handled in accordance with institution policy. By doing so, the institution can help ensure that the inventor may continue to participate in the technology development process while remaining in compliance with institution policies and State law in this area. Future issues may arise, such as an inventor's desire to bring technology back to the institution for further testing, development, and purchase for use in the lab as the licensee further develops the technology. If the institution becomes aware of such issues, the institution should ensure that other institution officials impacted by such activities on the part of the inventor (e.g., procurement, C&G office, Conflict of Interest review board, etc.) are educated about the rationale and processes needed for a successful technology transfer program.

9. Technology-specific Considerations

The following guidance supports a general understanding of the objectives, practices and issues involved in the institution licensing program with respect to specific technologies. The licensing strategies described herein are not intended to be applied in an absolute or mechanical manner. Each licensing decision is unique and a matter of professional judgment. The institution's ALOs retain complete discretion in choosing the appropriate licensee and technology management strategy for its technologies.

9.A. Research Tools

In determining an appropriate licensing strategy for an invention that is used primarily as a research tool, the institution should analyze if further research, development and private investment are needed to realize this primary usefulness. If it is not, publication, deposition in an appropriate databank or repository, widespread non-exclusive licensing, or electing not to file a patent application may be the appropriate strategy. Where private sector involvement is necessary to assist in maintaining (including reproducing), and/or distributing the research tool, where further research and development are needed to realize the invention's usefulness as a research tool, or where a licensee has the ability to enhance the usefulness, usability, or distribution of the research tool, licenses should be crafted with the goal of ensuring widespread distribution of the final research tool to the research community. Any such license should also contain a provision preserving the institution's ability to continue to practice the licensed invention and allow other educational and non-profit institutions to do so for educational and research purposes. If carefully crafted, exclusive licensing of such an invention, such as to a distributor that will sell the tool or to a company that will invest in the development of a tool from the nascent invention, could support the institution's objectives.

One particular concern is royalties assessed on sales of products that are developed using (directly or indirectly) an institution invention that is a research tool ("reach-through" royalties), rather than assessed on products actually incorporating the institution invention. The institution should note that reach-through royalties may impede the scientific process or create unreasonable restrictions on research and therefore generally should be avoided. Licensing of research tools should encourage prompt and broad access through a streamlined process. For NIH-funded inventions, see the NIH "Principles and Guidelines for Recipients of NIH Research Grants and Contracts on Obtaining and Disseminating Biomedical Research Resources."

9.B. Global Health

While many of the licensing strategies discussed below are presented in the context of global health issues, such strategies are equally applicable to other current and future emerging technologies that can be used to support humanitarian efforts in underprivileged populations (e.g., clean water, sustainable sources of energy, food sources, etc.).

As innovative healthcare technologies are discovered and, after meeting extensive development and regulatory hurdles, introduced as publicly available therapeutic or diagnostic products, the ability of underprivileged populations to access and afford these technologies may be constrained by price or distribution. In particular, healthcare and agricultural products may not be readily accessible and affordable to the world's poorest people in developing countries and as a public institution striving to uphold its public benefit mission, the institution should consider such public benefit and broad societal needs when developing licensing strategies for such technologies.

Developing "successful practices" is an evolving process, particularly for an issue as complex as balancing access by developing countries to biomedical products with ensuring timely and appropriate development and commercialization of the product. Such practices demand creative and

flexible rather than rigid approaches. Entirely new business models coupled with nuanced intellectual property management strategies may be needed to produce the desired outcomes. Each situation is unique and must be addressed based on its own fact pattern to encourage licensees to make the substantial and risky investment necessary to develop biomedical products. Without appropriate and timely investments, the healthcare technology may never be developed into a product, thus eliminating access by all patients. A prescriptive approach may discourage licensees because of a perceived need to overcome too many obstacles in product development. Institutions frequently need to balance conflicting objectives and must be able to make compromises in the interest of moving a technology forward.

As part of the institution's public benefit mission, the institution should carefully consider patenting and licensing strategies that promote access to essential medical and agricultural innovations in developing countries. Although a multitude of downstream factors may affect the accessibility and affordability of essential technologies in developing countries, e.g. healthcare infrastructure, poverty, food security, international treaties and laws, sanitation, energy, and political stability, it remains possible for the institution to impart a profound life- changing impact in the developing countries through humanitarian patenting and licensing strategies.

One patenting strategy that the institution and its licensee might pursue is to limit patent protection to those developed countries with a healthcare infrastructure that can afford the healthcare products and not seek patent protection in developing countries thereby allowing other manufacturers to freely practice the technology. Some examples of alternate licensing strategies to consider could be: (i) inclusion in a license agreement of mechanisms to allow third parties to create competition that affects or lowers prices in developing countries, create incentive mechanisms for widespread distribution of the licensed product, or reserve a right for the institution to license third parties under specific humanitarian circumstances, (ii) inclusion of license terms requiring mandatory sublicensing to generic or alternative manufacturers in a developing country or a program that requires the distribution of the healthcare product at low or no cost to underprivileged populations with assurance that the licensee will continue to develop, manufacture and distribute the product to all such populations; and (iii) inclusion of uniquely crafted diligence provisions or other creative pricing tied to the patient's ability to afford the technology that are consistent with sponsor's march-in rights provision (if applicable).

Financial terms for products that address diseases that disproportionately affect developing countries should, where possible, facilitate product availability in the country of need. At a minimum, the financial terms should recognize the low profitability of such products. The institution could also consider foregoing royalties on products distributed in such countries or requiring the licensee to sublicense other companies if the licensee is unwilling to invest in the development of a product distribution network within that country.

To be most effective in promoting global health, the institution needs to pursue creativity and consider a wide variety of patenting and licensing strategies, since the most impactful approach in one situation may fail in others. Prescriptive guidelines dictating limited strategies could be particularly detrimental to achieving the institution's goals of public benefit. Creative patenting and licensing strategies addressing global health should focus on effectiveness and should aim to achieve the greatest impact worldwide.

9.C. Software

Because of the cross-over of software and other digital media between the patent and copyright policies, licensing of these technologies are less straight-forward than simple patent or copyright licenses. In addition, under institution Copyright Policy, an institution may have implemented procedures and supplementary local policies regarding licensure, disposition of royalty income, and other rights related to copyrights. As such, copyright licensing practices will vary from institution to institution.

9.D. Diagnostics

Licensing clinical diagnostics technologies, regardless of type (genetic or otherwise), should balance the need of the licensee to achieve a fair return on investment with the public's need to have the test as broadly available as possible, including enabling patients to obtain a second opinion by accessing the test from an alternative provider. Licenses should also reserve the right for the academic community to use the diagnostic for research purposes, including studying and independently validating the test and employing it to advance medical research. The institution will need to take into account that licensees can elect to commercialize the technology (i) as an FDA-approved kit sold to end-users, (ii) as a testing service business using an in-house Laboratory Developed Test (LDT) subject to the Clinical Laboratory Improvement Amendments (CLIA) of 1988 administered by the Centers for Medicare and Medicaid Services, or (iii) a sequential combination of (i) and (ii) whereby the licensee initially enters the market to generate near-term revenue with an LDT-based testing service and subsequently obtains market approval via the costlier and lengthier FDA review process to market a kit for sale. Licensors that have academic medical centers need to structure their licenses to take into account the needs of their own clinical laboratories to insure affordable access to the licensee's FDA-approved kit or to have the right to provide an LDT in their CLIA labs (either as a carve-out or an affordable sublicense from the licensee).

For markets that can reasonably support two diagnostics developers (e.g. melanoma), the institution should consider co-exclusive licensing. However, for more limited markets, in order to assure maximum availability and multiple sources, the institution might consider such approaches as (i) a time-limited exclusive license that automatically converts to a nonexclusive license after several years, or (ii) a license grant for the exclusive right to sell and a non-exclusive right to make and use the patented technology. In this way the licensor can be the sole provider of an FDA-approved kit while clinical labs that cannot afford the kit can still serve patient needs with their own LDTs.

Lastly it is important to appreciate that whereas a single-source provider of an FDA-approved kit provides patients with a uniform, consistent product, LDTs developed by different clinical labs (commercial and academic) may vary in performance quality and have different degrees of false-positive and false-negative results. Thus a given patient's diagnostic outcome could vary depending on which CLIA lab performs the test.

However, insuring test availability from more than one source can mitigate the variability from center-to-center.

9.E. Genetic Resources/Traditional Knowledge

Country laws or international treaties may influence licensing decisions where inventions are derived from genetic resources or traditional knowledge. The institution should investigate all project sponsored or collaborative research agreements, including material transfer agreements, to identify if any genetic resource or traditional knowledge was used in making the invention and if any specific requirements apply to the use of such resources. In some situations, the requirement may be attached to a collection permit or a visa document.

Even in the absence of such laws, treaties or contractual requirements, the institution should carefully consider biodiversity issues and negotiate individual agreements that recognize the origin or source of the material. Where possible, such agreements should consider benefit sharing arrangements with indigenous and custodial communities or governments in consideration for access to such biological material or traditional knowledge.

9.F Emerging Technologies

Over time, whole new fields of technology and innovation will emerge that will raise new issues for consideration. As with any emerging technology area, the evolution of "successful practices" will require careful and conscientious decisions that may vary from previously released guidance. The institution should thoughtfully consider how best to address these emerging issues so as to optimally manage institution-developed technologies for public benefit.

