West Virginia Higher Education Policy Commission

Financial Statements and Additional Information as of and for the Years Ended June 30, 2010 and 2009, and Independent Auditors' Reports

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

TABLE OF CONTENTS

Deloitte.

Deloitte & Touche LLP
2500 One PPG Place
Pittsburgh, PA 15222-5401
USA

Tel: +1 412 338 7200
Fax: +1 412 338 7380
www.deloitte.com

INDEPENDENT AUDITORS' REPORT

To the West Virginia Higher Education
Policy Commission:

We have audited the accompanying statements of net assets of the West Virginia Higher Education Policy Commission (the "Commission") as of June 30, 2010 and 2009, and the related statements of revenues, expenses, and changes in net assets and of cash flows for the years then ended. These financial statements are the responsibility of the management of the Commission. Our responsibility is to express an opinion on these 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 financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Commission'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 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, such financial statements present fairly, in all material respects, the financial position of the Commission at June 30, 2010 and 2009, and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

The Management's Discussion and Analysis on pages 3–13 is not a required part of the basic financial statements, but is supplementary information required by the Governmental Accounting Standards Board. This supplementary information is the responsibility of the Commission's management. We have applied certain limited procedures, which consisted principally of inquiries of management regarding the methods of measurement and presentation of the supplementary information. However, we did not audit such information and we do not express an opinion on it.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The additional information listed in the table of contents is presented for the purpose of additional analysis and is not a required part of the basic financial statements. This additional information is the responsibility of the Commission's management. Such information has been subjected to the auditing procedures applied in our audits of these basic financial statements and, in our opinion, is fairly stated in all material respects when considered in relation to the basic financial statements taken as a whole.

In accordance with *Government Auditing Standards*, we have also issued our report dated December 2, 2010, on our consideration of the Commission's internal control over financial reporting and 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.

Deloitte & Touche LLP

December 2, 2010

West Virginia Higher Education Policy Commission
Management Discussion and Analysis (Unauditied)
Fiscal Year 2010

Overview of the Financial Statements and Financial Analysis

The Governmental Accounting Standards Board ("GASB") has issued directives for presentation of college and university financial statements that have been adopted for presentation in Fiscal Year 2002 by the West Virginia Higher Education Policy Commission ("Commission"). The previous reporting format presented financial balances and activities by fund groups. The current format places emphasis on the overall economic resources of the organization.

The following discussion and analysis of the Commission's financial statements provides an overview of its financial activities for the years ended June 30, 2010 and 2009 with a primary focus on the current year and is required supplemental information per GASB No. 35. There are three financial statements presented: the Statement of Net Assets; the Statement of Revenues, Expenses, and Changes in Net Assets; and the Statement of Cash Flows.

Statement of Net Assets

The Statement of Net Assets presents comparative data of the assets, liabilities, and net assets of the Commission. The Statement of Net Assets is a point of time financial statement. The purpose of the Statement of Net Assets is to present to the readers of the financial statements a fiscal snapshot of the Commission. The Statement of Net Assets presents end-of-year data concerning Assets (current and noncurrent), Liabilities (current and noncurrent), and Net Assets (assets minus liabilities).

From the data presented, readers of the Statement of Net Assets are able to determine the assets available to continue the operations of the Commission. They are also able to determine how much the Commission owes vendors, employees and lending institutions. Finally, the Statement of Net Assets provides a picture of the net assets/deficit (assets minus liabilities).

