

FINANCIAL STATEMENTS AND SUPPLEMENTARY INFORMATION

Stetson University, Inc. As of and for the Year Ended June 30, 2009, and as of June 30, 2008 With Report of Independent Certified Public Accountants

Ernst & Young LLP



# Financial Statements and Supplementary Information

As of and for the Year Ended June 30, 2009, and as of June 30, 2008

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#### Report of Independent Certified Public Accountants

The Board of Trustees Stetson University, Inc.

We have audited the accompanying statement of financial position of Stetson University, Inc. (the University) as of June 30, 2009, and the related statements of activities and cash flows for the year then ended. These financial statements are the responsibility of the University's administration. Our responsibility is to express an opinion on these financial statements based on our audit. The prior year comparative statement of financial position has been derived from the University's 2008 financial statements and in our report dated September 17, 2008, we expressed an unqualified opinion on those financial statements.

We conducted our audit in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. We were not engaged to perform an audit of the University's internal control over financial reporting. Our audit included consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by the administration, and evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Stetson University as of June 30, 2009, and the changes in its net assets and its cash flows for the year then ended, in conformity with U.S. generally accepted accounting principles.

In accordance with Government Auditing Standards, we have also issued our report dated October 8, on our consideration of the University's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, grant agreements, and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with Government Auditing Standards and should be considered in assessing the results of our audit.

October 8, 2009

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#### Statements of Financial Position

	June 30			
	2009			2008
		(In Tho	usan	(ds)
Assets				
Cash and cash equivalents	\$	19,915	\$	30,389
Notes and accounts receivable – net (Note 2)		10,934		12,380
Pledges receivable – net ( <i>Note 3</i> )		6,378		6,437
Inventories		871		840
Investments (Note 4)		102,074		118,852
Funds held in trust by others ( <i>Note 6</i> )		7,958		9,925
Property, plant, and equipment – net (Note 7)		133,272		120,279
Other assets		2,207		2,358
Investment in affiliated entity (Note 14)		2,561		2,923
Total assets	\$	286,170	\$	304,383
Liabilities and net assets Liabilities: Accounts payable Accrued liabilities Student deposits and other current liabilities Postretirement benefits (Note 11) Refundable government loan funds Annuities payable Capital leases (Note 9) Long-term debt (Note 8) Total liabilities	<b>\$</b>	2,381 5,596 3,122 9,136 4,574 3,532 802 48,261 77,404	\$	3,840 5,374 4,671 7,932 4,501 3,180 699 49,723 79,920
Net assets: Unrestricted		100,721		110,786
Temporarily restricted		15,523		20,645
Permanently restricted		92,522		93,032
Total net assets  Total liabilities and not assets	\$	208,766	\$	224,463
Total liabilities and net assets	•	286,170	Ф	304,383

See accompanying notes.

#### Statement of Activities

Year Ended June 30, 2009

	<u>Un</u>	restricted	Temporar Restricte	-	Perma Resti	nently ricted	Total
			(In	Thous	sands)		
Revenues, gains, and other support							
Tuition and fees (net of scholarships and							
fellowships of \$32,823)	\$	69,845	\$	_	\$	_	\$ 69,845
Contributions		715	6,	218		3,067	10,000
Funds held in trust by others		29		248		(1,694)	(1,417)
Income and realized gains (losses) on							
investments – net		(10,624)	(2,	613)		_	(13,237)
Sales of educational services		4,303		_		_	4,303
Sales and services of auxiliary enterprises		17,778		_		_	17,778
Governmental grants		4,540		_		_	4,540
Other		891	(	367)		(958)	(434)
Unrealized gains on investments		593	1,	344		_	1,937
Net assets released from restrictions		9,714	(9,	714)		_	_
Total revenues, gains, and other support		97,784	(4,	884)		415	93,315
Expenses and losses							
Educational and general:							
Instruction		42,922		_		_	42,922
Research		1,518		_		_	1,518
Public service		698		_		_	698
Academic support		12,102		_		_	12,102
Student services		7,892		_		_	7,892
Institutional support		20,032		_		_	20,032
Total education and general		85,164		_		_	85,164
Auxiliary enterprises		22,685		_		_	22,685
Total expenses		107,849		_		_	107,849
Change in net assets before							
other gains and losses		(10,065)	(4,	884)		415	(14,534)
Decrease in investment in affiliated entity		_	(	362)		_	(362)
Refund of prior year contribution		_		124		(925)	(801)
Change in net assets		(10,065)	(5,	122)		(510)	(15,697)
Net assets							
Beginning of period		110,786		645		93,032	224,463
End of period	\$	100,721	\$ 15,	523	\$	92,522	\$ 208,766

See accompanying notes.

# Statement of Cash Flows

# Year Ended June 30, 2009 (In Thousands)

Operating activities	
Change in net assets	\$ (15,697)
Adjustments to reconcile change in net assets to net cash	
provided by operating activities:	
Contributions restricted for long-term investment	(5,352)
Depreciation and amortization	7,444
Gain on disposal of property, plant, and equipment	(246)
Interest and dividends from long-term investments	(3,508)
Net unrealized and realized losses on long-term investments	15,317
Amortization of bond discount and issuance costs	30
Change in value of split-interest agreements	1,440
Decrease in investment in affiliated entity	362
Changes in assets and liabilities:	
(Increase) decrease in assets:	
Notes and accounts receivable	1,172
Pledges receivable	59
Inventories	(31)
Funds held in trust by others	1,967
Other assets	63
Increase (decrease) in liabilities:	
Accounts payable	(1,459)
Accrued liabilities	222
Student deposits and other current liabilities	(1,549)
Postretirement benefits	 1,204
Net cash provided by operating activities	1,438
Investing activities	
Purchases of property, plant, and equipment	(20,186)
Proceeds from sales of property, plant, and equipment	416
Student loans issued	(449)
Proceeds from student loan collections	723
Purchases of investments	(90,015)
Proceeds from maturities and sales of investments	94,311
Net cash used in investing activities	 (15,200)

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Continued on next page.