10. Assignment of Ownership of Institution Intellectual Property

Under certain circumstances, the institution may be required by federal law to assign rights in institution intellectual property to the federal government. In those instances when the institution determines that it is not interested in pursuing protection and commercialization, the institution may also find it necessary, under federal law and institutional policy, or desirable, in the absence of legal or contractual requirements, to assign rights in institution intellectual property to the original institution inventor(s) or author(s). In such cases, the assignment of institution intellectual property is considered appropriate. These Guidelines presume, however, that licensing is the most appropriate mechanism for commercialization of the public asset that is the institution's intellectual property. Except with respect to assignments to those board-approved research foundations affiliated with the institution, assignment of institution intellectual property to a third party, for commercialization or use by the third party, should be a rare occurrence. Any such assignment should be negotiated on a case-by-case basis, dependent on unique circumstances that demonstrate that a license is not appropriate, and should be made only with the approval of the institution president, or his or her designee. In no case should the institution make a present assignment of future rights in institution intellectual property.

5300

COPYRIGHTS, PROTECTABLE DISCOVERIES AND OTHER INTELLECTUAL PROPERTY RIGHTS

PREAMBLE: This section outlines UI policy concerning copyrights, as they arise from university research. Particularly this section discusses the assignment of ownership to such copyrights. This section was part of the 1979 Handbook but was revised in a significant way 1) in July of 1992 to reflect changes in applicable federal law, 2) in January of 1995 by the addition of subsection C-5 to reflect the change in the Regents' intellectual property and conflict of interest rule (former IDAPA 08.01.09.101.03c), and 3) in 2007 to update terminology and add clarity to the rights and obligations of the University and of its employees and students in dealing with intellectual property, and in 2008 edited to reflect the restructuring of technology transfer functions from Idaho Research Foundation to the Office of Technology Transfer. In 2009 revisions were made to B-2 to comply with federal law. Unless otherwise noted, the text is as of July 1996. This policy was revised in November of 2013 for consistency with the revised intellectual property policy of the Board of Regents of the University of Idaho. For more information, contact the Research Office (208-885-6651). [ed. 7-98, rev. 2-07, 4-08, 7-09, 11-13]

CONTENTS:

- A. Introduction
- B. Copyrights
- C. Protectable Discoveries
- D. Dispute Resolution
- E. Special Arrangements for Federal, State, and Private Grants
- F. Record-Keeping
- G. Present Assignment of Rights in Intellectual Property

A. INTRODUCTION. The UI encourages the creation of scholarly works as an integral part of its mission. UI participation in the development, marketing, and dissemination of educational materials has as its aim the improvement of the quality, effectiveness, and efficiency of student learning and of faculty and staff development. The UI recognizes its obligation to transfer technology and useful discoveries to society. With respect to all types of intellectual property, the rights and obligations of UI, its employees and students and other third parties shall be governed by this policy. To the extent permitted by this policy, individuals may enter into contracts with UI to address intellectual property, in which case the contract terms shall control, provided that the contract was entered into in a manner consistent with this policy.

A-1. DEFINITIONS. For purposes of this Section 5300 and Section 5400, the following terms shall have the following meanings:

- a. "electronic" shall mean relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- b. "written" or "in writing" shall include information created, generated, sent, communicated, received, or stored by electronic means, including without limitation email, telecopy, and facsimile transmissions.
- c. "natural person or persons" means natural person or persons involved in the creation or development of intellectual property.

B. COPYRIGHTS. UI participation in the development of copyrightable works raises questions concerning the ownership and use of materials in which UI has become an active and intentional partner through substantial investment of resources. This policy is established to clarify the rights of the natural person or persons and the UI regarding ownership and use of copyrightable materials in the absence of a valid written agreement between the natural person or persons and UI. The UI acknowledges the right of faculty and staff members and students to prepare and publish materials that are copyrightable in the name of the natural person or persons and that may

BUSINESS AFFAIRS AND HUMAN RESOURCES

FEBRUARY 27, 2014

UI FACULTY-STAFF HANDBOOK

Chapter 5: RESEARCH POLICIES

Section 5650: Financial Conflicts of Interest in Public Health Service Research

generate royalty income for the natural person or persons. (In this policy, “the natural person or persons” is to be construed broadly as including producers of creative works in the arts and sciences and creators of literary or scholarly writing.)

B-1. Coverage. The types of materials to which this policy applies include:

- a. Study guides, tests, syllabi, bibliographies, texts, books, and articles.
- b. Films, filmstrips, photographs, slides, charts, transparencies, illustrations, and other visual aids.
- c. Programmed instructional materials.
- d. Audio and video recordings.
- e. Simultaneously recorded live audio and video broadcasts.
- f. Dramatic, choreographic, and musical compositions.
- g. Pictorial, graphic, and sculptural works.
- h. Computer software, including computer programs, procedural design documents, program documents, and databases as defined below: *[ed. 7-00]*
 - (1) “Computer program” means a set of instructions that direct a computer to perform a sequence of tasks.
 - (2) “Procedural design document” refers to material that describes the procedural steps involved in the creation of a computer program.
 - (3) “Program document” refers to material created for the purpose of aiding the use, maintenance, or other interaction with a computer program.
 - (4) “Data base” means a collection of data elements grouped together in an accessible format.
- i. Other copyrightable materials, including materials generated in the production of any of the above works.

B-2. Assignment of Ownership. Faculty, staff members, and students retain all rights in the copyrightable materials they create except in the cases of “UI-Sponsored Materials” as defined in Subsection B-2-b below, materials subject to grant of a non-exclusive license to UI for public access as described in Subsection B-2-c below, materials covered by a Grant or Contract as discussed in Subsection E below, and materials covered by a valid written agreement between the natural person or persons and the UI as discussed in Subsection B-5 below. Faculty members, staff members, and students shall, consistent with Subsection G, assign rights in copyrightable materials claimed by UI under the above-identified exceptions and shall co-operate with reasonable requests from UI for the creation of any documents and records needed to vest and memorialize UI’s rights, if any. *[rev. 7-09]*

a. Retention of Rights. Except as otherwise provided in Subsection B-2, above,, the natural person or persons retain the rights to: (1) copyrightable works produced while on sabbatical leave; (2) study guides and similar works; and (3) works prepared as part of the general obligation to produce scholarly or other creative works of the natural person or persons, such as, but not limited to articles, books, musical compositions, and works of art. *[rev. 7-09]*

b. UI-Sponsored Materials. Materials are “UI-Sponsored Materials” within the meaning of this policy, and shall be assigned to UI consistent with Subsection G, if the natural person or persons: (1) prepared the work

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

UI FACULTY-STAFF HANDBOOK

Chapter 5: RESEARCH POLICIES

Section 5300: Copyrights, Protectable Discoveries and Other Intellectual Property Rights

as part of his or her employment duties at UI, excluding those traditional scholarly or other creative works identified in B-2-a; (2) was specially ordered or commissioned in writing by UI or one of its distinct units to develop the work; (3) received extra pay from UI to prepare the specific materials pursuant to a valid written agreement providing that the extra pay is consideration for the preparation of the specific materials; (4) received release time from regular duties, not including sabbatical leave, to produce the specific materials; or (5) made “substantial use” of UI resources in the creation or development of the specific materials, provided however that the use of UI resources openly available to the public shall not be considered “substantial use” of UI resources.

c. University Non-exclusive License for Public Access. In order to permit UI to comply with public access mandates established by federal law or federal agency or university policy (e.g. the National Institutes of Health Public Access Policy, Division G, Title II, Section 218 of PL 110-161 [Consolidated Appropriations Act, 2008]) and related terms and conditions of research agreements, faculty, staff, and students accepting research grants or contracts from, and conducting research from United States federal agencies shall grant UI an irrevocable, non-exclusive, non-transferable, non-commercial, royalty-free license in copyrightable materials produced as a result of such research, such license to be used solely to comply with public access mandates. This grant of non-exclusive license is deemed by UI to be a special arrangement for federal grants and contracts, per Subsection E below, and is not subject to the disposition of rights described in B-2-b or to negotiation under Section B-5 below. *[add. 7-09]*

B-3. Registration of Copyrightable Materials. Absent a valid written agreement otherwise, UI Sponsored Materials are to be registered in the name of the Regents of the University of Idaho or its’ assignee. UI or its designee has the right to file registrations of UI Sponsored copyrightable works.

B-4. Royalties and Income.

a. Out of the gross receipts from royalties and other income from sale or rental of UI Sponsored Materials, the UI, college, department, other unit, or UI’s designated agent may recover reasonable expenses that it incurred in the development, marketing, or dissemination of the materials.

b. Absent a valid written agreement to the contrary, the net proceeds are distributed as follows: 40 percent to the natural person or persons, 40 percent to UI or its designated agent, and 20 percent to the college or service unit of the natural person or persons. At least half of the share allocated to the college or other unit is given to the department of the natural person or persons for use in furtherance of its goals.

c. UI retains a right to royalty-free internal use of any materials designated UI Sponsored under this policy.

B-5. Written Agreements.

a. The provost represents UI in negotiating agreements with the natural person or persons pursuant to this policy. The natural person or persons of copyrightable material may negotiate with the provost and arrive at a mutually agreeable contract. The provost consults with the dean or departmental administrator of the department of the natural person or persons in drafting these agreements. (For purposes of this policy, “dean” includes persons with equivalent administrative capacities.)

b. Valid written agreements concerning copyright ownership, use of copyrighted materials, and distribution of royalties and income from copyrightable works which are entered into by one or more natural person or persons and the provost supersede the provisions of this Section 5300. To be valid, such agreements must (1) comply with the terms of any relevant Grants or Contracts as discussed in Subsection E below, (2) comply with the policies of the UI Board of Regents, and 3) comply with Idaho state and federal law. *[rev. 4-08]*

B-6. Use of UI-Sponsored Materials. Use of UI Sponsored Materials under this policy is subject to the following conditions:

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

UI FACULTY-STAFF HANDBOOK

Chapter 5: RESEARCH POLICIES

Section 5300: Copyrights, Protectable Discoveries and Other Intellectual Property Rights

a. Internal Use. Internal use is use by anyone employed by UI, or attending the UI as a student, while acting within the scope of his or her employ or academic enterprise, or any agent of UI acting within the scope of his or her agency, either directly or through a grant or contract, or by any UI unit. Internal use of UI Sponsored Materials for the same general purpose for which they were developed, and revision of such materials, do not require the prior approval or notification of any of the natural person or persons. However, for as long as any natural person or persons involved in the creation or development of UI Sponsored Materials remains a UI employee or student, such natural person or persons may, in a professionally appropriate manner, propose revisions of the material.

b. External Use. External use is any use other than that defined in Subsection B-6-a. above. Licensing or sale of UI Sponsored Materials for external use must be preceded by a valid written agreement between the natural person or persons and UI or the UI's designated agent specifying the conditions of use, and including provisions concerning updating or revision of the materials.