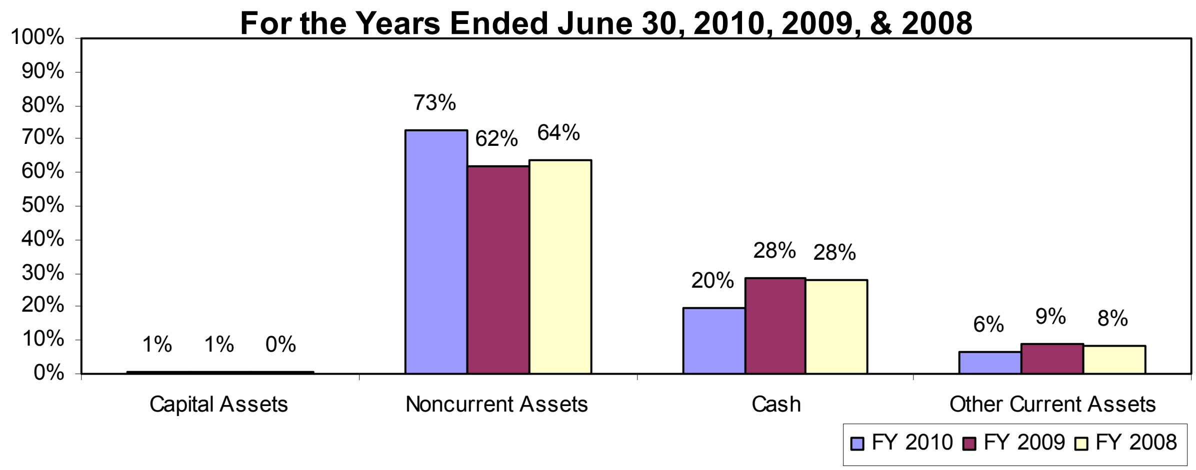
Net assets are divided into three major categories. The first category, invested in capital assets, net of related debt, provides the Commission's equity in land, furniture and equipment owned by the Commission. The next asset category is restricted net assets, which is divided into two categories, nonexpendable and expendable. Nonexpendable restricted net assets are for the Endowment Program where funds are invested and the earnings are available for expenditure but the original principal is not. The Commission does not have any nonexpendable net assets at June 30, 2010 or 2009. Expendable restricted net assets are available for expenditure by the Commission but have a specific purpose. The final category is unrestricted net assets/deficit. Unrestricted net assets are available to be used for any lawful purpose of the Commission. The deficit as of June 30, 2010 and 2009, is solely attributable to 2004 bond proceeds which were transferred to the Institutions for their capital projects without any assets being received by the Commission in return.

Condensed Statements of Net Assets

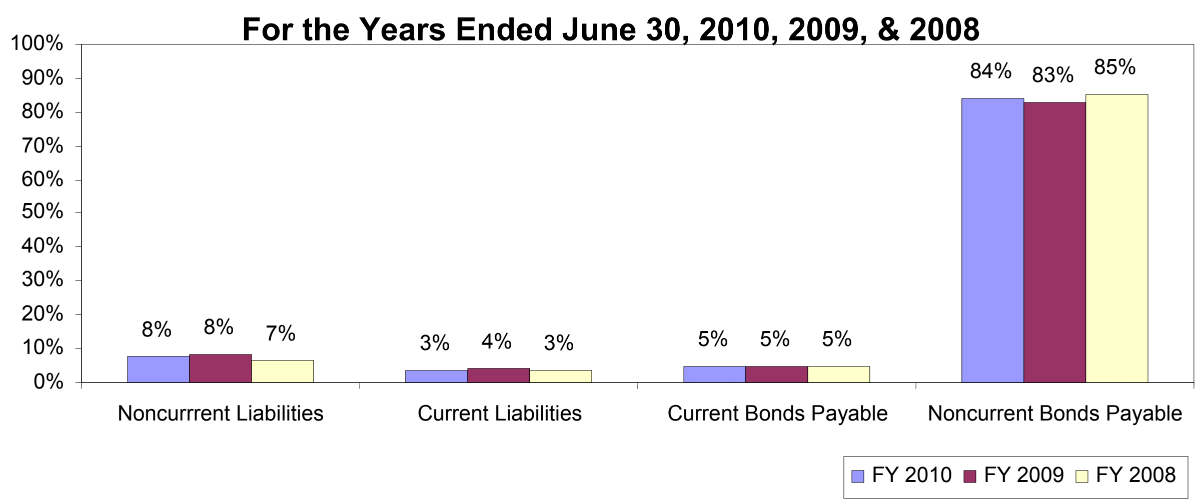
(In thousands of dollars)

