



UNIVERSITY OF THE
DISTRICT OF
COLUMBIA
— 1851



Basic Financial Statements
September 30, 2012 and 2011
(With Independent Auditors' Report Thereon)



A component Unit of the Government of the District of Columbia

UNIVERSITY OF THE DISTRICT OF COLUMBIA
(A Component Unit of the Government of the District of Columbia)

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KPMG LLP
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Independent Auditors' Report

The Board of Trustees
University of the District of Columbia
Washington, DC 20008

We have audited the accompanying basic financial statements of the University of the District of Columbia (the University), a component unit of the Government of the District of Columbia, as of and for the years ended September 30, 2012 and 2011, as listed in the table of contents. These basic financial statements are the responsibility of the University's management. Our responsibility is to express an opinion on these basic financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America 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 basic financial statements are free of material misstatement. An audit includes 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 basic financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the basic financial statements referred to above present fairly, in all material respects, the financial position of University as of September 30, 2012 and 2011, and the changes in net assets, and cash flows thereof for the years then ended in conformity with U.S. generally accepted accounting principles.

In accordance with *Government Auditing Standards*, we have also issued our report dated January 31, 2013 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, and 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.

U.S. generally accepted accounting principles require that the *management's discussion and analysis* on pages 3 through 10 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the



information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

KPMG LLP

January 31, 2013

UNIVERSITY OF THE DISTRICT OF COLUMBIA
(A Component Unit of the Government of the District of Columbia)

Management's Discussion and Analysis

September 30, 2012 and 2011

Management's Discussion and Analysis provides a narrative overview and analysis of the financial activities of the University of the District of Columbia (the University) as of and for the fiscal years ended September 30, 2012 and 2011. This discussion and analysis should be read in conjunction with the basic financial statements and the related note disclosures. The financial statements, disclosures, and discussion and analysis are the responsibility of management.

Basic Financial Statements

The basic financial statements are prepared in accordance with the Governmental Accounting Standards Board's (GASB) Statement No. 35, Basic Financial Statements - and Management's Discussion and Analysis - for Public Colleges and Universities - an amendment of GASB Statement No. 34. These financial statements focus on the financial condition, the results of operations, and cash flows of the University as a whole.

The Statements of Net Assets presents the financial position of the University and includes all assets, liabilities and the various categories of net assets which are attributable to the University. Net assets are defined as total assets less total liabilities and represent the institutional equity of the University.

Net assets are presented in four major categories. The first category, invested in capital assets, net of related debt, represents the equity in property, plant and equipment owned and/or controlled by the University. The University does not have any debt related to its capital assets. The campus resides on property owned by the federal government. The second category is restricted net assets. Nonexpendable restricted net assets represent the endowment corpus from the federal government in lieu of land. The third category is expendable net assets. Expendable restricted net assets are funds received from grantors and contracts which are available for expenditure, but have not been obligated as of the reporting date. The fourth category is unrestricted net assets, which are available to the University for any lawful purpose determined by the Board of Trustees of the University.

The Statements of Revenues, Expenses, and Changes in Net Assets present the revenues earned and expenses incurred during the year, both operating and non-operating. These statements also reconcile the amount of beginning net assets to the amount of ending net assets as presented in the Statements of Net Assets.

Operating revenues are received for goods and services provided to the various customers, students and other constituents of the University. Operating expenses are those expenses paid or accrued to acquire or produce the goods and services in return for the operating revenues and to carry out the mission of the University. Non-operating revenues are received from legislative and/or investment sources in order to carry out the mission and goals set by the Board of Trustees. For example, appropriations from the District of Columbia Government (the District) are non-operating revenues because they are provided by the District to the University and the District Council does not directly receive commensurate goods and/or services for those revenues.

The Statements of Cash Flows presents the inflows and outflows of cash and cash equivalents during the year. The cash flow activity is summarized by operating, noncapital, capital and related financing activities and investing activities. The Statements reconcile the amount of beginning cash and cash equivalents to the ending amount of cash and cash equivalents, which is shown on the Statements of Net Assets. These statements also reconcile the operating loss as shown on the Statements of Revenues, Expenses, and Changes in Net Assets to the net cash used in operating activities.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
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Management's Discussion and Analysis

September 30, 2012 and 2011

Financial Highlights

Condensed Financial Information

Table 1 – Condensed Statements of Net Assets as of September 30, 2012, 2011 and 2010 (\$000):

	<u>2012</u>	<u>2011</u>	<u>2010</u>
Assets:			
Current assets	\$ 47,217	64,727	49,150
Noncurrent assets:			
Investments and notes receivable, net of allowance	39,072	33,899	35,995
Capital assets, net of depreciation	120,691	97,820	84,627
Other	674	296	296
Total assets	<u>\$ 207,654</u>	<u>196,742</u>	<u>170,068</u>
Liabilities:			
Current liabilities	\$ 68,165	77,469	77,642
Noncurrent liabilities	1,262	1,242	1,388
Total liabilities	<u>\$ 69,427</u>	<u>78,711</u>	<u>79,030</u>
Net assets:			
Invested in capital assets	\$ 120,691	97,820	84,626
Nonexpendable restricted net assets	7,568	7,568	7,242
Expendable restricted net assets	1,705	1,475	335
Unrestricted	8,263	11,168	(1,165)
Total net assets	<u>\$ 138,227</u>	<u>118,031</u>	<u>91,038</u>

The increase of approximately \$20.2 million (17%) in total net assets (shown in Table 1 above), from FY 2011 to FY 2012 is primarily attributed to increase in amounts invested in capital assets. UDC's capital appropriation revenue from the District increased by 80% due to the continued construction activities throughout the University's campus.

The increase of approximately \$27 million (30%) in total net assets (shown in Table 1 above), from FY 2010 to FY 2011 is primarily attributed to extinguishment of amounts due to the District of Columbia of \$16.1 million and increases in capital appropriations. UDC's major renovation projects continued through FY 2011 for an increase in net capital assets of \$13.2 million (15.6%).

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Management's Discussion and Analysis

September 30, 2012 and 2011

Table 2 – Condensed Statements of Revenues, Expenses, and Changes in Net Assets for the Years Ended September 30, 2012, 2011 and 2010 (\$000):