B-7. Protection.

a. Allegations of unauthorized use or copyright infringement of UI Sponsored Materials should be made to the Intellectual Property Committee for investigation. The committee will recommend appropriate action to the provost.

b. If such action is initiated by UI alone or in concert with the natural person or persons, the costs are borne by UI or UI's agent. Proceeds from the action in excess of costs are shared as provided in Subsection B-4-b.

c. If the natural person or persons involved in the creation or development of the allegedly infringed intellectual property desires to institute a suit and UI decides not to act, UI will co-operate either by assigning to the natural person or persons such rights as are necessary for the natural person or persons to pursue redress or by some other reasonable method acceptable to UI. The costs of the suit will be born by the natural person or persons desiring to sue, who will also obtain any monetary relief obtained from the alleged infringer due to the prosecution of the suit.

B-8. Liability. When either UI or the natural person or persons involved in the creation or development of materials copyrighted by UI or its assignee is alleged to have violated personal or property rights, UI or its designated agent assumes responsibility for the defense against such allegation and the satisfaction of any judgment rendered against UI or the natural person or persons except insofar as liability of governmental entities is limited by Idaho Code 6-903 as currently written or later amended.

B-9. Waiver. Any person involved in the development of copyrightable materials governed by Section 5300 B waives any claim that otherwise legal use of the material by UI, its agents, employees, or distinct units, creates legal liability by UI, its agents, employees, or distinct units on any theory of indirect liability for allegedly infringing actions of third parties. *[ed. 4-08]*

C. PROTECTABLE DISCOVERIES. "Protectable Discoveries," for purposes of this Section 5300 is defined to include anything which might be protected by utility patent, plant patent, design patent, plant variety protection certificate, maskwork, or trade secret. All Protectable Discoveries made by UI employees or students at any of its facilities in the course of programs carried on by UI or made by persons in the course of working on such programs or projects under contracts or agreements with UI belong to UI. The natural person or persons involved in the creation or development of such Protectable Discoveries shall assign to UI, as required by Subsection G., all such (1) Protectable Discoveries, (2) applications for legal protection of such Protectable Discoveries, and (3) utility patents, plant patents, design patents, and plant variety protection certificates resulting from such Protectable Discoveries. Absent a valid written agreement to the contrary, any Protectable Discoveries made by UI employees, students, or such other natural person or persons identified above with the use of facilities (other than library resources) owned by UI or made available to it for project or research purposes are deemed to have been made in the course of working on a research program or project of UI.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

UI FACULTY-STAFF HANDBOOK

Chapter 5: RESEARCH POLICIES

Section 5300: Copyrights, Protectable Discoveries and Other Intellectual Property Rights

C-1. Ownership by Other Than UI. A Protectable Discovery made by a natural person or persons wholly on his or her own time outside of his or her duties at UI and without the use of UI facilities (other than library resources) belongs to that natural person or persons, even though it falls within the field of competence relating to the person's UI position. This provision also allows any Protectable Discovery made by a natural person or persons in the course of private consulting services carried out by the person in conformance with the UI's policy on professional consulting and additional workload [see 3260] to be assigned to the consulting sponsor.

C-2. UI Processes. All Protectable Discoveries made by a natural person or persons in the course of working on a UI research program or project must be submitted to the Office of Technology Transfer (OTT). If a Protectable Discovery is accepted by OTT for development, management, marketing, licensing, or assignment in any manner for the purposes of this policy, OTT must ensure that such property is conveyed, assigned, or transferred to UI. OTT shall have full power to manage such rights and to enter into contracts and licenses concerning such rights, including the right to join in agreements with other nonprofit intellectual property-management entities. OTT shall undertake protection and commercialization of Protectable discoveries consistent with this policy and the policies of the Board of Regents of the University of Idaho. [rev. 7-97, 7-06, 4-08]

a. Upon submission of intellectual property to OTT, OTT must make a formal written decision to pursue commercialization for that property within three months. If OTT does not file for protection of the intellectual property within eighteen months of the date the disclosure was submitted, the rights shall be evaluated for return to the inventors. If OTT submits a provisional patent application for intellectual property protection, a "full" and non-provisional patent application must be submitted within nine months of the date of the submission of the provisional patent. [add. 7-97; ed. 7-98, rev. 4-08]

b. The OTT shall submit semi-annual reports, as long as UI owns the property, to both the inventor/natural person or persons of and to the college or center where the inventor(s) are located. The report will include on 1) the status of the application until such time that protection is granted, 2) the marketing activities for the property being serviced, and 3) an accounting for funds received from the property. In the event that OTT has been unsuccessful in transferring a property or filing a patent application within three years after its first acceptance, OTT must notify the college or center and inventor(s) in writing. [add. 7-97, rev. 7-06, 4-08]

c. If OTT determines not to pursue commercialization of a Protectable Discovery, the University may elect, subject to controlling federal law, including but not limited to 37 CFR 401 ("Bayh-Dole"), to reconvey, assign and transfer the Protectable Discovery to the natural person or persons (inventors) involved in the creation of the intellectual property. [rev. 4-08]

C-3. Proceeds. OTT will make provision to share the net proceeds, management, and licensing of any Protectable Discovery as follows: [ed. 4-08]

a. Legal and development expenses incurred by OTT will be reimbursed first out of the net proceeds, prior to any distributions. [rev. 4-08]

b. Absent a valid written agreement to the contrary, the net proceeds in excess of legal and development expenses shall be distributed as follows: 40 percent to the natural person or persons; 40 percent to OTT; and 20 percent to the college or service unit of the natural person or persons. At least half of the share allocated to the college or other unit is given to the department of the natural person or persons for use in furthering its goals. [rev. 4-08]

C-4. Ownership Questions. Questions as to the ownership of a Protectable Discovery or division of proceeds between persons involved in development of such discoveries and departments are referred in the first instance to the Intellectual Property Committee. The disputes will be decided in accordance with Section 5300(D).

D. DISPUTE RESOLUTION. From time to time, disputes will inevitably occur concerning ownership of the

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

UI FACULTY-STAFF HANDBOOK

Chapter 5: RESEARCH POLICIES

Section 5300: Copyrights, Protectable Discoveries and Other Intellectual Property Rights

intellectual property (copyrights and Protectable Discoveries) contemplated in this Section 5300. Resolution of such disputes shall be achieved by the following procedure:

D-1. Intellectual Property Dispute Committee. The Intellectual Property Dispute Committee (IPD Committee) shall be an Ad Hoc Committee formed when necessary by appointments made by the Provost, in consultation with the Chair of Faculty Senate and the President of the Graduate and Professional Student Association (GPSA). Normally the IPD Committee shall be composed of five faculty members and two graduate students. The Provost shall appoint the chair from among the faculty members. In the event the GPSA shall fail to appoint one or more student members, the IPD Committee may nonetheless be formed by the Provost and conduct business without the GPSA student representatives. *[ed. 1-10]*

D-2. Recommendation by the Intellectual Property Dispute Committee. The IPD Committee considers, investigates, and makes recommendations toward resolution of disputes concerning (1) ownership of copyrightable materials and Protectable Discoveries, and (2) allegations or unauthorized use or copyright infringement of UI Sponsored Materials. It reviews all relevant evidence submitted to it before making its recommendation to the provost. The IPD Committee's recommendation is to be made no later than 60 days after receiving the matter for consideration. The IPD Committee's recommendation is determined by a majority of all its members voting by secret ballot at a meeting at which over one-half its appointed members are present. No member may participate in any matter in which his or her ownership rights are being determined.

D-3. Decision by the Provost. After receiving the recommendation of the IPD Committee, the provost makes a decision concerning ownership or infringement. The provost's decision is made no later than 30 days after receiving the IPD Committee's recommendation. That decision is transmitted in writing to the natural person or persons and to his or her departmental administrator and dean.

D-4. Appeal of the Decision of the Provost. The decision of the Provost may be appealed to the President of the University. Further appeals shall be made as from any other decision of an administrative body under the laws of the State of Idaho in effect from time to time.

E. SPECIAL ARRANGEMENTS. Nothing in this policy shall prevent UI from accepting research grants from, and conducting research for, agencies of the United States upon terms and conditions under applicable provisions of federal law or regulations that require a different disposition of rights in any form of intellectual property. Moreover, nothing herein shall prevent cooperative arrangements with other agencies of the state of Idaho for research. Where receipt of a grant in support of research from any nonprofit agency or group may be dependent upon acceptance of terms and conditions of the established intellectual property policy of the grantor that differ from those stated herein, UI may specifically authorize acceptance of such grant upon such terms and conditions. UI may also specifically authorize contractual arrangements with an industrial sponsor for different disposition of rights in any form of intellectual property resulting from its sponsored research. UI may assign and license intellectual property rights to any organization, company, or commercial entity, regardless of whether that organization, company, or commercial entity is a sponsor.