# Statement of Cash Flows (continued)

# Year Ended June 30, 2009 (In Thousands)

Financing activities Proceeds from contributions restricted for:		
Investment in endowment	\$	3,258
Investment in plant	Ψ	2,089
Investment in annuity agreements		10
investment in annuty agreements		5,357
Other financine activities		
Other financing activities:		72
Increase in federal student loan funds		73
Proceeds from long-term debt		100
Payments on capital leases		(318)
Payments on long-term debt		(1,504)
Payments on annuities payable		(420)
	<u> </u>	(2,069)
Net cash provided by financing activities		3,288
Net change in cash and cash equivalents		(10,474)
Cash and cash equivalents:		
Beginning of period		30,389
End of period	\$	19,915
End of period	Ψ	17,715
Supplemental disclosures of cash flow information		
Interest paid	\$	2,565
Equipment acquired under capital lease	\$	421

See accompanying notes.

#### Notes to Financial Statements

June 30, 2009

#### 1. Business Organization and Significant Accounting Policies

Stetson University, Inc. (the University) is a nonprofit institution subject to the rules and regulations of IRS Section 501(c)(3). Accordingly, no provision for income taxes is made in the accompanying financial statements. The University consists of four separate campuses at the following locations:

Stetson University (main campus) 421 North Woodland Boulevard DeLand, FL 32723

Stetson University College of Law 1401 61<sup>st</sup> Street South Gulfport, FL 33707

Stetson University Center at Celebration 800 Celebration Avenue, Suite 104 Celebration, FL 34747

Tampa Law Center and Campus 1700 North Tampa Street Tampa, FL 33602

The accompanying financial statements are prepared on the accrual basis of accounting. Revenues and support are reported when earned or unconditionally received. Expenses are recorded when purchases of materials or services are made. Revenues earned and expenses incurred applicable to the current period are accrued while those applicable to future periods are deferred. During fiscal year 2008, the Board of Trustees approved a resolution to change the fiscal year-end of the University from May 31 to June 30. This change aligns the fiscal year with the academic year as well as the Federal Financial Aid year. As a result, the statement of activities and the statement of cash flows for 2008 reflect 13 months of activity from June 1, 2007 to June 30, 2008. Due to the additional month, complete comparative statements are not presented in this report. The financial statements include a prior year comparative statement of financial position. Such information does not include sufficient detail to constitute a complete presentation in conformity with generally accepted accounting principles. Accordingly, such information should be read in conjunction with the University's financial statements for the year ended June 30, 2008, from which the statement of financial position was derived.

Resources are reported for accounting purposes into separate classes of net assets based on the existence or absence of donor-imposed restrictions. In the accompanying financial statements, net assets that have similar characteristics have been combined into similar categories as follows:

• <u>Permanently Restricted</u> – Net assets that, by donor stipulation, may never be spent by the University, including gifts of endowment and for student loan principal, as well as the earnings on those assets when permanently restricted by the donor.

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

- <u>Temporarily Restricted</u> Net assets that carry restrictions that expire upon the passage of a prescribed period of time or upon the occurrence of a stated event as specified by the donor. Included in this category are gifts held by the University pending their use in accordance with donor stipulations, unexpended gifts for capital projects, and pledges.
- <u>Unrestricted</u> Net assets that are not subject to donor-imposed stipulations. Unrestricted net assets may be designated for specific purposes by action of the Board of Trustees or may otherwise be limited by contractual agreements with outside parties. The University had no designations of unrestricted net assets for the current fiscal year.

Expenses are reported as decreases in unrestricted net assets. Expirations of donor-imposed stipulations that simultaneously increase one class of net assets and decrease another are reported as reclassifications between the applicable classes of net assets as net assets released from restrictions in the accompanying statement of activities. Net assets released from restrictions in the year ended June 30, 2009, is comprised of approximately \$4.46 million due to satisfaction of program restrictions and scholarship awards and approximately \$5.26 million due to acquisition of capital assets.

#### **Classification of Gifts**

The University reports gifts of cash and other assets as restricted contributions if they are received with donor stipulations that limit the use of the donated assets. When a donor restriction expires, that is, when a stipulated time restriction ends or purpose restriction is accomplished, temporarily restricted net assets are reclassified to unrestricted net assets and reported in the statement of activities as net assets released from restrictions.

The University reports gifts of land, buildings, and equipment as unrestricted contributions unless explicit donor stipulations specify how the donated assets must be used. Gifts of long-lived assets with explicit restrictions that specify how the assets are to be used and gifts of cash or other assets that must be used to acquire long-lived assets are reported as restricted contributions. Absent explicit donor stipulations about how those long-lived assets must be maintained, the University reports expirations of donor restrictions as unrestricted when the donated or acquired long-lived assets are placed in service.

In the event a donor makes changes to the nature of a restricted gift that affect its classification among the net asset categories, such amounts are reflected as reclassifications in the revenues section of the statement of activities

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

#### **Cash and Cash Equivalents**

The University considers all highly liquid investments with a maturity of three months or less when purchased to be cash and cash equivalents, except for those short-term financial instruments included in the University's investment accounts.

#### **Student Accounts Receivable**

Student accounts receivable are reported net of any anticipated losses due to uncollectible accounts and are included in notes and accounts receivable in the statement of financial position. The University considers an account to be past due when a student still has an account balance after the final payment due date of the semester. Past due accounts are subject to past due letter collection efforts. If an account balance still exists at the conclusion of the four- to six-month collection period, the account is written off and placed with a third-party collection agency. Historical write-off history as a percentage of outstanding receivable balances is used to help establish an appropriate allowance for uncollectible accounts. The University does not assess finance charges against student receivables that are past due.

#### **Student Loans Receivable**

Student loans receivable are reported net of any anticipated losses due to uncollectible loans and are included in notes and accounts receivable in the statement of financial position. The University considers a loan to be in default when it has been past due for a period of four months. Past due loans are subject to internal collection efforts for a period of six months and are subsequently placed with third-party collection agencies. The allowance for uncollectible loans is calculated using the unpaid balances of all defaulted loans and applying an allowance factor based on the length of time since the most recent payment. This calculation is performed for both the Federal Perkins and institutional loans. The Federal Perkins Loan program has provisions for deferment, forbearance, and cancellation of individual loans. The deferment and forbearance provisions of the Federal Perkins Loan program are generally applied to institutional loans as well. Interest continues to accrue while the loan is placed with a collection agency.