	June 30 2010	June 30 2009	June 30 2008	Change From 2009 to 2010
Assets				
Current Assets	$ 90,577	$ 110,854	$ 114,334	$ (20,277)
Other Noncurrent Assets	244,606	181,782	201,235	62,824
Capital Assets, net	1,841	1,773	1,304	68
Total Assets	$ 337,024	$ 294,409	$ 316,873	$ 42,615
Liabilities				
Current Liabilities	$ 31,399	$ 29,940	$ 27,292	$ 1,459
Noncurrent Liabilities	364,614	300,903	314,001	63,711
Total Liabilities	396,013	330,843	341,293	65,170
Net Assets (Deficit)				
Restricted-expendable	114,469	135,894	146,192	(21,425)
Unrestricted	(173,458)	(172,328)	(170,612)	(1,130)
Total Net Deficit	(58,989)	(36,434)	(24,420)	(22,555)
Total Liabilities and Net Assets	$ 337,024	$ 294,409	$ 316,873	$ 42,615

Asset Composition



Liabilities Composition



Major items of note in the Statements of Net Assets include:

- At June 30, 2010, the Commission's financial statements reflect a receivable from the higher education institutions (an internal obligation) related to principal payments owed by the Commission on system-wide debt obligations that were issued on behalf of the University and College Systems before the 2004 issuance. Prior to fiscal year 2002, the system debt had been reflected solely as an obligation of the Commission and the requirement of the institutions to contribute funds to repay this debt was disclosed in a footnote. The internal assignment of this liability was shown as a transfer in the Statement of Revenue, Expenses and Changes in Net Assets during fiscal year 2002. On the Statement of Net Assets as of June 30, 2010, a receivable has been recorded for institutional obligations totaling $125.4 million out of the total amount due from institutions of $125.9 million as compared to $159.6 million in debt including outstanding University and College System Bonds and the 2007 Refunding Bonds of $129.7 million plus deferred interest of $29.9 million, but not including bond premiums. This shortfall continues to be the reason for the Unrestricted Net Assets (Deficit) and will be allocated to certain institutions on an annual basis over the remaining term of the bonds. This allocation of debt to institutions resulted in a more equitable presentation of net assets for both the Commission and the institutions. As discussed later, the Commission debt for facilities issued in fiscal year 2005 (2004 Series B Bonds) is not allocated to the institutions as the funding will be forthcoming from excess Lottery Commission proceeds.

- As of June 30, 2010, total current assets of $90.6 million exceed total current liabilities of $31.4 million. As of June 30, 2009, total current assets of $110.9 million exceeded total current liabilities of $29.9 million. By the very nature of the Commission, significant funds flow through the operations reported in these financial statements with further distribution to the West Virginia public institutions in subsequent years based on the decisions of the Commission.

    - Current cash balances at June 30, 2010 of $69.3 million compared to cash balances at June 30, 2009 of $83.7 million. This decrease of $14.4 million is primarily attributed to decreases of $6.9 million of Research Trust funds, $1.1 for the West Virginia State GEAR-UP program and $4.9 million in the Higher Education Grant Program. Additionally, there is an increase of $0.9 million on hand at the West Virginia Network for Educational Telecomputing (WVNET), component of the Commission
    - Current receivables from the institutions total $11.7 million and $11.2 million as of June 30, 2010 and June 30, 2009, respectively. These receivables primarily represent the institutions' current obligations for principal payments to be paid on the University and College system-wide bond obligations.
    - Current liabilities total $31.4 million and $29.9 million as of June 30, 2010 and June 30, 2009 respectively. The increase of $1.5 million is primarily attributed to the increase of $1.9 million in interest payable attributed to the 2009 Series A Bonds payable at July 1, 2010, increase of accounts payable of $0.3 million, and increase of bonds payable-current portion of $2.1 million. Offsetting these increases are decreases of $2.1 million in amounts due to institutions and affiliates and $0.9 million of deposits held for Promise scholarship awards for the Promise Board.

- As of June 30, 2010 noncurrent assets total $246.4 million and noncurrent liabilities total $364.6 million. As of June 30, 2009, noncurrent assets totaled $183.6 million and noncurrent liabilities totaled $300.9 million.