F. RECORD-KEEPING. See Section 5500 for record-keeping procedures that are recommended in order to safeguard the property rights of UI or the faculty member in research and potentially patentable results.

G. PRESENT ASSIGNMENT OF RIGHTS IN INTELLECTUAL PROPERTY. All intellectual property to which UI claims ownership by this policy shall belong to UI, and UI employees, students, and other persons subject to this policy do hereby assign to UI all rights, including future rights, in intellectual property to which UI claims ownership by this policy or as otherwise required by policy of the UI Board of Regents, and in any related application for legal protection of such intellectual property.

[For form of employment agreement concerning patents, see 5400.]

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

Boise State University
Effective Date: July 1, 1990

University Policy # 1090
Revised: July 1, 1995
September 27, 2004
2013

**COPYRIGHTS, PROTECTABLE DISCOVERIES AND OTHER INTELLECTUAL
PROPERTY RIGHTS**

Purpose:

To establish ownership of copyrights, protectable discoveries and other intellectual property rights and to provide guidelines for the distribution of income received for the sale of those works. While the university claims ownership of intellectual property on behalf of the State Board of Education, the underlying purpose of such claim of ownership is to foster and advance the development of intellectual property through rigorous scientific investigation and research, and to develop, acquire and license intellectual property for the economic growth and development of Idaho and the nation.

Additional Authority:

Idaho State Board of Education Governing Policies and Procedures §V.M
University Policy #1110 (Conflict of Interest and Commitment)

Scope:

Faculty, Staff, Students and Student-Employees.

Responsible Party:

Division of Research and Economic Development, 426-5732
Provost and Vice President for Academic Affairs (the Provost), 426-1212

Definitions:

Computer Program - A set of instructions that direct a computer to perform a sequence of tasks.

Copyrightable Works - Anything protectable by copyright, such as:

1. Study guides, tests, syllabi, course materials, bibliographies, texts, books, and traditional scholarly publications.
2. Films, filmstrips, photographs, slides, charts, transparencies, illustrations, and other visual aids.
3. Programmed instructional materials.
4. Audio and video recordings.
5. Simultaneously recorded live audio and video broadcasts.
6. Dramatic, choreographic, and musical compositions.

Page 1 of 11

7. Pictorial, graphic, and sculptural works.

However, Computer software, including computer programs, procedural design documents, program documents, and databases as defined below shall be treated for purposes of this policy as a Protectable Discovery and not as Copyrightable Works.

Course Materials - Any materials prepared by an instructor for use in teaching a course offered by Boise State to its students, including lectures, lecture notes, syllabi, study guides, bibliographies, visual aids, images, diagrams, multimedia presentations, examinations, web-ready content and educational software. These exclude University-Sponsored Materials and University-Directed Materials.

Database - A collection of data elements grouped together in an accessible format.

Electronic - Relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

'Employee' or 'Employees' – Faculty, staff, or student-employees of the university.

Natural Person(s) - Individuals or business entities involved in the creation, invention or development of intellectual property. This term is construed broadly as including producers of creative works in the arts and sciences and creators of literary or scholarly writing.

Net Proceeds - The gross receipts from royalties and all other income from license, option, sale, lease or rental of Intellectual Property minus (a) the monies specifically directed for additional sponsored research or development activities and (b) the amount recovered by the university for reasonable expenses incurred in the development, marketing, protection, registration or dissemination of the materials, including legal expenses.

Procedural Design Document - Material that describes the procedural steps involved in the creation of a computer program.

Program Document - Material created for the purpose of aiding the use, maintenance, or other interaction with a computer program.

Protectable Discoveries - Anything that might be protected by utility patent, plant patent, design patent, plant variety protection certificate, maskwork, or trade secret and computer software, including computer programs, procedural design documents, program documents, and databases as defined above.

Significant Additional University Support - University assistance that does not include the mere use of library resources, workshops, or university personal computers but

may include stipends, significant assistance of university-provided instructional designers or other resources not openly available to employees or students.

University-Sponsored Materials - Copyrightable materials produced by employees or students where the natural person(s) made use of state or university resources not openly available to members of the general public in the creation or development of the specific materials. These exclude traditional scholarly publications and Course Materials written by faculty for courses offered by the university to its students,

University-Directed Materials - Copyrightable materials produced by employees where the natural person(s) developed the material as part of the course and scope of their specific employment duties. These exclude traditional scholarly publications and Course Materials written by faculty for courses offered by the University to its students.

'Written' or 'in writing' – Shall include information created, generated, sent, communicated, received, or stored by electronic means, including without limitation email, telecopy, and facsimile transmissions.

POLICY

I. Policy Statement

As an integral part of its mission, Boise State University encourages the creation of scholarly works. University participation in the development, marketing, and dissemination of educational and research materials aims for the improvement of the quality, effectiveness, and efficiency of student learning and of faculty and staff development.

The university must protect the investment of public resources that provide for the development of useful discoveries while ensuring that such knowledge is utilized for the betterment of Idaho and the nation. The rights and obligations of Boise State University, its employees and students and other third parties shall be governed by this policy and Idaho State Board of Education (SBOE) Governing Policies and Procedures with respect to all types of intellectual property.

II. Arrangements for Federal, State, and Private Funding

Nothing in this policy shall prevent the university from accepting funding from, and conducting sponsored projects for, agencies of the United States upon terms and conditions under applicable provisions of federal law or regulations that require a different disposition of rights in any form of intellectual property, including Course Materials. Moreover, nothing herein shall prevent cooperative arrangements with other agencies of the State of Idaho for sponsored projects.

Where receipt of funding in support of a sponsored project from any nonprofit agency or group may be dependent upon acceptance of terms and conditions of the established intellectual property policy of the grantor that differ from those stated herein, the university may specifically authorize acceptance of such funding upon such terms and conditions. The university may also specifically authorize contractual arrangements with an industrial sponsor for different disposition of rights in any form of intellectual property, including Course Materials, resulting from a sponsored project, provided however, that the terms of any such contractual arrangements must comply with the policies of the SBOE and with Idaho state and federal laws.

III. Copyrightable Works

A. General Provisions

This policy clarifies the rights of natural person(s) and the university regarding ownership and use of Copyrightable Works. The university acknowledges the right of employees and students to prepare and publish copyrightable materials in the name of the natural person and that such publication may generate royalty income.

Employees and students retain all rights in the copyrightable materials they create except in the cases of:

1. University-Sponsored Materials,
2. University-Directed Materials,
3. Materials subject to grant of a non-exclusive license to the university for educational use or public access as described below,
4. Materials created through a sponsored project and covered by a grant, funding agreement or contract as discussed above in section II, and
5. Materials covered by a valid written agreement between the natural person(s) and the university as discussed below.

Employees and students shall cooperate with reasonable university requests for any documents and records needed to vest and memorialize the university's rights.

Notwithstanding anything to the contrary in this policy, to permit the university to comply with public access mandates established by state or federal law or regulations and the related terms and conditions of

sponsored activity agreements, employees and students accepting grants, funding or contracts from, and conducting sponsored research or other activities for United States Government agencies grant the university an irrevocable, non-exclusive, non-transferable, royalty-free license in copyrightable materials produced as a result of such sponsored activities.

B. Course Materials

The provisions of this section apply in the absence of a written agreement between the employee and Boise State.

1. For courses offered by the university to its students, Course Materials are not University-Sponsored or University-Directed Materials and are generally the property of the natural person(s). Such natural person(s) may use their Course Materials in any way that does not violate university or SBOE policy.
2. Occasionally, Course Materials are created with Significant Additional University Support. If a natural person(s) creates Course Materials with Significant Additional University Support, the natural person(s) retain ownership of the Course Materials, but they grant to the university a perpetual, fully paid-up, royalty-free, nonexclusive, sublicensable worldwide license to use, copy, distribute, display, perform, and create derivative works of such Course Materials. The university will share the Net Proceeds, if any, from the sublicense of these Course Materials to other academic institutions once yearly as follows: 50 percent to the natural person(s) and 50 percent to Boise State University.
3. If the natural person(s) are expressly commissioned by the university to create certain Course Materials, either as part of the required workload or in exchange for additional financial consideration, those Course Materials shall not be owned by the natural person(s) but shall be the exclusive property of the university and such natural person(s) irrevocably assign to the university all right, title and interest, worldwide to those Course Materials, applications for legal protection of such Course Materials and copyrights resulting from the creation of such Course Materials.
4. The Provost is responsible for the development, management, marketing, and licensing of all Course Materials for which the university claims rights under this policy, and shall have full power to manage such rights and to enter into contracts and licenses concerning such rights.

C. University-Directed Materials

University-Directed Materials are owned by Boise State University and must be registered in the name of the university. Natural person(s) who produce University-Directed Materials irrevocably assign to the university all right, title and interest worldwide to University-Directed Materials, applications for legal protection of such University-Directed Materials and copyrights resulting from the creation of such University-Directed Materials. University may use University-Directed Materials for any lawful purpose of the university and shall retain all income derived from the University-Directed Materials.

D. University-Sponsored Materials

University-Sponsored Materials are owned by Boise State University and must be registered in the name of the university. Natural person(s) who produce University-Sponsored Materials irrevocably assign to the university all right, title and interest worldwide to University-Sponsored Materials, applications for legal protection of such University-Sponsored Materials and copyrights resulting from the creation of such University-Sponsored Materials.

The university may register, protect, transfer, convey, license, or otherwise derive income from University-Sponsored Materials. In light of the university's educational mission and its role in the creation of the copyrightable materials, when entering into agreements to transfer, convey, or license the copyrightable works, the university may retain an irrevocable, non-exclusive, non-transferable, royalty-free license in University-Sponsored Materials.