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

#### **Pledges Receivable**

Pledges receivable represent unconditional promises to give with collection periods through 2024. Pledges receivable, less an appropriate reserve, are recorded at their estimated fair value. Amounts due more than one year later are recorded at the present value of the estimated future cash flows, discounted at risk-free rates applicable to the months in which the pledges were received, which range from 1% to 6%. Amortization of the discount is included as part of contribution revenue.

#### **Inventories**

Inventories are stated at the lower of cost (first-in, first-out method) or market and consist primarily of bookstore inventory and maintenance supplies.

#### **Investments**

Investments are carried at fair value based on quoted year-end market rates and net unrealized and realized gains or losses are reflected in the statement of activities. Real estate and mortgage notes receivable are stated at fair values established by outside parties or at cost if no fair value has been established.

Gifts of investments are recorded at their fair value (based upon quotations or appraisals) at date of gift. Purchases and sales of investments are recorded on the trade date. Except for investments that are not readily marketable or are held separately for specific reasons, investments are maintained in a pool. Gifts that are invested in the pool are assigned units of participation in the pool based upon their market value on the date of gift and the most recently determined unit market value for the existing units of participation. Subsequent allocations of annual income of the independent pool are based upon the number of units of participation. Withdrawals are based upon the spending policy approved by the Board of Trustees and follow the total return concept of utilizing both income and realized gain. The market value of the units of participation is calculated quarterly.

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

#### **Endowment**

On August 6, 2008, the Financial Accounting Standards Board (FASB) issued FASB Staff Position (FSP) 117-1, Endowments of Not-for-Profit Organizations: Net Asset Classification of Funds Subject to an Enacted Version of the Uniform Prudent Management of Institutional Funds Act (UPMIFA), and Enhanced Disclosures for All Endowment Funds. This FSP states that not-for-profit organizations that are subject to an enacted version of UPMIFA may need to reclassify certain amounts of donor-restricted endowment funds between temporarily restricted net assets and permanently restricted net assets. As of June 30, 2009, the State of Florida had not adopted UPMIFA, therefore the University is not subject to its provisions. This FSP also states that a not-for-profit organization, whether or not it is subject to an enacted version of UPMIFA, shall disclose information to enable users of financial statements to understand the net asset classification, net asset composition, changes in net asset composition, spending policy, and related investment policy of its endowment funds (both donor-restricted and board-designated). This information is reported in Note 5.

#### **Split-Interest Agreements**

The University's investments include deferred giving vehicles subject to split-interest agreements. Two different types of agreements are currently maintained: Charitable Gift Annuity and Charitable Remainder Unitrust.

Charitable Gift Annuities are irrevocable gifts under which the University agrees in turn to pay a life annuity to the donor or designated beneficiary. The contributed funds and the attendant liabilities immediately become part of the general assets and liabilities of the University, subject to the University's maintaining an actuarial reserve in accordance with Florida law. Charitable Remainder Unitrust gifts are time-restricted contributions not available to the University until after the death of the donor, who, while living, receives an annual payout from the Trust based on a fixed percentage of the market value of the invested funds.

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

The University initially values deferred gifts of cash at face value and those of equities at market value; these values are then actuarially discounted. Published IRS discount rates are employed to determine the net present value of both contributions and liabilities pertaining to these deferred giving arrangements.

Of the \$102,074,000 recorded as investments in the statement of financial position at June 30, 2009, \$4,130,000 represents split-interest agreements, and the associated liabilities total \$3,532,000. Of the \$118,852,000 recorded as investments in the statement of financial position at June 30, 2008, \$5,156,000 represents split-interest agreements, and the associated liabilities total \$3,180,000.

#### **Property, Plant, and Equipment**

Property, plant, and equipment are stated at cost at the date of acquisition or at fair value at the date of donation in the case of gifts. Expenditures that materially increase values, change capacities, or extend useful lives are capitalized, as are interest costs during the period of construction on amounts borrowed for such expenditures. Property, plant, and equipment are removed from the records and any gain or loss is recognized at the time of disposal.

The University collects works of art, historical treasures, and similar assets, which reflect the history of the institution and/or support its educational purpose. The collections are maintained for public exhibition, education, and research in furtherance of public service rather than for financial gain and are therefore not reflected in the financial statements. Collections are protected, kept unencumbered, cared for, and preserved. The University capitalizes collections it receives as gifts. These collections are included in property, plant, and equipment.

Depreciation is recorded on the straight-line basis. The estimated useful life of land improvements, buildings, and building improvements is five to 40 years. The estimated useful life of furniture and equipment and library books and collections is three to ten years.

#### **Prepaid Rents**

The University contributed to the construction of the Conrad Park baseball stadium in DeLand, Florida. In consideration for the \$1.3 million contribution, the University was given a lease to use the stadium for 20 years. The prepaid rents are amortized over the life of the lease and, as of June 30, 2009 and 2008, the University had \$618,000 and \$683,000, respectively, included in other assets in the statements of financial position pertaining to this lease.

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

#### **Student Deposits**

Student deposits represent monies collected in advance for deposits and summer tuition. Revenue for summer tuition is recognized in the period in which the summer session is conducted

#### **Original Issue Discounts**

The original issue discounts on bonds are being amortized using the effective interest method over the life of the bonds.

#### **Deferred Financing Costs**

Deferred financing costs consist of bond issuance costs. These costs are being amortized using the effective interest method over the life of the related bonds and are included in other assets in the accompanying statements of financial position.

#### **Estimates**

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities; the disclosure of contingent assets and liabilities at the date of the financial statements; and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

#### **Postretirement Benefits**

The University accounts for its postretirement benefits on an accrual basis as discussed in Note 11.