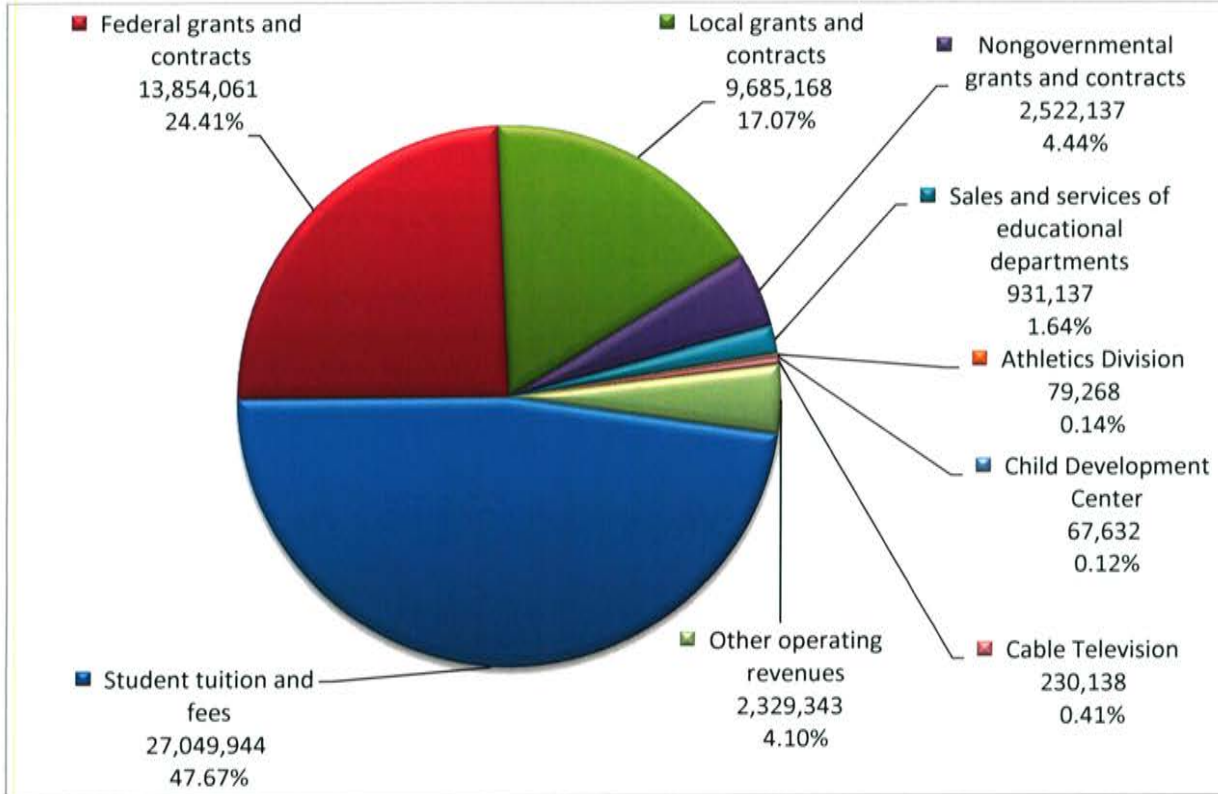
	<u>2012</u>	<u>2011</u>	<u>2010</u>
Operating revenues:			
Tuition and fees	\$ 27,050	28,756	26,696
Federal, District and private grants and contracts	26,061	27,398	24,229
Auxiliary enterprises and other sales and services	1,308	1,835	2,121
Other	2,330	10,461	3,485
Total operating revenues	<u>56,749</u>	<u>68,450</u>	<u>56,531</u>
Less: Operating expenses	<u>(147,034)</u>	<u>(152,640)</u>	<u>(141,266)</u>
Net assets used in operating activities	<u>(90,285)</u>	<u>(84,190)</u>	<u>(84,735)</u>
Non-operating revenues:			
District of Columbia appropriations	67,362	66,420	62,070
Investment income/(loss)	5,387	(935)	2,303
Other	11,696	31,206	7,744
Total non-operating revenues	<u>84,445</u>	<u>96,691</u>	<u>72,117</u>
Increase/(decrease) in net assets before capital appropriations	(5,840)	12,501	(12,618)
Capital appropriations	<u>26,036</u>	<u>14,493</u>	<u>1,472</u>
Increase/(decrease) in net assets	20,196	26,994	(11,146)
Net assets, beginning of year	<u>118,031</u>	<u>91,037</u>	<u>102,183</u>
Net assets, end of year	<u>\$ 138,227</u>	<u>118,031</u>	<u>91,037</u>

UNIVERSITY OF THE DISTRICT OF COLUMBIA
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Management's Discussion and Analysis

September 30, 2012 and 2011

OPERATING REVENUES BY SOURCE
\$57 Million in FY 2012



The decrease in operating revenue of approximately \$11.7 million (17%), from FY 2011 to FY 2012 is primarily due to a decrease in other operating revenue. In FY 2011, there was \$7 million in prior year cost recovery transactions and revenue from building rental which did not recur in FY 2012. Non-operating revenue net decreased by approximately \$12.2 million primarily because there was no extinguishment of debt activity in FY 2012, which was \$16.1 million in FY 2011.

The increase in operating revenue of approximately \$11.9 million from FY 2010 to FY 2011 is primarily due to an increase in other operating revenue which increased by \$7 million due to prior year cost recovery transactions and recognition of earned revenue from deferred revenue for Building 52 rental. Non-operating revenue increased by approximately \$24.6 million primarily due to the extinguishment of debt amounts due to the District of Columbia in the amount of \$16.1 million and Pell grant awards of \$9 million.

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Management's Discussion and Analysis

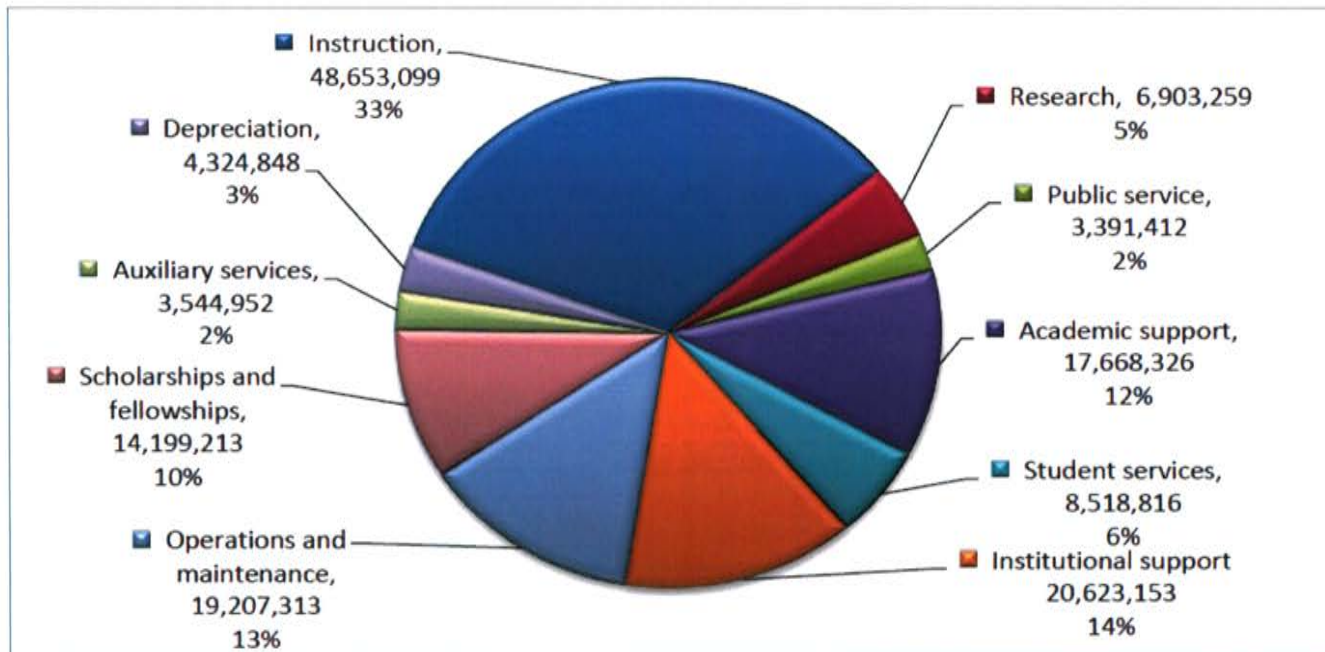
September 30, 2012 and 2011

Table 3 – Expenses by Function for the Years Ended September 30, 2012 and 2011 (\$000):