1. Royalties and Income

Net Proceeds derived from University-Sponsored Materials are distributed once yearly by the university, through its Division of Research and Economic Development ("Research Division") as follows: 50 percent to the natural person(s) and 50 percent to Boise State University.

2. Use of University-Sponsored Materials

Use of University-Sponsored Materials is subject to the following conditions:

- a) "Use" means use by anyone employed by the university, or attending the university as a student, while acting within the scope of their employment or academic enterprise, or any agent of the university acting within the scope of their agency, either

directly or through a grant or contract, or by any university department.

- b) Use of University-Sponsored Materials for any lawful purpose of the university does not require the prior approval or notification of any of the natural person(s). However, for as long as any natural person(s) involved in the creation or development of the University-Sponsored Materials remains a university employee or student, they may propose revisions to the material in a professionally appropriate manner.

E. Waiver

Any person involved in the development of copyrightable materials governed by this policy waives any claim that otherwise legal use of the material by the university, its agents, employees or students creates legal liability by the university, its agents, employees or students on any theory of indirect liability for allegedly infringing actions of third parties.

IV. Protectable Discoveries

A. General Provisions; Irrevocable Assignment

Generally, Protectable Discoveries are the property of Boise State University. All Protectable Discoveries, and any data or tangible materials that are associated with or embody Protectable Discoveries, discovered, developed, conceived, or reduced to practice by university employees through work performed within the scope of their duties at the university, by university employees or other persons using university resources not openly available to members of the general public, or by university employees or other persons through work performed under contracts or agreements with the university are the property of the university, effective immediately as of the time such Protectable Discoveries are discovered, developed, conceived, or reduced to practice. Such persons, whether university employees or other persons subject to this Subsection, irrevocably assign to the university all right, title, and interest, worldwide to Protectable Discoveries, applications for legal protection of such Protectable Discoveries, and utility patents, plant patents, design patents, and plant variety protection certificates, or copyrights resulting from such Protectable Discoveries. Protectable Discoveries made by university employees or such other persons, and for which the university does not expressly disclaim ownership under this policy, are deemed to have been made under the conditions identified above for which ownership is claimed by and all rights in such Protectable Discoveries are assigned to the university. University employees must refrain from any act that would impair or attempt to defeat the university's rights in any Protectable Discovery.

Protectable Discoveries made by students, and without the use of university resources beyond those associated with normal coursework, will remain the property of the students, except when a Protectable Discovery is made in the course of employment at the university, or results from work directly related to employment responsibilities at the university, or from work or research performed under a grant or sponsorship.

A Protectable Discovery discovered, developed, or conceived and reduced to practice by university employees wholly on their own time, outside the scope of their duties at the university, and without the use of university facilities (other than library resources) shall belong to that person, even though it falls within the field of competence relating to the natural person's university position. Any Protectable Discovery made by a university employee in the course of private consulting services carried out by the employee in conformance with the university's policy on professional consulting may be assigned to the consulting sponsor.

B. Proceeds

Net Proceeds derived from Protectable Discoveries are distributed by the university once yearly through its Research Division as follows: 50 percent to the natural person(s) and 50 percent to Boise State University.

V. University Processes

- A.** The Research Division is responsible for the development, management, marketing, and licensing of all Copyrightable Works and Protectable Discoveries (collectively "Intellectual Property") for which the university claims ownership under this policy, except for Course Materials. All such Intellectual Property must be disclosed to the Research Division. The Research Division has full power to manage such rights and to enter into contracts and licenses concerning such rights subject to State Board of Education policy and in accordance with the Idaho University Licensing Guidelines.
- B.** Upon disclosure of Intellectual Property to the Research Division, the Research Division will communicate, as soon as practicable, its determination of whether the university wishes to pursue commercialization and/or a patent or other legal protection. The Research Division shall make reasonable efforts to complete its review and convey its determination to the natural person(s) disclosing the Intellectual Property within three (3) months after receiving a full and complete disclosure of the Intellectual Property.

**BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014**

University Policy #1090

1. If Boise State does not wish to pursue commercialization and/or patent or other legal protection for the Intellectual Property, the Research Division may license all rights to the Intellectual Property to the natural person(s) within sixty (60) days of the date on which the determination was conveyed to the natural person(s), when allowable by any sponsored research agreements under which the Intellectual Property was disclosed. In any such license, the licensee shall be responsible for all expenses, including legal expenses, relating to the technology going forward. The university's Net Proceeds under any such license shall be distributed by the university once yearly through its Research Division as follows: 80 percent to the natural person(s) and 20 percent to the university.
2. If Boise State decides to pursue commercialization and/or patent or other legal protection for the Intellectual Property, the Research Division shall when reasonable:
 - a) File a patent application and/or other legal protection documents within sixty (60) days of the date on which the determination was conveyed to the natural person(s);
 - b) Work with the natural person(s) to develop the terms and conditions of any license to the Intellectual Property;
 - c) Work with the natural person(s) to understand and communicate what reasonable expenses shall be deducted from any gross proceeds of the licensing agreement.
 - d) Not less than annually and for so long as Boise State owns the Intellectual Property, provide reports to the college or center with which the natural person(s) are affiliated regarding the Intellectual Property. The report will include (a) the status of any application until such time that protection is granted, (b) the marketing activities for the Intellectual Property being serviced, and (c) an accounting for funds received from the Intellectual Property. If the Research Division is unsuccessful in commercializing a property or filing a patent application within three years after its first acceptance, the Research Division must notify the college or center in writing.
3. Boise State will not sell or convey the Intellectual Property without discussion with or notification to the natural person(s).

VI. Protection

- A. Allegations of unauthorized use or infringement of university owned Intellectual Property should be made to the Intellectual Property Dispute Committee for investigation. The committee will recommend appropriate action to the VP for Research.
- B. If an infringement action is initiated by the university, the costs shall be borne by the university and are considered a reasonable expense of protecting the discovery. Proceeds from the action in excess of costs are shared as provided above.
- C. Where the university is the owner of the Intellectual Property, only the university may initiate an infringement action notwithstanding the royalty interest of the natural person(s). In such matters, the decision of the university is final and the university will owe no recourse to the natural person(s) for such decision.
- D. When licensing or conveying an interest in university owned Intellectual Property, the university will only license or convey interest when the Intellectual Property is to be further developed, used or produced for the good of society or put into production. The university will not license or convey for the sole or primary purpose of bringing an infringement action.

VII. Other Intellectual Property Rights

All other intellectual property rights not referred to in the above sections are covered under SBOE Policy Section V.M.

VIII. Dispute Resolution

Occasionally, disputes will arise concerning ownership of the Intellectual Property contemplated in this policy. Resolution of such disputes shall be achieved by the following procedure:

A. Intellectual Property Dispute Committee

The Intellectual Property Dispute Committee ("IPD Committee") is an Ad Hoc Committee formed when necessary by appointments made by the VP for Research. Such appointments will be made by the VP for Research in consultation with the Provost if the matter in dispute involves Course Materials. The IPD Committee shall be composed of five (5) individuals and must include both university faculty and staff members. The VP for Research shall appoint the chair from among the committee members.

Additionally, the university's Office of the General Counsel shall appoint an ex officio representative to the IPD Committee.

The IPD Committee considers, investigates, and makes recommendations toward resolution of disputes concerning (1) ownership of copyrightable materials and Protectable Discoveries, and (2) allegations of unauthorized use or copyright infringement of University-Sponsored Materials. It reviews all relevant evidence submitted to it before making its recommendation to the VP for Research. The IPD Committee's recommendation shall be made no later than sixty (60) days after receiving the matter for consideration. The IPD Committee's recommendation is determined by a majority of all its members voting by secret ballot at a meeting at which over one-half its appointed members are present. No member may participate in any matter in which their ownership rights are being determined.

B. Decision by the VP for Research

After receiving the recommendation of the IPD Committee, the VP for Research makes a decision concerning ownership or infringement. Such decision will be made by the VP for Research in consultation with the Provost if the matter in dispute involves Course Materials. The VP for Research's decision is made no later than thirty (30) days after receiving the IPD Committee's recommendation. That decision is transmitted in writing to the natural person(s) and to their departmental administrator and dean.

C. Appeal

The decision of the VP for Research may be appealed to the President of the university. The decision of the President shall be the final decision of the university.

**IDAHO STATE UNIVERSITY
POLICIES AND PROCEDURES (ISUPP)
Intellectual Property Policy
Policy # 7010**

POLICY INFORMATION

Major Functional Area (MFA): *Office for Research and Economic Development*

Policy Title: *Intellectual Property Policy*

Responsible Executive (RE): *Vice President for Research & Economic Development*

Sponsoring Organization (SO): *Division for Research Innovation*

Dates: Effective Date: *June 12, 2012*

Revised: _____, 2014

Annual Review: _____, 2014

I. INTRODUCTION

Idaho State University (ISU) is a Carnegie-classified doctoral research high institution committed to fostering an environment that encourages excellence in teaching, the creation of meaningful scholarly works, and research, both fundamental and applied, in areas that advance science, knowledge and solve real world problems faced by industry and society.

ISU recognizes that partnering with industry, governmental, and community entities is essential to:

- encourage the practical application of the results of institution research by industry for the broad public benefit;
- meet our obligations to sponsors of institution research;
- build research relationships with industry partners to enhance the research and educational experience of researchers and students;
- stimulate commercial uptake and investment;
- stimulate economic development; and
- ensure an appropriate return of taxpayer investments in our research.

Financial returns from technology licensing provide additional support for research and education, an incentive for faculty retention, and support of our technology transfer program. Successfully executing these initiatives will improve the quality and effectiveness of student learning and faculty development, enhance the reputation of ISU and the State of Idaho, and promote welfare and economic development of our community, state and the world.