#### Notes to Financial Statements (continued)

#### 1. Business Organization and Significant Accounting Policies (continued)

#### **Tuition Revenue and Discounts**

Tuition is recognized when earned and is not refundable except as noted in the provisions of the University's catalog. The portion of tuition revenue for the summer term that is earned subsequent to the year ended June 30, 2009, is treated as deferred revenue and is included with student deposits and other current liabilities on the statement of financial position. The University presents amounts expended for scholarships and fellowships as a reduction of tuition and fees revenue on the statement of activities.

#### **Advertising Costs**

The costs of advertising are charged to operations in the year incurred. Advertising costs amounted to approximately \$734,000 for the year ended June 30, 2009.

#### Fair Value of Financial Instruments

The methods and assumptions used to estimate the fair value of each class of financial instruments is discussed in Note 16.

#### **Concentration of Credit Risk**

The University maintains cash accounts with several large financial institutions. All accounts at each financial institution are guaranteed by the Federal Deposit Insurance Corporation up to \$250,000 per bank. The University has cash deposited that exceeds the federally insured deposit amount. Management does not anticipate nonperformance by the financial institutions. The University also places its cash equivalents and short-term investments with high-quality institutions.

## Notes to Financial Statements (continued)

#### 2. Notes and Accounts Receivable

	June 30			
	2009			2008
		(In The	ousan	eds)
Student accounts receivable (net of allowance of				
\$293 in 2009 and \$339 in 2008)	\$	2,824	\$	3,683
Student loans receivable (net of allowance				
of \$1,503 in 2009 and \$1,362 in 2008)		5,344		5,804
Grants receivable		1,701		628
Accrued interest receivable		370		383
Other receivables		695		1,882
	\$	10,934	\$	12,380

## 3. Pledges Receivable

Unconditional promises are expected to be realized in the following periods:

	June 30				
	2009			2008	
		(In The	ousan	ds)	
One year or less	\$	2,735	\$	3,038	
Between one year and five years		3,441		2,872	
More than five years		1,167		1,485	
		7,343		7,395	
Less: discount of \$818 in 2009 and \$810 in 2008					
and allowance of \$147 in 2009 and \$148 in 2008		(965)		(958)	
	\$	6,378	\$	6,437	

Pledges receivable are classified as follows:

		June 30					
	200	9	2008				
	(In Thousands)						
Permanently restricted		,219 \$	1,370				
Temporarily restricted	5	5,159	5,067				
	\$ 6	5,378 \$	6,437				

#### Notes to Financial Statements (continued)

#### 3. Pledges Receivable (continued)

Approximately 70% of the University's pledges receivable at June 30, 2009 and 2008, were provided by 11 and 9 contributors, respectively. Included in net pledges receivable as of June 30, 2009 and 2008, are approximately \$4,064,000 and \$3,895,000, respectively, in written promises to give from members of the Board of Trustees and Officers of the University.

#### 4. Investments

A summary of investments by type is as follows:

	June 30							
		20	009		2008			
		Cost	Fa	air Value		Cost	F	air Value
				(In The	ousa	nds)		
Stocks	\$	23,090	\$	23,830	\$	53,782	\$	49,594
Bonds		665		642		760		725
Municipal and U.S.								
government obligations		184		170		188		203
Mutual funds		78,724		75,976		64,833		65,747
Money market and								
certificates of deposit		279		279		1,393		1,392
-		102,942		100,897		120,956		117,661
Mortgage notes receivable		10		10		12		12
Real estate and other		1,167		1,167		1,179		1,179
	\$	104,119	\$	102,074	\$	122,147	\$	118,852

Income and net realized gains and losses on investments for the year ended June 30, 2009, are as follows:

	Un	restricted	nporarily estricted	Total
Income on endowment funds Other investment income Net realized losses on endowment funds Net realized losses on other investments	\$	1,242 210 (12,074) (2) (10,624)	\$ 2,564 - (5,177) - (2,613)	\$ 3,806 210 (17,251) (2) (13,237)

#### Notes to Financial Statements (continued)

#### 4. Investments (continued)

Investment income is net of management fees and expenses of approximately \$230,000 for the year ended June 30, 2009.

For management control, the University maintains a Consolidated Investment Fund (the Fund) that is available for use by all accounts (except those that must be segregated due to bond or other legal restriction). The following schedule summarizes changes in relationships between market value and cost of the University's pooled investments (in thousands, except for market value per share):

	Year Ended June 30, 2009									
			Market			Net	Market Valu			
		Cost		Value		Loss	Per Share			
			(In	Thousands	)					
End of period	\$	95,654	\$	94,139	\$	(1,515)	\$	8.85		
Beginning of period		113,577		109,944		(3,633)	_	10.75		
Net change in unrealized appreciation for the period						2,118				
Net realized loss for the period						(17,030)				
Net loss					\$	(14,912)	=			

Earnings on the Fund include dividends and interest income. For the year ended June 30, 2009, the earnings were \$3,750,000, or \$0.35 per share, as computed on ending shares.

#### Notes to Financial Statements (continued)

#### 5. Endowment

The University's endowment consists of approximately 370 individual funds established for a variety of purposes. These resources are recorded as permanently restricted, temporarily restricted, and unrestricted net assets, as described below.

The Board of Trustees has interpreted the Florida Uniform Management of Institutional Funds Act (FUMIFA) as requiring the preservation of the fair value of the original gift as of the gift date of the donor-restricted endowment funds absent explicit donor stipulations to the contrary. As a result of this interpretation, the University classifies as permanently restricted net assets the original value of gifts donated to the permanent endowment, the original value of subsequent gifts to the permanent endowment, and accumulations to the permanent endowment made in accordance with the direction of the applicable donor gift instrument at the time the accumulation is added to the fund. The remaining portion of the donor-restricted endowment fund that is not classified in permanently restricted net assets is classified as temporarily restricted net assets.

Funds functioning as endowments are University resources designated as endowment by the Board of Trustees and are invested in the endowment for long-term appreciation and current income. However, these assets remain available and may be spent at the Board's discretion unless donor-imposed restrictions exist on their use. Certain contributions with donor-imposed restrictions have been designated as endowment by the Board of Trustees and are included in temporarily restricted net assets.