	FY 2012		FY 2011		Increase/(decrease)	
	Amount	Percent of	Amount	Percent of	Amount	Percent change
		total		total		
Instruction	\$ 48,653	33%	\$ 51,899	34%	\$ (3,246)	(5%)
Research	6,903	5%	6,137	4%	766	12%
Public service	3,392	2%	3,692	2%	(300)	(8%)
Academic support	17,668	12%	21,110	14%	(3,442)	(16%)
Student services	8,519	6%	9,494	6%	(975)	(10%)
Institutional support	20,623	14%	17,698	12%	2,925	17%
Operations and maintenance	19,207	13%	18,995	13%	212	1%
Scholarships and fellowships	14,199	10%	15,386	10%	(1,187)	(8%)
Auxiliary operations	3,545	2%	3,427	2%	118	3%
Depreciation	4,325	3%	4,802	3%	(477)	(10%)
Total expense by function	\$ 147,034	100%	\$ 152,640	100%	\$ (5,606)	(3%)

OPERATING EXPENSES BY FUNCTION

\$147 Million in FY 2012



Total expenses decreased by approximately \$5.6 million (4%), from FY 2011 to FY 2012. The decrease is primarily caused by a 16% (\$3.4 million) decrease in academic support and a 6% (\$3.2 million) decrease in instructional expense. This is offset by an increase of 17% (\$2.9 million) in institutional support. The decrease

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Management's Discussion and Analysis

September 30, 2012 and 2011

in expenditures are a direct correlation to a drop in student enrollment numbers in the Flagship or the University, excluding the law school and University of the District of Columbia Community College (UDCCC).

Table 4 – Expenses by Function for the Years Ended September 30, 2011 and 2010 (\$000):

	<u>FY 2011</u>		<u>FY 2010</u>		<u>Increase/(decrease)</u>	
	<u>Amount</u>	<u>Percent of</u>	<u>Amount</u>	<u>Percent of</u>	<u>Amount</u>	<u>Percent</u>
		<u>total</u>		<u>total</u>		<u>change</u>
Instruction	\$ 51,899	34%	\$ 39,654	28%	\$ 12,245	31%
Research	6,137	4%	5,306	4%	831	16%
Public service	3,692	2%	4,342	3%	(650)	(15%)
Academic support	21,110	14%	20,139	14%	971	5%
Student services	9,494	6%	10,019	7%	(525)	(5%)
Institutional support	17,698	12%	18,834	13%	(1,136)	(6%)
Operations and maintenance	18,995	13%	26,652	19%	(7,657)	(29%)
Scholarships and fellowships	15,386	10%	6,116	4%	9,270	152%
Auxiliary operations	3,427	2%	5,059	4%	(1,632)	(32%)
Depreciation	4,802	3%	5,145	4%	(343)	(7%)
Total expense by function	<u>\$ 152,640</u>	<u>100%</u>	<u>\$ 141,266</u>	<u>100%</u>	<u>\$ 11,374</u>	<u>8%</u>

The approximate \$11.4 million increase in expense by functional activities from FY 2010 to FY 2011 is represented by a 31% (\$12.2 million) increase in instruction expenses which is due to the first fully enrolled fiscal year of UDCCC. The 152% (\$9.3 million) increase in scholarships and fellowships is primarily due to Pell grant awards. The 29% (\$7.7 million) decrease in operations and maintenance expenses is primarily due to reduced UDCCC build out expenses in FY 2011 versus FY 2010 when operations commenced.

Enrollment

The University maintains an open admissions policy for its Community College and a rolling admission policy for its Flagship. The total official student enrollment for the Fall 2012 semester is 5,490 students, representing an increase of 4% from the Fall 2011 enrollment of 5,286 students. During Fall 2012, the student body comprised of 72.55% District residents, 10.91% Metro area residents and 16.54% nonresidents. In Fall 2012, District students comprised 75.91% and 46.76% of the University's total undergraduate and graduate enrollment, respectively. Comparatively, in the Fall 2011 Semester, District students accounted for 63.31% and 42.68% of the University's total undergraduate and graduate enrollment, respectively. Full time equivalent enrollments are 3,667 for Fall 2012 and 3,658 for Fall 2011.

Total tuition and fee revenue decreased by \$1.7 million from \$28.8 million in FY 2011 to \$27.1 million in FY 2012. The decrease is due a drop in student enrollment in the Flagship, but an increase in enrollment at the UDCCC which charges a lower tuition rate.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
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Management's Discussion and Analysis

September 30, 2012 and 2011

Capital Improvement Program

The University participates in the District's Capital Improvement Program. Accordingly, the University trustees, the District Council and the Congress of the United States have approved a 6-year capital improvement plan totaling \$114.8 million, for FY 2007 through FY 2012, financed through funding sources provided by the District. The execution of the University's capital improvement plan is contingent upon sufficient funding being received from the District, since the University has no separate long term borrowing authority.

Factors Impacting Future Periods

There are a number of factors that could impact future financial periods. Many of these factors relate to the sources of the University's funding including the District's appropriation, tuition revenues, grants received, contracts earned, and gifts received. The appropriations from the District provide over 50% of the University's total funding and are therefore a key factor in determining the extent of the programs that the University can offer. Tuition rates are determined pursuant to the University's mission to provide affordable higher education. The level of support that the University is able to obtain from its funding sources determines its ability to maintain or expand programs that meet its mission and ongoing operational needs.

During FY 2012, the University was mandated by the District to "right-size" and streamline its operations. This process will greatly impact the university's operations in the future.

Requests for Information

Management's Discussion and Analysis is designed to provide a general overview of the University's finances. Questions concerning any information provided in this report, or requests for additional financial information, should be addressed to the Office of the Chief Financial Officer, University of the District of Columbia, 4200 Connecticut Avenue NW, Building 38, Washington, D.C. 20008.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
(A Component Unit of the Government of the District of Columbia)
Statements of Net Assets
September 30, 2012 and 2011

Assets	2012	2011
Current assets:		
Cash and cash equivalents (note 3)	\$ 29,495,268	24,390,088
Accounts receivable, net (note 4)	4,915,282	3,981,629
Grants and contracts receivable, net (note 4)	5,131,203	16,992,864
Receivable from the District of Columbia	7,061,000	19,114,148
Receivable from the other component units	341,624	—
Accrued interest receivable	31,124	27,198
Other current assets	241,790	221,131
Total current assets	<u>47,217,291</u>	<u>64,727,058</u>
Noncurrent assets:		
Investments (note 5)	38,225,753	33,002,132
Notes receivable, net (note 4)	846,573	896,790
Capital assets, net (note 6)	120,690,430	97,819,906
Long-term receivables	673,633	295,714
Total noncurrent assets	<u>160,436,389</u>	<u>132,014,542</u>
Total assets	<u>207,653,680</u>	<u>196,741,600</u>
Liabilities		
Current liabilities:		
Accounts payable	11,667,112	11,671,520
Accrued payroll	7,416,382	4,344,629
Litigation contingencies (note 9)	4,726,681	2,699,800
Accrued leave	3,906,351	3,719,824
Deferred revenue	11,782,261	8,637,801
Due to the District of Columbia	26,951,451	45,228,273
Other current liabilities	1,714,495	1,167,002
Total current liabilities	<u>68,164,733</u>	<u>77,468,849</u>
Noncurrent liabilities:		
Refundable advances	1,262,444	1,241,415
Total noncurrent liabilities	<u>1,262,444</u>	<u>1,241,415</u>
Total liabilities	<u>69,427,177</u>	<u>78,710,264</u>
Net Assets		
Invested in capital assets	120,690,430	97,819,906
Restricted:		
Nonexpendable endowments	7,241,706	7,241,706
Instructional endowments	326,380	326,380
Expendable:		
Grants and contracts	187,032	187,032
Capital projects	1,518,433	1,288,296
Unrestricted	8,262,522	11,168,016
Total net assets	<u>\$ 138,226,503</u>	<u>118,031,336</u>