ISU recognizes its obligation to comply with Section V.M. of the Governing Policies and Procedures of the Idaho State Board of Education (the "Board") regarding intellectual property (see http://www.boardofed.idaho.gov/policies/documents/policies/v/vm_intellectual_property_0613.pdf).

ISU, its employees and students and related third parties, are governed by this policy regarding all types of intellectual property rights and obligations.

II. POLICY STATEMENT

This Intellectual Property Policy applies to all ISU faculty, staff and students, as well as third parties performing work for ISU. It addresses ownership rights and revenue sharing for intellectual property.

This Section is deemed to be a part of the conditions of employment for every employee of ISU, including faculty, staff and student employees, and of the conditions of enrollment and attendance for every student.

III. AUTHORITY AND RESPONSIBILITIES

Enforcement of this policy and the determination of whether a work falls within this policy is the responsibility of the Vice President for Research and Economic Development (VPR) with assistance from ISU General Counsel and the Division for Research Innovation (DRI). The DRI is responsible for the protection, management, marketing, licensing of all intellectual property (defined below) for which ISU claims ownership under this policy.

IV. DEFINITIONS

For purposes of this policy, the following terms shall be defined as:

- A. “copyrightable work,” means anything which constitutes an original work of authorship fixed in a tangible medium of expression and includes scholarly, professional and creative works.
- B. “intellectual property” includes all types of intellectual property recognized under applicable law, including but 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 applicable laws. The term “intellectual property” is to be construed broadly as including creative works in the arts and sciences and literary or scholarly writing.
- C. “ISU-Sponsored Materials” is defined in Section VI.B.1 below.
- D. “protectable discoveries,” means anything that might be protected by utility patent, process patent, plant patent, design patent, plant variety protection certificate, mask work, or trade secret.
- E. “scholarly, professional and creative work” includes a pedagogical, scholarly, literary, or artistic work created by a faculty member (including full-time, part-time, and adjunct faculty members) as part of traditional academic activity. Scholarly, professional and creative works include, but are not limited to, books, journal articles, reviews, course syllabi, tests, course assignments, monographs, scholarly papers, musical compositions, works of art, computer programs, unpublished manuscripts, and recordings or transcriptions of lectures or performances. Scholarly, professional and creative works do include protectable discoveries.
- F. “written” or “in writing” includes information created, generated, sent, communicated, received, or stored by electronic means, including without limitation email, telecopy, and facsimile transmissions.

V. PROCEDURES TO IMPLEMENT

The DRI, under the direction of the VPR, works with ISU faculty, staff, students, and industry and government partners to identify, protect, market and license intellectual property owned by ISU under this policy. The DRI and the VPR have the overall authority and responsibility for carrying out this policy and negotiating and signing contracts relating to the matters stated herein. In addition, the Provost and other applicable ISU Vice Presidents have the authority to negotiate and sign written contracts relating to certain copyrightable works under this policy as stated in Section VI.C.

VI. COPYRIGHTABLE WORKS

ISU acknowledges the right of faculty, staff members and students to prepare and publish scholarly, professional and creative works. Except as provided herein, ISU does not claim an ownership interest in such works.

A. Ownership. Under U.S. copyright law, an employer is presumed to own the copyright in a work created by an employee acting within the course and scope of employment. However, consistent with academic tradition, and to encourage scholarly work, ISU specifically disclaims its copyrights in the scholarly, professional, and creative works of its faculty and staff, except for “ISU-Sponsored Materials” as defined below. Except as provided below, faculty, staff members, and students retain ownership of the copyrights in the scholarly, professional and creative works they create subject to the provisions in B. These include, but are not limited to such materials as books, workbooks, study guides, monographs, articles, and other works including music and performances, whether embodied in print, electronic format, or in other media. Ownership rights to copyrightable works created by third parties under contract with ISU will be as provided in the written contract under which the work is created. Any such contract must be in writing and signed by a person authorized to sign contracts on behalf of ISU.

B. Exceptions. ISU claims ownership in copyrightable works created by faculty, staff and students in the following situations:

1. “ISU-Sponsored Materials” Copyrightable works are “ISU-Sponsored Materials” if:
 - a. they are commissioned for its use by the University; or
 - b. they are created by employees if the production of the materials is a specific responsibility of the position for which the employee is hired; or
 - c. they are sponsored works, which are works resulting from internal grants (work created as a result of an agreement between the University and the creator(s) of the work) and external grants (work created as a result of an agreement between an external sponsor and the University). This provision does not apply to grants to perform research where the production of copyrightable materials is ancillary to the purpose of the grant. Employees and students continue to own the copyright to scholarly and other publications that present the findings of research, subject to the provisions of subsection 1 herein; or
 - d. they are created by faculty, staff members, or students with the use of substantial University resources which are specifically provided to support the production of copyrightable materials. “Substantial University resources” is defined as funding, technical equipment, the paid time of other employees, or other resources over and above those which are regularly and customarily available to faculty, staff, and students as part

of their regular employment or their regular academic enterprise or studies), (See Attachment E.) Examples include recorded lectures or classroom presentations, audiovisual works, or other materials prepared for use in online or distance learning programs. (Note that in such instances, ISU's claim of copyright ownership would apply only to the recorded material, and not to underlying lecture notes, research, published matter, etc., unless specifically provided otherwise in the agreement required below.) Other instances in which ISU could claim copyright ownership because of use of substantial University resources are possible. In most cases, ISU will clarify copyright ownership in a written agreement with the creators, as set forth below, prior to committing substantial University resources.

(1) If substantial University resources will be used in the development of educational materials, a written agreement must exist between the author and University setting forth the terms of

- (a) copyright ownership, and
- (b) division of net income from external sale, and
- (c) use, revision and maintenance

shall precede the use of said resources. Limited secretarial support, uses of the library for which special charges are not normally made, and the staff member's own time except as covered by subsections 1.a. and 1.b. herein shall not be considered substantial University resources.

(2) In the unusual circumstance in which the said materials were developed with substantial University resources without an agreement the University may, in its discretion, claim copyright ownership and/or a share of royalties.

2. **Materials Protectable by Both Patent and Copyright Laws.** Materials that may be protected under both patent and copyright laws (such as computer software) shall be treated as Protectable Discoveries and shall be subject to the disposition of ownership and the process for commercialization described in Section VII.
3. Works covered by a valid written contract between the creator(s) and ISU as discussed in Section VI.C; and
4. Works covered by a research grant, as discussed in Section XI.

With respect to all of the copyrightable works to which ISU claims ownership under this Section, all persons, whether ISU employees or other persons subject to this Section, agree to assign and do hereby irrevocably assign to ISU all right, title, and interest to such copyrightable works. ISU employees have a duty to refrain, and hereby agree to refrain, from any act that would impair or defeat ISU rights in any such copyrightable work.

C. Written Contracts with Faculty, Staff, Students and/or Third Parties. The Vice President for Research and Economic Development or his or her designee represents ISU in negotiating contracts with any faculty member(s) creating or developing copyrightable works for ISU. Contracts with ISU

staff members, students or with third parties involving the creation or development of copyrightable works may be entered into with the appropriate ISU Vice President for the functional unit paying for the work, or his or her designee. Any such contracts concerning creation of copyrighted works, including ownership, use, licensing, and distribution of royalties and income from copyrightable works which are entered into by one or more faculty members and the Vice President for Research & Economic Development, or by one or staff members, students or third parties and an ISU Vice President supersede the other provisions of this Section. To be valid, such contracts must (1) comply with the terms of any relevant grants or contracts as discussed in Section XI.G below, (2) comply with the policies of Idaho State University, and (3) comply with Idaho state and federal law, including Section V.M. of the Governing Policies and Procedures of the Board.

D. Use of ISU-Sponsored Materials. Use of ISU-Sponsored Materials under this policy is subject to the following conditions:

1. **Internal Use.** Internal use is use by anyone employed by ISU, or attending ISU as a student, while acting within the scope of his or her employ or academic enterprise, or any agent of ISU acting within the scope of his or her agency, either directly or through a grant or contract, or by any ISU unit. Internal use of ISU-Sponsored Materials for the same general purpose for which they were developed, and revision of such materials, does not require the prior approval or notification of any of the creators. For as long as any creator remains an ISU employee or student, he or she may propose revisions of the material.
2. **External Use.** External use is any use other than that defined above. Licensing or sale of ISU-Sponsored Materials for external use must be preceded by a valid written contract between ISU or ISU's designated agent and the licensee, specifying the conditions of use.

E. University Non-exclusive License for Public Access. In order to permit ISU to comply with public access mandates established by federal law or federal agency or university policy (e.g. the National Institutes of Health Public Access Policy, Division G, Title II, Section 218 of PL 110-161 [Consolidated Appropriations Act, 2008]) and related terms and conditions of research contracts, faculty, staff, and students accepting research grants or contracts from, and conducting research from United States federal agencies hereby grant ISU an irrevocable, non-exclusive, non-transferable, non-commercial, royalty-free license in copyrightable works produced as a result of such research, such license to be used solely to comply with public access mandates. This grant of non-exclusive license is deemed by ISU to be a special arrangement for federal grants and contracts, per Section XI, and is not subject to the disposition of rights described in VI.B or to negotiation or change in contracts entered into under Section VI.C.

F. Cooperation Required. Faculty members, staff members, and students must cooperate with reasonable requests from ISU for the creation of any documents and records needed to vest and memorialize ISU's rights (whether ownership or licensing rights), if any, in copyrightable works.

G. Registration of Copyrightable Works. Absent a valid written contract otherwise, ISU-Sponsored Materials are to be registered in the name of the Idaho State University or its assignee. ISU or its designee has the right to file registrations of ISU-Sponsored Materials.