Endowment net assets were composed of the following as of June 30, 2009:

	Temporarily Permanently						
	Uni	restricted	Restricted	R	Restricted	Total	
	(In Thousands)						
Donor-restricted endowment funds Board-designated endowment	\$	(9,643)\$	691	\$	89,562 \$	80,610	
funds		28,914	3,552		_	32,466	
	\$	19,271 \$	4,243	\$	89,562 \$	113,076	

#### Notes to Financial Statements (continued)

#### 5. Endowment (continued)

Changes to endowment net assets for the fiscal year ended June 30, 2009, are as follows:

cted         Total           8,721 \$ 128,685
8,721 \$ 128,685
8,721 \$ 128,685
8,721 \$ 128,685
- 3,910
- (17,251
1,634) 346
1,634) (12,995
3,067 3,067
- (6,071
- 898
333 293
250
(925) (801
9,562 \$ 113,076

From time to time, the fair value of assets associated with individual donor-restricted endowment funds may fall below the level that the donor or FUMIFA requires the University to retain as a fund of perpetual duration. These deficiencies resulted from unfavorable market fluctuations and continued appropriation for certain programs that was deemed prudent by the Board of Trustees. As of June 30, 2009 and 2008, the amount of these deficiencies totaled approximately \$12,830,000 and \$5,674,000, respectively.

#### Notes to Financial Statements (continued)

#### 5. Endowment (continued)

The University has adopted investment and spending policies for endowment assets that attempt to provide a predictable stream of funding to programs supported by its endowment while seeking to maintain the purchasing power of the endowment assets. Under this policy, as approved by the Board of Trustees, the endowment assets are invested in a manner that is intended to produce results that exceed the price and yield results of the S&P 500 and other benchmark indices while assuming a moderate level of investment risk.

To satisfy its long-term rate-of-return objectives, the University relies on a total return strategy in which investment returns are achieved through both capital appreciation (realized and unrealized) and current yield (interest and dividends). The University targets a diversified asset allocation that places greater emphasis on equity-based investments to achieve its long-term return objectives within prudent risk constraints.

The purpose of establishing a target spending rate for the University's endowment assets is to achieve the spending stability necessary for the planning and budgeting activities funded from the University's earnings. The target spending rate was established using 2006 as the base year for the University's 10-year strategic plan. The first three years of the strategic plan are based on a payout range of 3.0% to 6.0% of the University's 12-quarter moving average market value with a target spending rate of 4.5%. After the initial three years, the payout range will be reduced to 3.0% to 5.0% of the University's 12-quarter moving average market value with a target spending rate of 4.0%.

#### 6. Funds Held in Trust by Others

Funds held in trust by others represent resources neither in the possession nor under the control of the institution, but held and administered by outside trustees, with the University deriving income from such funds. The fair value of the University's share of the assets is reflected in the statements of financial position and the income (including changes in the fair value of the assets) is recorded on the accrual basis. Funds held in trust by others are recognized at the estimated fair value of the assets or the present value of the future cash flows when the irrevocable trust is established or the University is notified of its existence. The funds held in trust by others at June 30, 2009 and 2008, amounted to approximately \$7,958,000 and \$9,925,000, respectively. Included in these balances are various Charitable Remainder Unitrusts and Annuity Trusts that amount to \$865,000 and \$1,199,000, respectively.

#### Notes to Financial Statements (continued)

#### 7. Property, Plant, and Equipment

Property, plant, and equipment are summarized as follows:

	June 30			
		2009		2008
	(In Thousand			ids)
Land	\$	6,087	\$	6,117
Land improvements, building, and facilities		157,692		139,052
Furniture and equipment		22,572		21,290
Library books and collections		27,075		25,647
Construction-in-progress		343		5,272
Equipment under capital lease		1,866		1,087
	·	215,635		198,465
Less accumulated depreciation and amortization		(82,363)		(78,186)
	\$	133,272	\$	120,279

Amortization expense relating to the capitalized leases was approximately \$351,000 for the year ended June 30, 2009. Depreciation expense relating to constructed and purchased property and equipment was approximately \$7,093,000 for the year ended June 30, 2009.

Interest capitalized during the year ended June 30, 2009, was approximately \$170,000.

Construction-in-progress at June 30, 2009, relates primarily to renovations of existing facilities and to residence halls. Estimated costs to complete these projects amount to approximately \$245,000.

The University recognized approximately \$989,000 for rental income on various facilities during the year ended June 30, 2009.

# Notes to Financial Statements (continued)

#### 8. Long-Term Debt

Long-term debt consists of the following:

	June 30		
	 2009		2008
Bonds payable	(In Tho	usar	ıds)
Stetson University Volusia County Educational Facilities Authority (VCEFA) Educational Facilities Revenue Bonds of 1996 – payable in annual installments of \$380,000 to \$725,000 through 2022 plus semiannual interest payments at rates from 5.3% to 5.5%,			
collateralized by the University's tuition revenues Stetson University Volusia County Educational Facilities Authority (VCEFA) Educational Facilities Revenue Bonds of 1999 – payable in annual installments of \$180,000 to \$3,465,000 through 2029 plus semiannual interest payments at rates from 4.75% to 5.25%,	\$ 6,955	\$	7,315
collateralized by the University's tuition revenues Stetson University Volusia County Educational Facilities Authority (VCEFA) Educational Facilities Revenue Bonds of 2005 – payable in annual installments of \$790,000 to \$1,615,000 through 2026 plus semiannual interest payments at rates from 3.5% to 5.0%, collateralized by the University's tuition revenues	17,945 19,295		18,125 20,055
	 44,195		45,495
Other notes payable  Note payable – monthly installments of \$28,242 through December 2023 at an interest rate of 5.9% collateralized by long-term investments  Mortgage note payable – monthly installments of \$9,754 through September 2009 at an interest rate of 6.5%;	3,280		3,250
collateralized by eight properties	24		137
Other notes payable	 320		341
	47,819		49,223
Unamortized discounts on bonds payable	(326)		(350)
Unamortized premium on bonds payable	 768		850
	\$ 48,261	\$	49,723

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#### Notes to Financial Statements (continued)

#### 8. Long-Term Debt (continued)

The University has a line of credit that provides up to \$1 million for the operations and maintenance of the University. Borrowings under this line of credit bear interest at London Interbank Offer Rate (LIBOR) plus 1.75%, which automatically renews annually unless the University is otherwise notified by the bank. The University had no outstanding balance on this line of credit at June 30, 2009 and 2008. There are no commitment fees on the unused line of credit. The line is collateralized by a portion of the University's cash reserves.

