

**BUSINESS AFFAIRS AND HUMAN RESOURCES
MARCH 2, 2023**

TAB	DESCRIPTION	ACTION
1	INITIATION OF LITIGATION PURSUANT TO BOARD OF EDUCATION POLICY V.W.2.	Motion to Approve

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BOISE STATE UNIVERSITY

SUBJECT

Initiation of litigation pursuant to Board of Education Policy V.W.2.

APPLICABLE STATUTE, RULE, OR POLICY

Idaho State Board of Education Governing Policies & Procedures, Section V.W.2
Idaho Code Title 15 (Uniform Probate Code)

BACKGROUND/DISCUSSION

Very recently, it's been brought to the attention of the University that a donor's passing on March 8, 2020 included a gift to Boise State University of a small apartment complex in Boise in her Last Will and Testament and associated Codicils. The three-year statute of limitations has nearly run for the purpose of filing for probate under Title 15, making it necessary to file a petition for probate proceedings.

IMPACT

The value of the property itself and the value of the rental income over the last three years is unknown at this time, but is anticipated to exceed \$200,000, requiring full Board approval prior to filing, under Board Policy V.W.2.

BOARD STAFF COMMENTS AND RECOMMENDATIONS

Board Policy V.W.2. requires Board approval for an institution to initiate litigation with respect to a matter in which the amount in controversy exceeds \$200,000. Staff recommends Board approval of the request.

BOARD ACTION

I move to authorize Boise State University to file any and all necessary pleadings to begin probate proceedings in the courts of Ada County, Idaho for the purpose of carrying out the intent of the decedent donor.

Moved by _____ Seconded by _____ Carried Yes _____ No _____