H. Liability. When either ISU or a faculty or staff member or student involved in the creation or development of works copyrighted by ISU or its assignee is alleged to have violated personal or property rights, ISU or its designated agent will assume responsibility for the defense against such allegation and the satisfaction of any judgment rendered against ISU or the faculty or staff member

or student, except insofar as liability of governmental entities is limited by Idaho Code §6-903 as currently written or later amended.

I. Waiver. Any person involved in the development of copyrightable works governed by Section VI.B waives any claim that otherwise legal use of the work by ISU, its agents, employees, or units, creates legal liability by ISU, its agents, employees, or units on any theory of liability for any allegedly infringing actions of third parties.

VII. PROTECTABLE DISCOVERIES

For purposes of this Subsection VII, the term “ISU employees” includes faculty members, staff members and student employees.

A. Claim of Ownership.

1. ISU Employees and Third Parties Performing Work for ISU: Effective immediately as of the time they are discovered, developed, conceived, or reduced to practice, all Protectable Discoveries, and any data or tangible materials that are associated with or embody Protectable Discoveries, shall be the property of ISU if they are discovered, developed, conceived, or reduced to practice:

- a. by ISU employees through work performed within the scope of their duties at ISU;
- b. by ISU employees or other persons using ISU resources not openly available to members of the general public; or
- c. by ISU employees or other persons through work performed under contracts with ISU.

2. Non-employee Students

a. **Undergraduate Students:** Protectable Discoveries made by undergraduate students, and without the use of ISU resources beyond those associated with normal coursework, will remain the property of the students, except when a Protectable Discovery is made in the course of employment at ISU, or results from work directly related to employment responsibilities at ISU or from work or research performed under a grant or other sponsorship, or is undertaken with another person who has a duty to make or has made an assignment to ISU under this policy.

b. **Graduate Students:** Protectable Discoveries made by graduate students in the course of employment at ISU or through research carried out as part of a post-baccalaureate or doctoral degree or other non-degree program, or resulting from work directly related to the graduate student’s employment, training or research responsibilities at the ISU, or from work or research performed under a grant or other sponsorship, or undertaken with another person who has a duty to make or has made an assignment to ISU under this Section, shall be the property of ISU and shall be subject to this Section. Any Protectable Discoveries arising from a thesis or dissertation submitted as a part of the requirements for a degree shall be subject to this Section.

3. Assignment. All persons, whether ISU employees or other persons subject to this Section, agree to assign and do hereby irrevocably assign to ISU all right, title, and interest to Protectable Discoveries, applications for legal protection of such Protectable Discoveries, and

utility patents, process patents, plant patents, design patents, and plant variety protection certificates, or copyrights resulting from such Protectable Discoveries. ISU employees have a duty to refrain, and hereby agree to refrain, from any act that would impair or defeat ISU rights in any Protectable Discovery.

B. Ownership by Other than ISU. A Protectable Discovery discovered, developed, or conceived and reduced to practice by ISU employees or other persons wholly on their own time, outside the scope of their duties at ISU, not performed under contracts with ISU, and without the use of ISU facilities (other than library resources) shall belong to that person, even if it falls within the field of competence relating to the person's ISU position. This provision also allows any Protectable Discovery made by an ISU employee in the course of private consulting services carried out by the employee in conformance with the ISU's policy on professional consulting and additional workload to be assigned to the consulting sponsor.

C. Disclosure, Protection and Commercialization Processes.

1. The DRI is responsible for the development, management, marketing, licensing of all Protectable Discoveries for which ISU claims ownership under this policy. DRI will manage Protectable Discoveries in the best interests of the state, the Board and ISU. This may include the generation of revenue, but nothing in this policy is to be interpreted as a requirement that revenue be maximized for individual creators.
2. All Protectable Discoveries must be disclosed to DRI. Inventors and creators can disclose Protectable Discoveries using the disclosure form available on the DRI website at <http://www.isu.edu/research/innovation/>.
3. Upon disclosure of a Protectable Discovery to DRI, DRI will evaluate the Protectable Discovery to determine the appropriate way to protect and manage it. For example, DRI will evaluate whether the Protectable Discovery should be protected by trade secret, whether a patent application is warranted, or whether more research is required before a decision can be made. In making this determination, DRI will take into account applicable legal standards, the degree of completion of the research or discovery, the expenses associated with the various means of protecting the Protectable Discovery, and the market for and estimated returns from commercializing the Protectable Discovery. DRI will communicate, as soon as practicable, its determination regarding whether the ISU wishes to pursue commercialization and/or a patent or other legal protection. DRI shall make reasonable efforts to complete its review and convey its determination to the person disclosing a Protectable Discovery within three (3) months after receiving a full and complete disclosure of the Protectable Discovery.
4. For so long as ISU owns the Protectable Discovery, DRI will respond to reasonable requests for information from the persons involved in the invention of the Protectable Discovery and the college or center where the inventor(s) are located. Such information may include: a) the status of the application until such time that protection is granted, b) the marketing activities for the property being serviced, and c) an accounting for funds received from the property.
5. If DRI determines not to pursue commercialization of a Protectable Discovery, the ISU may elect, at its sole discretion and subject to controlling federal law including but not limited to 37 C.F.R. §401 ("Bayh-Dole"), to reconvey, assign, and transfer the Protectable Discovery to those person(s) involved in its creation.

D. Ownership Questions. Questions as to the ownership of a Protectable Discovery or division of proceeds between persons involved in development of such discoveries and departments are referred in the first instance to the Vice President of Research and Economic Development. The disputes will be decided in accordance with Section IX.

VIII. ROYALTIES AND INCOME

DRI will make provision to share the net proceeds, management, protection, and licensing expenses of any Protectable Discoveries created an ISU employee as follows:

A. Expenses. Legal, development, marketing, or other expenses incurred by ISU in relation to the intellectual property will be paid by ISU. Any net proceeds received by ISU from licensing the intellectual property will be first used to reimburse these expenses, prior to any distributions.

B. Distribution of Net Proceeds. Absent a valid written contract to the contrary, the net proceeds from licensing Protectable Discoveries created by an ISU employee or student and owned by ISU pursuant to Section VII.A are distributed as follows: 40 percent to the employee and/or student inventor(s), 40 percent to the ISU Office for Research and Economic Development, and 20 percent to the college (s) or service unit(s) of the inventor(s).

IX. DISPUTE RESOLUTION

From time to time, disputes occur concerning ownership or other matters relating to of the intellectual property contemplated in this policy. Resolution of such disputes shall be achieved by the following procedure:

A. Submission to the VPR. Any disputes under this policy will be submitted to the VPR for consideration and resolution. The VPR may, but is not required to, form an Intellectual Property Dispute Committee to investigate and make a recommendation to the VPR regarding the dispute. The Committee members may include faculty members, graduate students, and/or individuals outside of ISU and will be appointed by the VPR. After receiving the recommendation of the Committee, if one is formed or, if such a committee is not formed, after reviewing the available information, the VPR will make a decision concerning the matter and will transmit their decision in writing to the inventor(s), to their departmental administrator and dean, and to the Provost.

B. Appeal of the Decision of the VPR. The decision of the VPR may be appealed to the President of ISU. Further appeals shall be made as from any other decision of an administrative body under the laws of the State of Idaho in effect from time to time.

X. PROTECTION

From time to time, allegations of unauthorized use or infringement of intellectual property owned by ISU under this policy may occur. The handling of such allegations shall be as follows:

A. Allegations should be forwarded to the VPR for investigation. The VPR, with the assistance of the Office of General Counsel, will investigate and may form an ad hoc committee made up of faculty, staff, graduate students, and/or outside persons. After investigation, the VPR will recommend appropriate action to the President.

B. If an enforcement action is initiated by ISU alone or in concert with the inventor(s), the costs will be borne as may be agreed upon by ISU and inventors. Proceeds from the action will be first used to

reimburse the expenses associated with the enforcement action, prior to any distributions. Any additional proceeds will be distributed as provided in Section VIII.B.

C. If the inventor(s) desire to institute a suit and ISU decides not to act, ISU will cooperate either by assigning to the inventor(s) such rights as are necessary for the inventor(s) to pursue redress or by some other reasonable method acceptable to ISU. The costs of the suit will be borne by the inventor(s) desiring to sue, who will also obtain any monetary relief obtained from the alleged infringer due to the prosecution of the suit.

XI. SPECIAL ARRANGEMENTS FOR FEDERAL, STATE, AND PRIVATE GRANTS

Nothing in this policy shall prevent ISU from accepting research grants from, and conducting research for, agencies of the United States upon terms and conditions under applicable provisions of federal law or regulations that require a different disposition of rights in any form of intellectual property. Moreover, nothing herein shall prevent cooperative arrangements with other state of Idaho or local agencies for research. Where receipt of a grant in support of research from any nonprofit agency or group may be dependent upon acceptance of terms and conditions of the established intellectual property policy of the grantor that differ from those stated herein, ISU may specifically authorize acceptance of such grants upon such terms and conditions. ISU may also specifically authorize contractual arrangements with industrial sponsors for different disposition of rights in any form of intellectual property resulting from its sponsored research.

XII. RECORD-KEEPING.

All ISU employees and/or departments involved in creating, preserving, or managing intellectual property as defined herein shall develop and follow appropriate record-keeping procedures and shall retain all documents as required by law and applicable State Board and ISU record retention policies.

XIII. REQUIRED ISU EMPLOYEE IP CONTRACTS

Attached are documents that all employees agree to as a condition of employment at ISU:

- Attachment A Employment Agreement Concerning Intellectual Property;
- Attachment B Memorandum of Understanding Regarding Research Participation and University Intellectual Property Rights;
- Attachment C Disclosure of Invention Work in Progress; and
- Attachment D Disclosure of Prior Contracts.