See accompanying notes to basic financial statements.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
(A Component Unit of the Government of the District of Columbia)

Statements of Revenues, Expenses, and Changes in Net Assets

Years ended September 30, 2012 and 2011

	2012	2011
Revenues:		
Operating revenues:		
Student tuition and fees, net of scholarships and discounts (note 4)	\$ 27,049,944	28,756,323
Federal grants and contracts	13,854,061	16,957,687
Local grants and contracts	9,685,168	8,366,277
Nongovernmental grants and contracts	2,522,137	2,074,113
Sales and services of educational departments	931,137	1,398,247
Auxiliary enterprise:		
Athletics Division	79,268	17,546
Child Development Center	67,632	69,011
Cable television	230,138	349,661
Other operating revenues	2,329,343	10,460,847
Total operating revenues	56,748,828	68,449,712
Expenses:		
Operating expenses:		
Salaries	72,230,812	73,886,428
Benefits	15,457,470	14,363,779
Scholarships and fellowships	17,553,110	19,723,529
Contractual services, supplies and other	24,768,924	28,304,968
Utilities and other	12,699,228	11,558,688
Depreciation	4,324,848	4,802,430
Total operating expenses	147,034,392	152,639,822
Operating loss	(90,285,564)	(84,190,110)
Non operating revenues:		
District of Columbia appropriations	67,362,122	66,420,000
Investment income/(loss)	5,386,755	(935,107)
Gifts for scholarships	1,529,006	1,359,744
Federal non-operating grants	10,167,300	13,766,856
Extinguishment of Due to the District of Columbia (note 8)	—	16,079,280
Net non operating revenues	84,445,183	96,690,773
Income/(loss) before other revenues, expenses, gains, or losses	(5,840,381)	12,500,663
Capital appropriations	26,035,548	14,492,797
Change in net assets	20,195,167	26,993,460
Net assets:		
Net assets, beginning	118,031,336	91,037,876
Net assets, ending	\$ 138,226,503	118,031,336

See accompanying notes to basic financial statements.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
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Statements of Cash Flows
Years ended September 30, 2012 and 2011

	2012	2011
Cash flows from operating activities:		
Tuition and fees	\$ 27,899,803	28,762,735
Grants and contracts	40,065,291	17,209,352
Payments to vendors	(34,661,383)	(38,209,386)
Payments to employees	(82,403,121)	(95,429,556)
Other receipts	(31,955,520)	23,125,941
Net cash used by operating activities	(81,054,930)	(64,540,914)
Cash flows from non-capital financing activities:		
District of Columbia appropriations - operating	67,362,122	66,420,000
Change in receivables from District of Columbia	10,930,207	(848,981)
Gifts for scholarships	1,529,006	1,359,744
Direct Loan receipts	22,087,015	16,982,257
Direct Loan payments	(22,087,015)	(16,982,257)
Federal Pell grant	10,167,300	13,766,856
Net cash provided by noncapital financing activities	89,988,635	80,697,619
Cash flows from capital and related financing activities:		
Purchase of capital assets	(27,195,372)	(17,995,659)
Capital appropriations	23,029,818	1,741,566
Net cash used by capital and related financing activities	(4,165,554)	(16,254,093)
Cash flows from investing activities:		
Proceeds from sales/maturities of long-term investments	10,730,769	12,663,959
Investment Income	975,385	(935,107)
Purchase of investments	(11,369,125)	(12,386,867)
Net cash provided/(used) by investing activities	337,029	(658,015)
Net increase/decrease in cash and cash equivalents	5,105,180	(755,403)
Cash and cash equivalents, beginning	24,390,088	25,145,491
Cash and cash equivalents, ending	\$ 29,495,268	24,390,088
Reconciliation of operating loss to net cash provided by operating activities:		
Operating loss	\$ (90,285,564)	(84,190,110)
Adjustments to reconcile operating loss to net cash used by operating activities:		
Depreciation	4,324,848	4,802,430
Bad debt expense	2,831,836	1,094,202
Change in:		
Accounts receivable	(933,653)	6,753,395
Grants receivable	12,642,978	(10,077,289)
Other current assets	(24,585)	1,073,107
Other noncurrent assets	(377,919)	99
Notes receivable	50,217	244,110
Accounts payable and accrued liabilities	5,094,226	(6,736,338)
Deferred revenue	3,144,459	(6,858,420)
Other current liabilities	547,493	(768,755)
Refundable advances	21,029	(146,646)
Accrued leave	186,527	(956,049)
Due to District of Columbia	(18,276,822)	31,225,350
Net cash used by operating activities	\$ (81,054,930)	(64,540,914)

See accompanying notes to basic financial statements.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
(A Component Unit of the Government of the District of Columbia)

Notes to Basic Financial Statements

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(1) Background and History of the University of the District of Columbia

The University of the District of Columbia (the University) traces its roots to 1851 and the Miner Normal School. Land grant status was awarded in 1968. In 1977, the District of Columbia Teachers College, the Federal City College, and the Washington Technical Institute were consolidated into the University of the District of Columbia. The University currently offers over 75 undergraduate and graduate academic degree programs through the College of Arts and Sciences; School of Business and Public Administration; School of Engineering and Applied Sciences; and the David A. Clarke School of Law. In addition, the University offers a variety of practical, nonacademic educational programs and training through the Division of Community Outreach and Extension Services (COES.)

The University is governed by a board of trustees consisting of 15 members appointed by the District's Mayor, three members elected by the alumni, and one member elected by the student body.

The University is located on a 21.8 acre site and includes ten buildings (the Van Ness Campus). Jurisdiction was assigned to the University by the United States General Services Administration (GSA) to be utilized for educational purposes. The estimated value of the Van Ness site has not been recorded in the financial statements.

In January 2009, the Board of Trustees approved the creation of a new University System, which now includes the University and the University of the District of Columbia Community College (UDCCC). Beginning in fall 2009, UDCCC serves District of Columbia (the District or DC) residents by integrating workforce preparation, employability skill development, quality education and remediation, economic development and employer linkages, school-to-career training - providing a seamless transition from K-12 to adult education and literacy to college preparation and continuous lifelong learning. This new institution provides new opportunities to DC citizens, employers, the University, and the District of Columbia. UDCCC is located at 801 N. Capitol Street, NE, Washington, DC 20002.