Required reductions of long-term debt for the fiscal years following 2009 are as follows:

		Pr	incipal		_	
	Bonds	(	Other	Total	Interest	Total Debt Service
			(1	In Thousands	)	
Year ended June 30:						
2010	\$ 1,350	\$	330	\$ 1,680	\$ 2,434	\$ 4,114
2011	1,410		171	1,581	2,366	3,947
2012	1,475		181	1,656	2,292	3,948
2013	1,530		188	1,718	2,221	3,939
2014	1,600		200	1,800	2,140	3,940
Thereafter	36,830		2,554	39,384	17,939	57,323
	\$ 44,195	\$	3,624	\$ 47,819	\$ 29,392	\$ 77,211

#### 9. Capital Leases

The following is a schedule by years of future minimum lease payments under capital leases together with the present value of the net minimum lease payments as of June 30, 2009:

	(In Tho	usands)
Year ending June 30:		
2010	\$	365
2011		264
2012		203
2013		33
2014		20
Total minimum lease payments		885
Less amount representing interest		(83)
Present value of net minimum lease payments	\$	802

#### Notes to Financial Statements (continued)

#### 10. Operating Leases

The University has entered into various leases for automobiles and office equipment. The leases are noncancelable operating leases which expire at various dates through 2015. Following is a schedule of minimum future rental payments under noncancelable operating leases:

	(In Thou	sands)
Year ending June 30:		
2010	\$	114
2011		93
2012		58
2013		30
2014		26
2015		11
	\$	332

Rent expense incurred under operating leases amounted to approximately \$451,000 for the year ended June 30, 2009.

#### 11. Retirement and Postretirement Benefits

Retirement benefits are provided through defined contribution plans with the Teachers Insurance and Annuity Association – College Retirement Equities Fund, a national organization used to fund pension benefits for educational institutions. All full-time employees with two years of service are eligible under the plan. The University's cost is calculated at 10% of qualifying participants' compensation. The pension expense for the year ended June 30, 2009, amounted to approximately \$4,103,000.

In addition, the University sponsors a defined benefit postretirement plan that provides medical and term-life insurance benefits to eligible retirees. During its May 2007 meeting, the Board of Trustees approved a resolution to reduce and eventually eliminate the postretirement defined benefit plan over a four-year period. Employees retiring through June 30, 2008, who elect to receive postretirement health care benefits, will be responsible to pay 40% of the premium. Employees retiring between July 1, 2008, and June 30, 2011, who elect to receive postretirement health care benefits, will be responsible to pay 50% of the premium. Employees retiring after June 30, 2011, who elect to receive postretirement health care benefits, will be responsible to pay 100% of the premium. The effect of the amendment was a \$12.3 million reduction in prior year service costs, which will be amortized over the average service to full eligibility as of the date of the plan amendment.

#### Notes to Financial Statements (continued)

#### 11. Retirement and Postretirement Benefits (continued)

In September of 2006 the FASB adopted Statement of Financial Accounting Standards (SFAS) No. 158, *Employer's Accounting for Defined Benefit Pension and Other Postretirement Plans* (SFAS No. 158). This statement requires recognition of the overfunded or underfunded status of a defined benefit postretirement plan as an asset or liability in the statement of financial position and to recognize changes in that funded status in the year in which the changes occur in unrestricted net assets. It also requires measurement of the funded status of a plan as of the date of the year-end statement of financial position. The funded status of a defined benefit plan is measured as the difference between plan assets at fair value and the benefit obligation. The University adopted the recognition provisions of SFAS No. 158 in fiscal year 2008 and recognized the funded status of the Postretirement Plan in its 2008 statement of financial position.

		June 30		
		2009		2008
	'	(In Tho	usar	ids)
Change in accumulated postretirement benefit obligation:				
Benefit obligation at beginning of year	\$	7,932	\$	9,458
Service cost		114		136
Interest cost		505		540
Plan participants' contributions		535		526
Amendments		_		_
Actuarial loss (gain)		1,326		(1,522)
Benefit payments		(1,325)		(1,354)
Medicare subsidy		49		148
Benefit obligation at end of year	\$	9,136	\$	7,932
Change in Plan assets:				
Fair value of plan assets at beginning of year	\$	_	\$	_
University contributions		741		680
Plan participants' contributions		535		526
Benefits paid		(1,325)		(1,354)
Medicare subsidy received		49		148
Fair value of plan assets at end of year	\$	_	\$	

# Notes to Financial Statements (continued)

#### 11. Retirement and Postretirement Benefits (continued)

	June 30			
		2009		2008
		(In Thou	san	ds)
Funded status of the Plan:	_			(= a==)
Funded status at end of year	\$	(9,136)	\$	(7,932)
Unrecognized actuarial loss		_		_
Unrecognized prior service cost		- (0.426)	Ф	(7,022)
Net accrued benefit liability	\$	(9,136)	\$	(7,932)
Amounts recognized in the statement of financial position:				
Postretirement benefit liability	<b>\$</b>	9,136	\$	7,932
Net amount recognized	\$	9,136	\$	7,932
Amounts recognized in the statement of activities:	•		Φ.	
Net loss	\$	)-	\$	6,383
Prior service credit		(6,326)	_	(8,891)
Net postretirement expense (benefit)	\$	986	\$	(2,508)
Assumptions as of the end of the year:				
Discount rate		6.00%		6.75%
Expected return on assets		n/a		n/a
Rate of compensation increases		n/a		n/a
Accumulated Postretirement Benefit Obligation (APBO):				
Active employees	\$	3,063	\$	2,816
Retirees	•	6,073	_	5,116
Total APBO		9,136		7,932
Unrecognized gain (loss)		_		´ –
Accrued postretirement benefit liability	\$	9,136	\$	7,932