XIV. ATTACHMENTS

- Attachment A Employment Agreement Concerning Intellectual Property;
- Attachment B Memorandum of Understanding Regarding Research Participation and University Intellectual Property Rights;
- Attachment C Disclosure of Invention Work in Progress
- Attachment D Disclosure of Prior Contracts.
- Attachment E Determination of Rights to Copyrightable Material

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

PRESIDENTIAL CERTIFICATION

Approved by Arthur C. Vailas
President, Idaho State University

Date: _____

OGC use only:

Received by OGC on _____ by _____ (initial).

Published to ISUPP on _____ by _____ (initial).

DRAFT

Attachment A

EMPLOYMENT AGREEMENT CONCERNING INTELLECTUAL PROPERTY

PREAMBLE: ISU uses the following form of employment agreement concerning intellectual property.

ADDITIONAL NOTICE: ISU uses the Memorandum of Understanding form of agreement concerning intellectual property with non-employee students and visitors participating in ISU research activities. This allows the non-employee student to participate in ISU's patent/copyright income distribution program.

Employment Agreement Regarding Intellectual Property

Between

The Idaho State University and _____

As an employee of Idaho State University (ISU), I acknowledge that I am subject to the policies and rules of the State Board of Education published at the Idaho State Board of Education's website http://www.boardofed.idaho.gov/policies/policy_jump.asp and to the policies and procedures of ISU as published in the *Policy and Procedures*, <http://www.isu.edu/policy/7000/Research-Intellectual-Property.pdf>.

Pursuant to those policies, I hereby agree to the following:

A. With regard to Protectable Discoveries which include but are not limited to discoveries potentially protectable as a utility patent, plant patent, design patent, plant variety protection certificate, mask work, and trade secret:

- A-1.** I understand that under ISU Intellectual Property Policy (the "IP Policy"), ISU owns all Protectable Discoveries discovered, developed, conceived, or reduced to practice by ISU employees through work performed within the scope of their duties at ISU, by ISU employees using ISU resources not openly available to members of the general public, or by ISU employees or other persons through work performed under contracts with ISU.
- A-2.** Consistent with my obligations under the IP Policy, as a condition of my employment by ISU, I do hereby irrevocably assign to ISU all right, title, and interest to all Protectable Discoveries discovered, developed, conceived, or reduced to practice by me through work performed within the scope of my duties at ISU, using ISU resources not openly available to members of the general public, or through work performed under contracts with ISU, except to the extent ISU has expressly waived its claim of ownership in writing.
- A-3.** I will disclose to ISU's Division for Research Innovation (DRI) all Protectable Discoveries subject to a claim of ownership by ISU under the IP Policy. If in doubt about the ownership or protect ability of a discovery, I will confer with DRI.
- A-4.** I will exercise my best efforts in providing relevant documentation and will participate in actions to affirm and/or secure the rights, title and interests of ISU in such Protectable Discoveries.

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

A-5. I will refrain from any actions that would diminish or defeat ISU's rights in Protectable Discoveries, including any action which might create a statutory bar preventing grant of patent on an otherwise patentable invention. I recognize that publication, public use, sale or offering for sale of such Protectable Discovery may create a statutory bar. When in doubt, I will consult with DRI.

B. With regard to copyrightable works, as defined in the IP Policy:

I acknowledge that copyrightable works that I create may be the property of ISU, as explained in the IP Policy. I acknowledge that I have read these provisions and agree to them. Consistent with my obligations under the IP Policy, as a condition of my employment by ISU, I do hereby irrevocably assign to ISU all right, title, and interest to any copyrightable works to which ISU claims ownership under the IP Policy. I will cooperate with reasonable requirements of ISU to promptly assign or confirm in writing any possible right I might otherwise have in any copyrightable work when such right belongs to ISU according to the IP Policy.

C. I agree to inform all students and visiting scholars wishing to participate in my university research programs, about the ISU "Memorandum of Understanding Regarding Research Participation and ISU Intellectual Property Rights" available from the DRI. I will not allow any student or visiting scholar to participate in my university research program who has not signed a copy of the "Memorandum of Understanding Regarding Research Participation and ISU Intellectual Property Rights" or an alternative document negotiated between ISU's DRI and the individual.

D. Attached to this contract are Disclosure of Invention Work in Progress, and Disclosure of Prior Contracts (together the "Disclosures"). The Disclosures set forth inventions and/or work with prior employers or firms with which I currently consult that may be protectable discoveries. The work referenced in the Disclosures is excluded specifically from ISU's ownership claims so long as no ISU facilities (other than library resources) are used in further development of the works referenced in the Disclosures

E. I acknowledge that I am under no consulting or other obligation to any third person, organization or corporation that is in conflict with ISU's Research Policies or this Intellectual Property Agreement with respect to rights to protectable discoveries or copyrightable works. **[NOTE - Any individual who believes that they cannot comply with this provision must contact either ISU Office for Research and Economic Development or Division for Research Innovation.]**

Signature Title

Printed Name Date

**BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014**

**Attachment B
Memorandum of Understanding Regarding Research Participation
And ISU Intellectual Property Rights**

This memorandum of understanding is entered into by _____, a student at Idaho State University (“participant”), _____, a professor/researcher at Idaho State University (“faculty”), and Idaho State University (“ISU”).

The participant is involved in research activities or enrolled in _____, which may involve working on research or design projects. These activities or projects may or may not result in the development of intellectual property in which Idaho State University and/or a sponsor may have a proprietary interest.

Therefore, it is important that the participant, faculty, and ISU have a full understanding of the participant’s rights and obligations regarding these proprietary interests, and intellectual property. This memorandum sets forth the understanding of the parties.

A. The participant acknowledges receipt of copies of the relevant intellectual property policies of the State Board of Education and the ISU Intellectual Property Policy.

B. The participant agrees to promptly disclose any discoveries he/she makes that may be protectable under any intellectual property theory, including but not limited to patent, copyright, mask work, and trade secret.

C. The participant has the right to submit any thesis, dissertation, or other academic product based upon or resulting from their work as part of the fulfillment of the requirements for obtaining an undergraduate, masters, or doctoral degree from ISU resulting from collaboration with ISU provided that such submission is done in a manner that does not create a statutory bar to the later grant of patent rights in an otherwise protectable discovery.

D. As a condition of and in exchange for the opportunity to participate in these projects and the right to receive royalties, the participant does hereby irrevocably assign to ISU all right, title, and interest to any copyrightable works relating to these projects and any Protectable Discoveries (as defined in the ISU Intellectual Property Policy), applications for legal protection of such Protectable Discoveries, and including but limited to utility patents, process patents, plant patents, design patents, and plant variety protection certificates resulting from these projects. This assignment vests rights in ISU as provided for in ISU’s Intellectual Property Policy and is subject to the participant’s right to share in royalties in the same manner as employees of ISU. Participant agrees to cooperate with reasonable requirements of ISU to promptly assign or confirm in writing any possible right participant might otherwise have in any copyrightable work or Protectable Discovery when such right belongs to ISU according to the IP Policy.

Participant _____ Date _____

Supervising Faculty _____ Date _____

Attachment C

DISCLOSURE OF INVENTION WORK IN PROGRESS

This disclosure is made this ____ day of _____, 20__, as part of that Employment Agreement Regarding Intellectual Property between Idaho State University (ISU) and _____, a student or employee of ISU (the “Inventor”), dated this ____ day of _____, 20 __. This Disclosure lists all inventions and developments of the Inventor made prior to employment by, or matriculation as a student at, ISU. Subject to ISU legal review and verification by ISU’s Office for Research Innovation, ISU acknowledges that the inventions and developments listed below constitute the property of the Inventor or the party with whom the Inventor has contracted. A brief description of each invention is provided.

INVENTION	DATES OF WORK	RIGHTS OWNED BY
-----------	---------------	-----------------

Attachment D

DISCLOSURE OF PRIOR CONTRACTS

This disclosure is made this ____ day of _____, 20__, as part of that Employment Agreement Regarding Intellectual Property between Idaho State University (ISU) and _____, a student or employee of ISU (the “Inventor”), dated this ____ day of _____, 20 __. This Disclosure lists all contractual obligations of the Inventor entered into prior to employment by, or matriculation at, ISU. Subject to ISU legal review and verification by ISU’s Office for Research Innovation, ISU acknowledges that prior contracts that remain in effect may be honored by the Inventor. A brief description of each contract is provided below. The types of contracts listed below include, but are not limited to: employment, non-disclosure, non-compete, and fiduciary obligations.

COMPANY OR PERSON	TYPE OF CONTRACT	RELEVANT TERMS
-------------------	------------------	----------------

BUSINESS AFFAIRS AND HUMAN RESOURCES
FEBRUARY 27, 2014

Attachment E

Extent of ISU Support	Initiative and Effort	Description	Ownership and Royalty Rights	Examples
None	Individual	Absolutely no use of ISU facilities, time, materials, or services.	Individual	A novel or text written at home; preparation cost borne entirely by the author.
Incidental	Individual	Incidental use of ISU facilities and time.	Individual	Text written by a faculty member; utilized ISU office space, library.
More than is regularly and customarily available to employee or student	University	Specifically assigned University duty or a duty specifically commissioned in writing. Use of ISU facilities, time, materials or services.	University	Materials produced by ISU staff units. ISU publications. Assigned audiovisual productions.
More than is regularly and customarily available to employee or student	Individual and/or University	Requires a prior written agreement permitting extensive use of ISU resources and allocating copyrights and royalties	Individual and University per agreement	Lectures, class presentations and other audiovisual materials prepared for use in online or distance learning programs; other creative works requiring substantial ISU resources
Variable--supported by extramural sponsors in whole or in part.	Individual and/or University and/or sponsor		As set forth in the documents and/or regulations governing the sponsored programs.	

DRAFT