    - The primary portion of the noncurrent asset is for receivables from the institutions primarily related to the University and College system-wide bond obligations which total $114.0 million at June 30, 2010 compared to $125.4 million at June 30, 2009, a decrease of $11.4 million for the amount moved to current portion on the principal of outstanding bonds during FY 2010. $10.9 million was the amount moved for the principal of outstanding bonds during FY 2009. The other amounts due from institutions reflect the advances made to certain institutions.
    - Another noncurrent asset is $63.1 million in noncurrent cash as of June 30, 2010. In FY 2008, the Legislature appropriated $37.0 million which included $30.0 million for two advanced technology centers for the Community and Technical College System and $7.0 million for an energy savings loan program. At June 30, 2010 only $238,940 has been expended in relation to these programs. In addition, there is $3.0 million and $10.0

million in unspent 2004 and 2009 bond proceeds, respectively, that are being held in money market funds by the trustee.
    - Investment balances at June 30, 2010 of $60.1 million are the result of the 2009 Series A Bond proceeds issued in December 2009, which are invested with Bank of New York Mellon for Community and Technical College Education construction projects.

- The primary noncurrent liability represents the actual system-wide bonds outstanding, as further described in Note 8 to the financial statements. At June 30, 2010, noncurrent bonds payable totaled $333.5 million compared to $274.5 million at June 30, 2009, an increase of $59.0 million. This increase is net of the debt incurred on the sale of the 2009 Series A bonds of $78.3 million offset by the amount of principal moved to current portion of bonds payable during FY 2010 of $18.2 million and the accretion of bond premium of $0.8 million. $16.1 million was the similar change on the bonds payable during FY 2009.

- Total net assets of the Commission were a deficit of $59.0 million as of June 30, 2010, which is a $22.6 million increase in the deficit over the prior year. This is primarily attributed to the decrease of funds held by the Commission for scholarships funds of $7.5 million, sponsored project funds of $9.3 million and capital project funds of $4.0 million. The major components of net assets as of June 30, 2010 are as follows:

    - Funds restricted for sponsored projects total $49.6 million.
    - Funds restricted for capital projects total $53.1 million.
    - Funds restricted for scholarship programs total $11.3 million.

Statement of Revenues, Expenses and Changes in Net Assets

Changes in total net assets as presented on the Statement of Net Assets are based on the activity presented in the Statement of Revenues, Expenses, and Changes in Net Assets. The purpose of the statement is to present the revenues of the Commission, both operating and nonoperating, and the expenses of the Commission, operating and nonoperating, and any other revenues, expenses, gains and losses of the Commission.

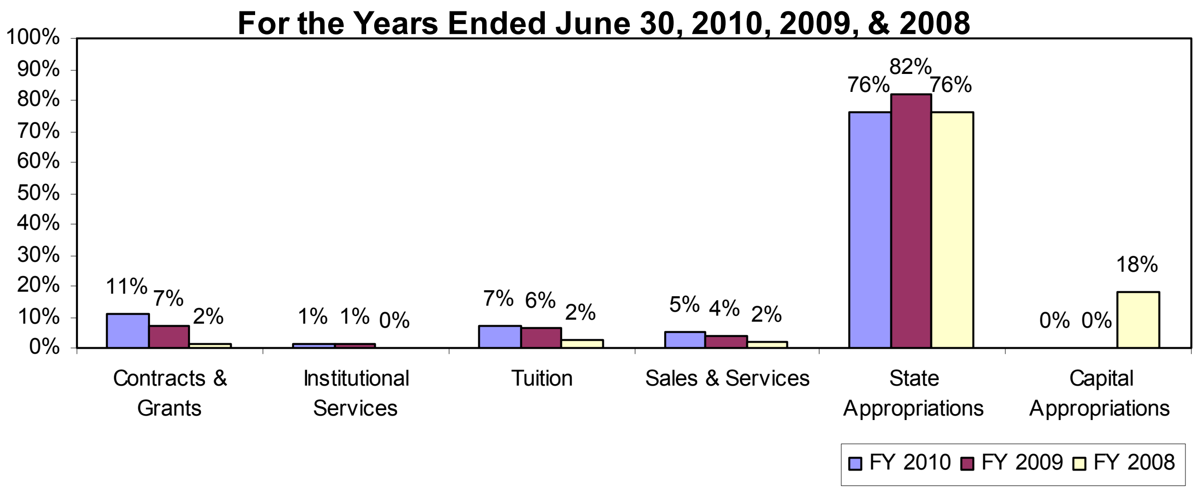
Operating revenues are fees from the institutions that the Commission by statute can assess them to support the Commission operations and various initiatives. Additional operating revenue comes from the sale of various services to public and private higher education institutions, public and private K-12, and other state government agencies. Revenue is also received in the form of federal and State grants. Operating expenses are those expenses incurred in the form of staff salaries, benefits and various goods and services to carry out the mission of the Commission. Revenues for which goods and services are not provided are reported as nonoperating revenues. For example, State appropriations are nonoperating because they are provided by the Legislature to the Commission without the Legislature directly receiving commensurate goods and services for those revenues.