(2) Summary of Significant Accounting Policies

The financial statements of the University are prepared in conformity with U.S. generally accepted accounting principles (GAAP), as applied to governmental colleges and universities. The Governmental Accounting Standards Board (GASB) is the accepted primary standard-setting body for establishing governmental accounting and financial reporting standards. The significant accounting policies followed by the University are summarized below:

(a) Financial Reporting Entity

GAAP defines a financial reporting entity as a body that consists of a primary government and its component units. The University is a discretely presented component unit of the Government of the District of Columbia because it meets the following criteria:

- The District holds the corporate powers of the University.
- The District appoints a voting majority of the University's board.
- The District is able to impose its will on the University.

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- The University has the potential to impose a financial burden on, or provide financial benefit to the District.
- The University is fiscally dependent on the District.
- It would be misleading to exclude the University from the District's financial statements.

The University of the District of Columbia Foundation and David A. Clarke Law School Foundation: Based on the application of the aforementioned criteria, the Foundations are deemed to be component units of the University. However, the financial activities of the Foundations are insignificant to the University's reporting entity, taken as a whole. Accordingly, there are no separate disclosures in the financial statements for the Foundations.

(b) Measurement Focus and Basis of Accounting

Measurement focus refers to what is being measured; basis of accounting refers to when revenues and expenses are recognized in the accounts and reported in the financial statements. Thus, the accounting and financial reporting treatment applied to a fund or activity is determined by its measurement focus and basis of accounting.

The University is considered to be a special-purpose government engaged only in business-type activities and follows the business-type activities reporting requirements of GASB Statement No. 35, *Basic Financial Statements and Management's Discussion and Analysis for Public Colleges and Universities – an amendment of GASB Statement No. 34*, which provides a comprehensive look at the University's financial activities and requires that resources be classified for accounting and reporting purposes into four net asset categories depending on the presence or absence of externally imposed restrictions. Accordingly, the accompanying comparative financial statements of the University have been prepared using the economic resources measurement focus and the accrual basis of accounting. With this measurement focus, all assets and all liabilities are included in the statement of net assets. Net assets of the University are segregated into four net asset categories depending on the presence or absence of externally imposed restrictions as follows:

Invested in capital assets, net of related debt – Consists of capital assets, net of accumulated depreciation and outstanding principal balances of debt attributable to the acquisition, construction, or improvement of those assets. As of September 30, 2012 and 2011, the University had no debt outstanding.

Restricted - Consists of net assets restricted for nonexpendable and instructional endowments, which are subject to externally imposed stipulations that the University maintains them permanently.

Expendable - Consists of restricted expendable net assets, the use of which is subject to externally imposed stipulations that can be fulfilled by actions of the University pursuant to those stipulations or that expire by the passage of time.

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Unrestricted – Consists of net assets that are not subject to externally 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.

Tuition and fees revenues are recognized ratably earned over the academic semester to which they relate. Tuition and fees related to the portion of the academic semester falling after the fiscal year end are reported as deferred revenue. The University records grant revenue for intergovernmental grants to the extent that costs have been incurred in accordance with the terms of the grant agreements. Indirect costs recovered are based on predetermined rates by type of expense.

(c) *Application of Accounting Standards*

The University has the option to apply all Financial Accounting Standards Board (FASB) pronouncements issued after November 30, 1989, except for instances in which a pronouncement of the FASB conflicts with pronouncements of the GASB. The University has elected to not apply FASB pronouncements issued after November 30, 1989.

When an expense is incurred that can be paid using either restricted or unrestricted resources, the University's policy is to first apply the expense toward restricted resources and then toward unrestricted resources.

(d) *Services Provided by the District*

The District provides certain central administrative services and pays disability and unemployment benefits on behalf of the University's employees. The University reimburses the District for a portion of the administrative costs based on a formula derived by the District. The University receives maintenance, administrative services, and leasing arrangements through other District agencies. The charges for such interagency services are included as expenses in the basic financial statements.

(e) *Fund Accounting*

For the purposes of financial reporting, the University is considered to be a single enterprise fund. However, for internal accounting purposes, and to ensure observance of limitations and restrictions placed on the use of the resources available to the University, accounts are maintained in accordance with the principles of fund accounting. Fund accounting principles require classifying resources for accounting purposes into funds that are in accordance with specified activities or objectives.

(f) *Current and Noncurrent Classifications*

Current assets are used to designate cash and other assets or resources commonly identified as those which are reasonably expected to be realized in cash or consumed during a normal operating business cycle which is usually one year or less. Current liabilities are defined as obligations whose liquidation is reasonably expected to require the use of existing resources properly classifiable as current assets, or the creation of other current liabilities.

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(g) *Operating and Nonoperating Revenues and Expenses*

Operating revenues and expenses are generally associated with those activities that relate directly to the core activities of instruction, research, and public service that form the essence of the University's mission (e.g. tuition and fees, federal and private grants and contracts, auxiliary income). Included in nonoperating revenues are University appropriations, investment and endowment income and gifts for scholarships. GASB Statement No. 35, *Basic Financial Statements – and Management's Discussion and Analysis – for Public Colleges and Universities – an amendment of GASB Statement No. 34*, specifically defines District appropriations as nonoperating revenues. Expenses are recognized as incurred.

(h) *Cash and Cash Equivalents*

For purposes of reporting cash flows, cash and cash equivalents are defined as cash-on-hand, demand deposits, certificates of deposit with financial institutions, pooled cash with the District Treasury, and all highly liquid investments with an original maturity of three months or less; except those deposits and investments representing endowments.

(i) *Receivables*

Receivables relate to transactions involving student tuition and fees, student loans, and grants and contracts. Receivables have also been recognized for students registered and billed for semesters to be held subsequent to year end. Since the revenue recognition criteria has not been met in this instance, a corresponding amount is recognized as deferred revenue.

(j) *Investments*

Fair value is established as readily determinable current market value for equities and other debt securities. The fair value of the University's investments in limited partnerships is based on management's valuation of estimates and assumptions from information and representations provided by the respective general partners, in the absence of readily ascertainable market values. Unrealized and realized gains and losses are included in investment income in the statements of revenues, expenses and changes in net assets.

(k) *Capital Assets and Depreciation*

Land, buildings, furniture, fixtures, and equipment are stated at cost at the date of acquisition, estimated historical cost (if actual cost records are not available) or fair market value at the date of donation in the case of gifts. The University capitalizes equipment that has a fair market value or cost of \$5,000 or more at the date of acquisition and an expected useful life of three (3) or more years. When assets are sold or otherwise disposed of, the asset and related accumulated depreciation are removed from the accounts, and any remaining gain or loss is included in operations. Repairs and maintenance are charged to expense when incurred. Capital assets are depreciated or amortized using the straight line method over the estimated useful lives of the assets. A summary of useful lives is presented in Table 1 below:

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Table 1 – Estimated Useful Lives (by Asset Category)

<u>Category</u>	<u>Depreciation/amortization period</u>
Buildings and improvements	50 years
Leasehold improvements	Lesser of lease term or 10 years
Computers and equipment	5 years
Library books and microform	5 years

(I) *Compensated Absences*

Benefit Accumulation Policies

The University's policy allows employees to accumulate unused sick leave, with no maximum limitation. Generally, administrative and other nonfaculty employees may carry over a maximum of 240 hours of annual leave beyond December 31 of each calendar year. Carryover of annual leave in excess of 240 hours is permitted with the approval of appropriate University officials. The accrued annual leave balance is payable to administrative and other nonfaculty employees upon termination of employment.