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#### Notes to Financial Statements (continued)

#### 11. Retirement and Postretirement Benefits (continued)

	June 30			
	2	009	2008	
	(In Thousands,			
Net periodic postretirement benefit cost:				
Service costs (benefits earned during the period)	\$	114 \$	136	
Interest cost (on accumulated postretirement				
benefit obligation)		505	540	
Amortization of net actuarial loss		398	493	
Amortization of prior service credit		(2,565)	(2,779)	
Net periodic postretirement benefit costs	\$	(1,548) \$	(1,610)	

For measurement purposes, an 8.5% annual rate of increase in the per capita cost of covered health care benefits was assumed for the year ended June 30, 2009. The rate was assumed to decrease by 0.5% per year until 2017 and remain at 5.0% thereafter. Assumed health care cost trend rates have a significant effect on the amounts reported for health care plans. A one percentage point change in assumed health care cost trend rates would have the following effects as of and for the year ended June 30, 2009:

	One Percentage Point	One	e Percentage Point
	Increase	•	Decrease
	(In The	ousan	eds)
Effect on total service and interest cost Effect on end of year postretirement benefit	\$ 52	\$	(46)
obligation	825		(719)

#### Notes to Financial Statements (continued)

#### 11. Retirement and Postretirement Benefits (continued)

The following benefit payments, which reflect expected future service, as appropriate, are expected to be paid:

	Benefit Pa	yments
	(In Thous	sands)
Year ending June 30:		
2010	\$	642
2011		717
2012		733
2013		767
2014		768
2015-2019		3,823

#### 12. Collegiate Housing Foundation - DeLand, LLC

The University has entered into an arrangement with Collegiate Housing Foundation – DeLand, LLC (CHF-DeLand), a wholly owned subsidiary of Collegiate Housing Foundation, in which the University utilizes a 338-bed housing facility for student housing. The facility is owned by CHF-DeLand, a separate 501(c)(3) entity, and financed through tax exempt bonds issued by the Volusia County Industrial Development Authority and assumed by CHF-Deland. When the financing is paid in full, the ownership interest in the facility will be conveyed to the University. The underlying property on which the facility is located is leased by the University to CHF-DeLand under a ground lease.

Ground lease revenue receivable by the University as of June 30, 2009 and 2008, amounted to approximately \$109,000 and \$251,000, respectively. Amounts due from CHF-DeLand for operating expense reimbursements were approximately \$0 and \$728,000 at June 30, 2009 and 2008, respectively.

#### 13. Related-Party Transactions

During the 2009 fiscal year, the University paid \$1,408,000 for insurance brokerage services provided by a firm for which a Trustee of the University is also the chief executive officer and director. There were no outstanding payments owed to this firm as of June 30, 2009. Also during 2009 the University received certain promises to give from members of the Board of Trustees as discussed in Note 3.

#### Notes to Financial Statements (continued)

#### 14. Charles A. Dana Law Center Foundation, Inc.

The University has recorded its interest in the net assets of the Charles A. Dana Law Center Foundation, Inc. (the Foundation) on the accompanying statements of financial position as investment in affiliated entity.

The decrease in net assets of the Foundation for the year ended June 30, 2009, was \$362,000. The University's interest in the net assets for the Foundation as of June 30, 2009 and 2008, amounted to \$2,561,000 and \$2,923,000, respectively.

#### 15. Detail of Restricted Net Assets

	Tem	Temporarily		manently
	Res	stricted	Re	estricted
		(In Tho	1,176 50,748 1,223 – 1,064 405 – 2,555	
June 30, 2009 Scholarships Programs Capital Annuities Loans Pledges	<b>\$</b>	3,901 4,176 1,223 1,064 - 5,159		
1 leages	\$	15,523	\$	92,522
June 30, 2008				
Scholarships	\$	4,250	\$	36,742
Programs		5,341		50,609
Capital		4,569		_
Annuities		1,418		1,756
Loans		_		2,555
Pledges		5,067		1,370
-	\$	20,645	\$	93,032

#### Notes to Financial Statements (continued)

#### 16. Fair Value of Financial Instruments and Fair Value Disclosures

The University has established and documented processes and methodologies for determining the fair values of portfolio company investments on a recurring basis in accordance with SFAS No. 157, *Fair Value Measurements*. Under SFAS No. 157, a financial instrument's categorization within the valuation hierarchy is based upon the lowest level of input that is significant to the fair value measurement. The three levels of valuation hierarchy established by SFAS No. 157 are defined as follows:

- Level 1 Inputs to the valuation methodology are quoted prices (unadjusted) for identical assets or liabilities in active markets.
- Level 2 Inputs to the valuation methodology include quoted prices for similar assets and liabilities in active markets, and inputs that are observable for the asset or liability, either directly or indirectly, for substantially the full term of the financial instrument.
- Level 3 Inputs to the valuation methodology are unobservable and significant to the fair value measurement

The following methods and assumptions were used to estimate the fair value of each class of financial instruments in accordance with the provisions of SFAS No. 157:

Cash and cash equivalents – The carrying amounts reported in the consolidated balance sheet approximate their fair value, due to the short-term maturity of these instruments.

Loans Receivable – Determination of the fair value of loans receivable, which are primarily federally sponsored student loans with U.S. government-mandated interest rates and repayment terms and subject to significant restrictions as to their transfer or disposition, could not be made without incurring excessive costs.

*Pledges Receivable* – The fair values of pledges receivable are discounted at an approximate rate commensurate with the risks involved. The discounted pledges receivable value approximates the fair value of these instruments.

Charitable Gift Annuities – The obligation for annuities is based on an actuarial calculation that considers the life expectancy of the annuitant and the expected rate of return to be earned on the annuitant's gift. The rate of return assumed in this calculation for each of the annuities is 2.8%, which is representative of its fair value.

