

January 13, 2016

MEMORANDUM

TO: State Board of Regents

FROM: Dave Buhler, Commissioner

SUBJECT: Adoption of Policy R553, Revenue-generating Activities

Issue

A recent audit by the Legislative Auditor General recommended the Board of Regents establish a new policy governing revenue-generating activities. Regent Policy R553, *Revenue-generating Activities* is a response to that recommendation. This policy will direct institutions to ensure certain revenue-generating activities will contribute a portion of those revenues toward the costs of operations and maintenance.

Background

The Legislative audit recommended:

We recommend that the Board of Regents establish a policy on revenue-generating activities in campus facilities that addresses the extent to which paid admission charges should contribute to facility O&M costs.

The Commissioner's staff worked with the institutions to develop a policy to address the auditors' recommendation. Regent Policy R553, *Revenue-generating Activities* defines what qualifies as a revenue-generating activity and exempts certain activities such as instructional programs or activities that are designated as a public service that supports the institution's mission.

The policy directs institutions that host revenue-generating activities or events to charge a fee to the event or activity sponsor that will contribute to the costs of physical plant operations and maintenance and other associated expenses.

The policy also instructs institutions to deposit those funds in the appropriate budget, to develop a schedule of fees, and to periodically audit revenue-generating activities for compliance with this policy.

Commissioner's Recommendation

The Commissioner recommends the Regents review the proposed policy and, if in agreement with the new policy, establish R553, *Revenue-generating Activities*, effective immediately.

David L. Buhler
Commissioner of Higher Education

DLB/GLS/GTL
Attachment

R553 – Revenue-generating Activities

R553-1. Purpose: To provide definitions and guidelines for categories of revenue-generating activities and events.

R553-2. References

- 2.1 Utah Code §53B-6-102 (Standardized Systems Prescribed by the Board)
- 2.2 Utah Code §53B-7-101(10) (Each Institution Handles Its Own Financial Affairs Under the General Supervision of the Board)
- 2.3 Policy and Procedures R550, Auxiliary Enterprises Operation and Accountability

R553-3. Definitions

- 3.1 **Revenue-generating Activities or Events:** “Revenue-generating activities or events,” for purposes of this policy, are activities or events for which the respective institution charges or should charge an entry or rental fee for use of institutional facilities and amenities. Examples of revenue-generating events or activities include but are not limited to:
 - 3.1.1 **Performances by Professional Entertainers:** Performance events that require entry fees that are not accounted for in Auxiliary Enterprises as defined in R550.
 - 3.1.2 **Activities Serving Outside Parties:** Activities or events allowing non-institutional parties use of institutional facilities and amenities for a fee.
 - 3.1.3 **Auxiliary Enterprises:** Auxiliary enterprises as defined in R550.
- 3.2 **Exempt Activities or Events:** The following activities and events are not considered “revenue-generating activities or events” for the purposes of this policy:
 - 3.2.2 **Activities or Events that are Institutional Instructional Programs:** Activities or events that are associated with the institution’s instructional programs.
 - 3.2.3 **Activities or Events that Fulfill Public Service Roles and Support the Institution’s Mission:** Activities or events that the institution’s president has designated, in writing, as a public service that supports the institution’s mission.

R553-4. Policy

- 4.1 **Contribution to Operations and Maintenance:** Institutions that host revenue-generating activities or events shall charge a fee to the event or activity sponsor that will contribute to the costs of physical plant operations and maintenance and other associated expenses. The institution shall deposit the portion of the fees that contribute to operations and maintenance costs into the physical plant operations budget from which the costs originated.

¹ Approved January 22, 2016

4.2 **Schedule of Fees:** Institutions shall develop a schedule of appropriate fees charged for revenue-generating activities or events.

4.3 **Audits of Revenue-generating Activities or Events:** Institutions shall audit all revenue-generating activities or events and associated fees at suitable intervals, as determined by the institution's board of trustees. Each institution's audit director shall conduct the audit using either the resident auditors or the Regents' audit staff.