In accordance with the provisions of the District of Columbia Municipal Regulations (DCMR), Title 8, when an administrative or faculty University employee retires at sixty (60) years of age or older, or upon total disability or death, the employee or the deceased's estate is entitled to receive a lump sum payment equal to ten percent (10%) of the unused accumulated sick leave computed at the employee's current base rate of pay.

Accrual

The University reports a liability for compensated absences that are strictly limited to leave that:

- Is attributable to services already rendered; and
- Is not contingent on a specific event (such as illness) that is outside the control of the employer and employee, except as noted below:

As a matter of University policy, the University is liable for 10% of unused accumulated sick leave upon retirement of eligible employees as described above. This policy eliminates the contingency on a future event outside the control of both the employer and employee. Consequently, the University recognized the sick leave liability for this category of employees using the vesting method to measure such liability.

Other than as noted above, the University does not record a liability for accumulated rights to receive sick pay benefits. At the time of retirement, unused sick leave can be used to determine employees' years of service. One month would be added to the years and months of service of employees who have accumulated 22 days of sick leave in the Civil Service Retirement System and in the District Retirement Program. Expenses for such sick leave are not accrued because it is considered in connection with calculating pension cost.

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Administrative and other nonfaculty University employees earn annual and sick leave during the year at varying accrual rates, depending on the employee's classification and years of service.

The University records annual leave as an expense and related liability as the benefit accrues to employees. Also, accumulated annual leave of the employees of the University is recorded as an expense and liability as the benefit accrues to employees based on salary rates and accumulated leave hours.

(m) *Deferred Revenue*

Tuition and fee revenues, as well as program revenues are shown as deferred revenues when related to future financial periods because the earning process has not been completed.

(n) *Income Tax Status*

As an independent agency of the District, the University is exempt from federal income taxes. Accordingly, no provision for income taxes has been made. However, the University is subject to federal income taxes on net unrelated business income, if any, under the provisions of Section 511 of the Internal Revenue Code. The University did not have any unrelated business income subject to income tax for the years ended September 30, 2012 and 2011.

(o) *Use of Estimates*

The preparation of financial statements in conformity with GAAP requires management to make estimates and assumptions that affect the reported amounts of assets, liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Estimates and assumptions may also affect the reported amounts of revenues and expenses during the reporting period. Actual results may differ from management's estimates.

(p) *Scholarship Allowances*

A scholarship allowance is the difference between the stated charge for goods and services provided by the University and the amount that is paid by the student or by third parties making payments on behalf of the student. Accordingly, some of the student financial aid and scholarships awarded by the University are considered to be scholarship allowances. These allowances are net of tuition and fees revenues in the statements of revenues, expenses, and changes in net assets.

(q) *Post-Employment Benefits*

In addition to the pension benefits described in Note 7, employees may receive post-retirement health care and life insurance benefits. Thirty pre-1987 (Civil Service) and 1,157 post-1987 (DC Defined Contribution) employees are eligible for such benefits. The cost of providing such benefits to employees hired prior to October 1, 1987 is borne by the Federal Government and the University has no liability for this cost. Pursuant to the D.C. Code 1-622 employees hired after September 30, 1987, who subsequently retire may be eligible to continue their health care benefits. Furthermore, in accordance with D.C. Code 1-623, these employees may convert their group life insurance to individual life insurance. The University therefore bears responsibility for the cost relating to employees hired after September 30, 1987. The University's portion of post-employment benefits actuarial liability is not separately determined from the District's. The entire liability

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is recorded on the books of the District; therefore, the University does not record a liability for the costs of post-retirement benefits but rather records such costs as expenses/expenditures when premiums are paid.

(r) Other Post-Employment Benefit (OPEB)

The University provides health and life insurance benefits to retirees first employed by the University after September 30, 1987. The expense of providing such benefits to employees hired prior to October 1, 1987 is defrayed by the Federal Government and the University has no liability for those employees. The University pays 72% of the cost of health insurance, for eligible retirees, their spouse and dependent(s). In addition, the University pays 33% of the cost of life insurance depending on the election coverage for eligible retirees. The University has recognized \$76,715 and \$83,573 for post-retirement health premiums paid during FY 2012 and 2011, respectively. Eighteen (18) retirees and eleven (11) retirees received post-retirement health benefits during fiscal years ended September 30, 2012 and 2011, respectively. The District which is legally responsible for the contributions to OPEB plans conducted an actuarial study of its obligations under the Plan and funded the annual required contribution (ARC) beginning in fiscal year 2008. The University's portion of the OPEB liability is not separately determined from the District's. The entire liability is recorded on the books of the District; therefore, the University does not record a liability.

(s) Reclassifications

Certain prior year amounts have been reclassified to conform to the current year presentation.

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(3) Cash and Cash Equivalents

The District requires that all cash be deposited with the District Treasurer except for endowment and miscellaneous income funds which are deposited in a postsecondary education fund bank account. However, in FY 2011 the University implemented a new accounting system which made it necessary to have the University's own bank accounts. The University also maintains other cash and investment accounts under its direct control.

The University's Postsecondary Education Fund bank account is the depository account for all gifts and contributions, funds for receipt of services rendered, institutional fees, fines and collections including tuition, and all other monies made available to the University, other than the funds included in the annual operating, capital and educational improvement funds appropriated by Congress. These funds are administered by the University's board of trustees to supplement the University's appropriation. Restricted cash represents cash held for the Department of Education Perkins Loan program at the University, as well as state restricted funds.

The University's cash and cash equivalents at September 30, 2012 and 2011 are reflected in Table 2:

Table 2 – Unrestricted and restricted cash and cash equivalents at September 30, 2012 and 2011

	<u>2012</u>	<u>2011</u>
Cash and cash equivalents:		
Unrestricted:		
Wells Fargo	\$ 11,883,898	\$ 193,763
Bank of America	15,382,195	22,078,318
JP Morgan	797,345	864,268
Independence Bank	100,302	100,251
Industrial Bank	100,074	100,000
SC Bernstein	222,888	116,168
Subtotal unrestricted	<u>28,486,702</u>	<u>23,452,768</u>
Restricted:		
Bank of America	649,894	649,894
US Bank	315,392	244,146
SC Bernstein	43,280	43,280
Subtotal restricted	<u>1,008,566</u>	<u>937,320</u>
Total cash and cash equivalents	<u>\$ 29,495,268</u>	<u>\$ 24,390,088</u>

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The University's cash and cash equivalents indicated above which consist of the following at September 30, 2012 and 2011, are reflected in Table 3:

Table 3 – Summary of cash and cash equivalents at September 30, 2012 and 2011

	2012	2011
Cash and demand deposits:		
Wells Fargo	\$ 11,883,898	\$ 193,763
Bank of America	16,032,089	22,728,212
JP Morgan	797,345	864,268
US Bank	315,392	244,146
SC Bernstein	266,168	159,448
Subtotal cash and demand deposits	29,294,892	24,189,837
Certificates of deposit:		
Independence Bank	100,302	100,251
Industrial Bank	100,074	100,000
Subtotal certificates of deposit	200,376	200,251
Total cash and cash equivalents	\$ 29,495,268	\$ 24,390,088

As of September 30, 2012 and 2011, the bank balances of cash on deposit were \$29,495,268 and \$24,390,088, respectively with no material reconciling differences noted. The FDIC standard deposit insurance amount is \$250,000 per depositor, per insured bank. Currently the Wells Fargo and Bank of America accounts have balances that exceed the insured amount and the University is exposed to high risk for the uninsured balance.