#### Notes to Financial Statements (continued)

#### 16. Fair Value of Financial Instruments and Fair Value Disclosures (continued)

*Debt* – The fair value of the VCEFA 1996, 1999, and 2005 bond obligations payable is estimated based on quoted market prices for the same or similar issues.

Estimated fair values of the University's financial instruments at June 30, 2009, follow:

	C	arrying	Carrying						
	Amount		Fa	air Value		mount	Fair Value		
Description		2009		2009		2008	2008		
	(In Thousands)								
Financial assets (liabilities)									
Cash and cash equivalents	\$	19,915	\$	19,915	\$	30,389	\$	30,389	
Bonds payable		(44,195)		(44,208)		(45,495)		(46,436)	

The following table presents the fair values for assets and liabilities measured on a recurring basis as of June 30, 2009:

				Level 1:							
		Qu	oted prices in			Level 3:					
			acti	ve markets for	L	Level 2:	Significant				
		Fair	ider	lentical assets or Significant other				unobservable			
Description		Value		liabilities	observ	vable inputs	inputs				
		(In Thousands)									
Funds held in trust by											
others	\$	7,958	\$	_	\$	7,093	\$	865			
Investments		102,074		100,897		1,177		_			
Annuities payable		(3,532)		_		_		(3,532)			

#### Notes to Financial Statements (continued)

#### 17. Subsequent Events

In May 2009, the FASB issued SFAS No. 165, *Subsequent Events*. SFAS No. 165 establishes general standards of accounting for and disclosure of events that occur after the balance sheet date but before the financial statements are issued. SFAS No. 165 defines two types of subsequent events. The effects of events or transactions that provide additional evidence about conditions that existed at the balance sheet date, including the estimates inherent in the process of preparing financial statements, are recognized in the financial statements. The effects of events that provide evidence about conditions that did not exist at the date of the balance sheet but arose after that date are not recognized in the financial statements. The University adopted SFAS No. 165 as of June 30, 2009. Management of the University has reviewed subsequent events through October 8, 2009 (the date of the issuance of the accompanying financial statements).

**Supplementary Information** 



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#### Report of Independent Certified Public Accountants on Supplementary Disaggregated Information

The Board of Trustees Stetson University, Inc.

The report on our audit of the financial statements of Stetson University, Inc., as of June 30, 2009, and for the year then ended appears on page 1 of this document. Our audit was conducted for the purpose of forming an opinion on the financial statements taken as a whole. The accompanying supplementary disaggregated information is presented for purposes of additional analysis of the financial statements rather than to present the financial position of the individual funds and is not a required part of the basic financial statements. Accordingly, we do not express an opinion on the financial position of the individual funds. However, the supplementary disaggregated information has been subjected to the auditing procedures applied in the audit of the basic financial statements and, in our opinion, is fairly stated in all material respects in relation to the basic financial statements taken as a whole.

Ernst + Young LLP

October 8, 2009

# Supplementary Disaggregated Statement of Financial Position

June 30, 2009 (In Thousands)

	C	urrent Funds		Endowment and Loan Funds Similar Funds Plant Funds						Total
Assets		urrent runus		Loan Funus	Sililiai Fullus	•		r lant r unus		Total
Cash and cash equivalents	\$	16,942	\$	_	\$ :	04	\$	2,669	\$	19,915
Notes and account receivable – net	Ψ	4,295	Ψ	5,678	Ψ .	36	Ψ	925	Ψ	10,934
Pledges receivable – net		5,159		5,070	1 ′	19		725		6,378
Inventories		871		_	1,2			_		871
Investments		656		_	101,3	88		30		102,074
Funds held in trust by others		_		_	· · · · · · · · · · · · · · · · · · ·	58		_		7,958
Property, plant, and equipment, net		_		_	. ,-	_		133,272		133,272
Other assets		1,409		_		2		796		2,207
Investment in affiliated entity		-		_	2,5			-		2,561
Total assets	\$	29,332	\$	5,678	\$ 113,4		\$	137,692	\$	286,170
Liabilities and net assets										
Liabilities:										
Accounts payable	\$	2,051	\$	_	\$	11	\$	219	\$	2,381
Accrued liabilities	Ψ	5,413	Ψ		Ψ		Ψ	183	Ψ	5,596
Student deposits and other current liabilities		3,122		_		_		-		3,122
Postretirement benefits		9,136		_		_		_		9,136
Refundable government loan funds		>,100 _		4,574		_		_		4,574
Annuities payable		_		-	3.4	32		_		3,532
Capital leases		_		_	-,-	_		802		802
Long-term debt		_		_		_		48,261		48,261
Due to (from) other funds		799		(2,165)	(5,0	(40)		7,006		_
Total liabilities		20,521		2,409	(1,9	97)		56,471		77,404
Net assets:										
Unrestricted		740		714	19,2	70		79,997		100,721
Temporarily restricted		8,071		_		28		1,224		15,523
Permanently restricted		- 0,071		2,555	89,9			- 1,221		92,522
Total net assets	-	8,811		3,269	115,4			81,221		208,766
Total liabilities and net assets	\$		\$	5,678	\$ 113,4		\$	137,692	\$	286,170



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# Report of Independent Certified Public Accountants on Internal Control Over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance With Government Auditing Standards

The Board of Trustees Stetson University, Inc.

We have audited the financial statements of Stetson University, Inc. (the University) as of and for the year ended June 30, 2009, and have issued our report thereon dated October 8, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

#### **Internal Control Over Financial Reporting**

In planning and performing our audit, we considered the University's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the University's internal control over financial reporting.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A *material weakness* is a deficiency, or combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected on a timely basis.

Our consideration of internal control over financial reporting was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be deficiencies, significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

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#### **Compliance and Other Matters**

As part of obtaining reasonable assurance about whether the University's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

This report is intended solely for the information and use of management, the Board of Trustees, audit committee, administration, and federal and state awarding agencies and pass-through entities and is not intended to be, and should not be, used by anyone other than these specified parties.

Ernst + Young LLP

October 8, 2009

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