(4) Receivables and Revenue Adjustments

The student tuition and fees balance of \$27,049,944 and \$28,756,323 are net of scholarships and discounts of \$1,602,813 and \$597,094 in FY 2012 and 2011, respectively.

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The University's receivable balances at September 30, 2012 and 2011, are reflected in table 4:

Table 4 – Receivable balances at September 30, 2012 and 2011.

	2012		
	Receivable	Allowance	Net
Accounts Receivable	\$ 10,674,038	\$ (5,758,756)	\$ 4,915,282
Grants Receivable	5,170,268	(39,065)	5,131,203
Notes Receivable	1,674,739	(828,166)	846,573
	2011		
	Receivable	Allowance	Net
Accounts Receivable	\$ 9,343,395	\$ (5,361,766)	\$ 3,981,629
Grants Receivable	17,121,929	(129,065)	16,992,864
Notes Receivable	1,720,802	(824,012)	896,790

(5) Investments

Approximately \$18.1 million in investments are held by the JP Morgan Trust Company (Morgan) and \$20 million by Sanford C. Bernstein and Company (Bernstein) at September 30, 2012. Approximately \$15.7 million in investments were held by the JP Morgan Trust Company (Morgan) and \$17.3 million by Sanford C. Bernstein and Company (Bernstein) at September 30, 2011.

(a) Investments Authorized

Under Mayor's Order 99-195, the University's Investment Advisory Committee was established to develop investment policies for the Land Grant Endowment funds. This committee is comprised of the Chief Financial Officer, two members of the board of trustees and two alternates from the board of trustees. The committee serves to select the investment manager(s) and to review fund performance and investment objectives and policies at least annually.

Under the terms of Section 4 of the First Morrill Act, 7 USC 304, Land Grant Endowment funds may only be invested in U.S. Treasury bonds, state bonds, or other "safe" bonds. Other safe bonds (per the Office of the Comptroller General) include industrial (corporate) bonds rated "A" or better by one of the leading rating services.

Under Section 108(b) of the DC Public Education Act, DC Code Section 38-1108, the University may invest non Land Grant Endowment funds in equity based securities if approved by the Chief Financial Officer of the University, the University's board of trustees and its management. The University has an endowment fund investment and spending policy (ISP) for these funds. Allowable investments under the ISP are United States equities and fixed income, international equities, real estate, alternative assets, and cash and cash equivalents.

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(b) Concentration Risk

Concentration risk is the risk of loss to the University attributed to the magnitude of the University's investment in a single investment. The ISP states that no single investment may exceed 5% of the market value of an investment manager's portfolio on an ongoing basis without written approval of the Chair of the Investment Committee. As of September 30, 2012, the University held no individual investment with a value greater than 5.0% of the total investments of the fund manager's portfolio.

(c) Interest Rate Risk

The University is exposed to interest rate risk on its corporate bonds held. Interest rate risk is measured by the average duration for which bonds are held, which at September 30, 2012, was 4.9 years for Bernstein investments and 2.32 years for the JP Morgan investments. At September 30, 2011, the average duration of bonds held was 4.87 years for Bernstein investments and 3.85 years for the JP Morgan investments. The ISP states that fixed income investments must be readily marketable and may not include illiquid securities. The ISP does not have a policy on interest rate risk.

(d) Credit Risk

Credit risk is the risk that an issuer or other counter-party to an investment will not fulfill its obligations. The University invests in obligations of corporations, government notes and bonds, government agency securities and money market instruments. The University is exposed to credit risk on its fixed income holdings.

Credit risk is measured by the average quality of the fixed income securities held, which at September 30, 2012 are "AA" for Bernstein and "AAA" for JP Morgan respectively. In FY2011, the ratings were "AAA" for both investment managers for all fixed income securities. The investment policy of the University states that no more than 10% of the total amount of the endowment invested in fixed income securities may be invested in securities rated below 'A.' The 10% investment rating rule pertains only to separately managed accounts. Presently, the portfolio is invested in mutual funds, which are not subject to the 10% limitation.

(e) Custodial Credit Risk

Custodial credit risk is the risk that, in the event of the failure of the counter-party, the University would not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. Investment securities are exposed to custodial risk if the securities are uninsured, are not registered in the name of the University, and are held by either (a) the counter-party or (b) the counter-party's trust department or agent but not in the University's name.

(f) Foreign Currency Risk

Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of an investment. The ISP states that the asset allocation will maintain a maximum of 20% of its value in international equities and no more than 40% of the international component of the portfolio may be invested in a single foreign country. As of September 30, 2012 and 2011, 16.7% and 16.8%, respectively, was invested in international securities within diversified mutual funds.

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(g) Derivative and Alternative Investments

The University's investment portfolio does not include any outright purchase of derivatives. Some derivatives exposure exists through the JPM Multistate Fund II managed by Morgan investments. The ISP authorizes no more than 3% of the total market value of the endowment may be invested with any single fund manager in the alternative asset class. As of September 30, 2012 and 2011, 4.6% and 5.0% of investments, respectively, were held in alternative investments.

The University's investments at September 30, 2012 and 2011 are summarized in Table 5:

Table 5 – Summary of University Investments

	Fair market value	
	2012	2011
Unrestricted, noncurrent investments	\$ 30,984,047	\$ 25,760,426
Nonexpendable, endowment investments	7,241,706	7,241,706
Total investments at fair market value	\$ 38,225,753	\$ 33,002,132

University investments by type held at September 30, 2012 and 2011:

	Fair market value	
	2012	2011
Fixed income	\$ 11,314,668	\$ 10,725,564
Equities and other investments	18,773,300	15,073,790
Alternative investments:		
Hedge funds	879,151	866,676
Real estate trust or partnership	317,293	275,268
Hard assets	567,237	521,598
International investments	6,374,104	5,539,236
	\$ 38,225,753	\$ 33,002,132

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(6) Capital Assets

Capital Assets activity for the year ended September 30, 2012, is summarized in Table 6 below:

Table 6 – Capital assets activity for the year ended September 30, 2012

	<u>Balance at October 1, 2011</u>	<u>Additions</u>	<u>Dispositions /Transfers</u>	<u>Construction- in-progress /Transfers in (out)</u>	<u>Balance at September 30, 2012</u>
Capital assets subject to depreciation:					
Furniture and fixtures	\$ 307,328	\$ -	\$ -	\$ -	\$ 307,328
Equipment	11,194,667	561,219	(44,918)	74,582	11,785,550
Library books	21,491,607	-	-	-	21,491,607
Buildings and improvements	175,904,732	13,771,636	-	9,143,397	198,819,765
Total historic cost	<u>208,898,334</u>	<u>14,332,855</u>	<u>(44,918)</u>	<u>9,217,979</u>	<u>232,404,250</u>
Less accumulated depreciation	(131,109,015)	(4,324,848)	44,918	-	(135,388,945)
Subtotal, depreciable capital assets, net	<u>77,789,319</u>	<u>10,008,007</u>	<u>-</u>	<u>9,217,979</u>	<u>97,015,305</u>
Capital assets not subject to depreciation:					
Land	7,531,544	-	-	-	7,531,544
Construction in progress	12,499,043	12,862,517	-	(9,217,979)	16,143,581
Capital assets, net	<u>\$ 97,819,906</u>	<u>\$ 22,870,524</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 120,690,430</u>

In FY 2012, the University received \$23.6 million in cash from the District for capital expenditures under capital appropriation.

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Capital assets activity for the year ended September 30, 2011, is summarized in Table 7 below:

Table 7 – Capital Assets activity for the year ended September 30, 2011

	Balance at October 1, 2010	Additions	Dispositions /Transfers	Construction- in-progress /Transfers in (out)	Balance at September 30, 2011
Capital assets subject to depreciation:					
Furniture and fixtures	\$ 200,537	\$ 106,791	\$ -	\$ -	\$ 307,328
Equipment	8,591,602	2,946,084	(343,019)	-	11,194,667
Library books	21,265,218	226,389	-	-	21,491,607
Buildings and improvements	163,408,239	4,007,256	-	8,489,237	175,904,732
Total historic cost	193,465,596	7,286,520	(343,019)	8,489,237	208,898,334
Less accumulated depreciation	(126,649,604)	(4,802,430)	343,019	-	(131,109,015)
Subtotal, depreciable capital assets, net	66,815,992	2,484,090	-	8,489,237	77,789,319
Capital assets not subject to depreciation:					
Land	7,531,544	-	-	-	7,531,544
Construction in progress	10,279,141	10,709,139	-	(8,489,237)	12,499,043
Capital assets, net	\$ 84,626,677	\$ 13,193,229	\$ -	\$ -	\$ 97,819,906

(7) Retirement Programs

The University's full-time employees receive pension benefits either through the federally administered Civil Service Retirement System, the District Retirement System or the University's Retirement Programs.

The University offers retirement plans to its eligible Educational Service and District Service employees. Eligible employees include faculty, administrative and wage grade staff of the University.

(a) Defined Benefit Pension Plan

Civil Service Retirement System (CSRS)

Career service employees hired prior to October 1987 are covered by the Civil Service Retirement System (CSRS), a cost-sharing multiple-employer public employee retirement system administered by the federal government's Office of Personnel Management (OPM). The CSRS provides retirement and disability benefits, annual cost of living adjustments, and death benefits to plan members and their beneficiaries. The OPM issues a publicly available financial report that includes financial statements and required supplementary information for CSRS, which may be obtained at www.opm.gov.

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The District contributes 7% of each covered employee's annual salary to the CSRS on behalf of the University. The contribution requirements of plan members are established (and may be amended) by the OPM. The District contributions on behalf of the University for the years ended September 30, 2012, 2011 and 2010 were \$142,237, \$122,442 and \$83,370, respectively.

(b) Defined Contribution Pension Plans

District Retirement Program – 401(a)

Career service employees hired on or after October 1, 1987, are covered by the defined contribution pension plan of the District's Retirement System. The District sponsors the plan under the provisions of D.C. Code 1-627 with a qualified trust under Internal Revenue Code (IRC) Section 401(a).

The University contributes 5% of the annual base salary to a pension account in the employee's name, beginning with the first pay period following completion of one year of creditable service. Contributions are made each pay period based on the employee's pre-tax base salary (excluding overtime, holiday, and Sunday compensation). Employees do not contribute to this plan. Contributions are fully vested after five years of continuous service. The University's contributions were \$112,907 and \$101,027 for the years ended September 30, 2012 and 2011, respectively.

Teachers Insurance Annuity Association / College Retirement Equities Fund (TIAA/CREF)

Eligible Educational Service employees may participate in a contributory pension and retirement plan administered by TIAA/CREF. Under this plan, an employee may contribute a minimum of 5% of his/her base salary. In addition, the University contributes 15% for continuing full-time faculty hired prior to August 16, 2003, and 7% for continuing full time faculty hired on or after August 16, 2003. In addition, the University contributes 7% of the annual salary for the law school faculty and administrative staff. Contributions are transferable to other eligible plans. Total FY 2012 payroll for all employees was approximately \$72.2 million, of which employees with total payroll of approximately \$67 million were covered under the plan. The pension cost for the years ended September 30, 2012 and 2011, was \$4,427,353 and \$4,663,537, respectively. Generally, employees are fully vested immediately after start of contribution in both their contributions and in the University's contributions. Approximately 721 employees were covered by this plan during the year.

(c) Deferred Compensation Plans

Internal Revenue Code Section 403 Plan

The University sponsors an annuity purchase plan (D. C. Code 31-1252) with insurance companies and other issuers in accordance with IRC Section 403 for public teachers covered by the University Retirement Program. The University does not contribute to the plan and has no liability to the plan. Contributions vest immediately and are not assets of the University.

Internal Revenue Code Section 457 Plan

The University offers its employees a deferred compensation plan (D. C. Code 47-3601) created in accordance with Internal Revenue Code Section 457. Contributions are not assets of the University, and the University has no liability to the plan.

UNIVERSITY OF THE DISTRICT OF COLUMBIA
(A Component Unit of the Government of the District of Columbia)

Notes to Basic Financial Statements

September 30, 2012 and 2011

(8) Commitments and Contingencies

(a) Risk Management

The University, as a component unit of the District, participates in the District's self insurance activities. The District retains all risk of loss related to torts, theft of, damage to, or destruction of assets, errors or omissions, injuries to employees, and natural disasters. The University is only responsible for making annual premium payments for athletic injury insurance. The District reports claims expenditures and liabilities when it is probable that loss has occurred and the amount of that loss can be reasonably estimated.

The District also records a liability for an estimate of claims that have been incurred but not reported. Assets are not set aside to finance claims. A disability compensation accrual for claims from injuries to employees is also recorded in the District's basic financial statements. The District, through a separate appropriation, pays all significant losses arising from a lack of commercially provided insurance at no cost to the University.

(b) Grants and Contracts

The University receives a portion of its revenues from federal grants and contracts, which are to be used for certain, stated purposes. These federal grants and contracts are subject to review and audit by government agencies. Claims against these resources are generally conditional upon compliance with the terms and conditions of the contract and grant agreements and applicable federal regulations, including the expenditure of resources for allowable purposes. Any disallowance resulting from an audit may become a liability of the University. Management of the University is of the opinion that no significant liability, if any, will result from the outcome of these audits.

(c) Occupancy

The University uses several buildings owned by the District and Federal governments. The University leases several privately owned buildings. The cost of these activities was \$4.8 million and \$3.8 million as of September 30, 2012 and 2011, respectively.

(d) Litigation

The University is a party to a number of legal actions. Liabilities have been accrued for these cases amounting to approximately \$4.7 million and \$2.7 million for FY 2012 and 2011, respectively. The accrued liability reported as litigation contingencies is based on estimates of the payments that will be made upon judgment or resolution of the claim. As of September 30, 2012 and 2011, various claims and law suits against the University were settled and the University made settlement payments in the amount of \$214,038 and \$339,300, respectively.

The University President's employment contract included \$1 million life insurance policy. In FY 2011, insurance company terminated the President's \$1 million life insurance policy with a non-renewable clause. In the event of premature death, the University is liable for \$1 million. Management has elected not to create a one million dollar reserve for a contingent liability as of September 30, 2012.