Condensed Statements of Revenues, Expenses and Changes in Net Assets

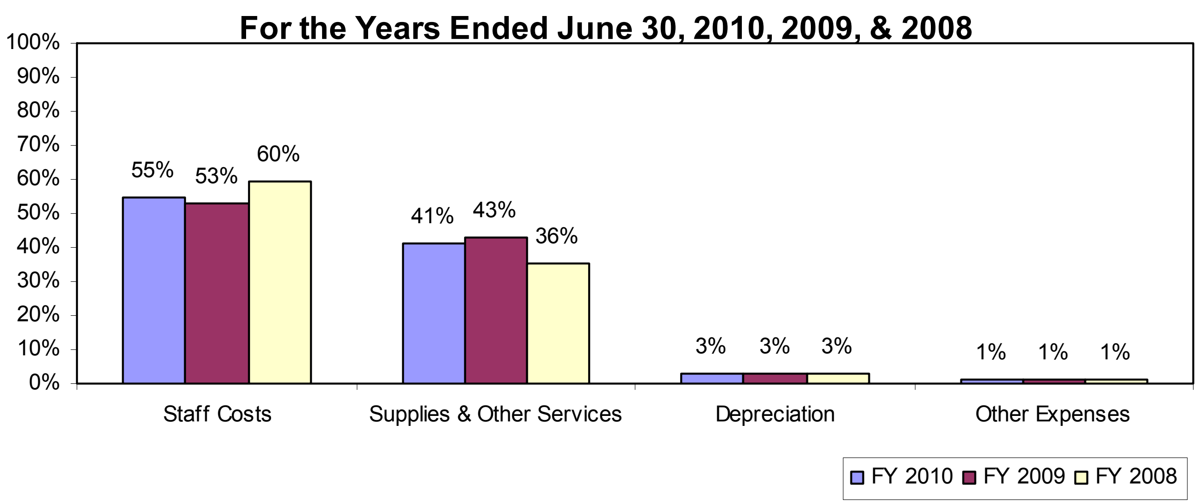
(In thousands of dollars)

	FY 2010	FY 2009	FY 2008	Change From 2009 to 2010
Operating Revenues	$ 15,619	$ 12,156	$ 10,351	$ 3,463
Operating Expenses	15,099	13,883	11,406	1,216
Operating Income (Loss)	520	(1,727)	(1,055)	2,247
Net Nonoperating (Expenses) Revenues	(13,277)	(4,115)	82,324	(9,162)
(Loss) Income Before Other Revenues, Expenses, Gains, Losses or Transfers	(12,758)	(5,842)	81,269	(6,916)
Capital Appropriations		-	30,000	-
State Capital Grants (Federal)	1,778			
Capital Payments and Transfers to Institutions and Outside Entities	(11,575)	(6,172)	(23,595)	(5,403)
(Decrease) Increase in Net Assets Before Cumulative Effect	(22,555)	(12,014)	87,674	(10,541)
Cummulative Effect of Adoption of Accounting Principle	#		636	-
(Decrease) Increase in Net Assets	(22,555)	(12,014)	88,310	(10,541)
Net Deficit-Beginning of Year	(36,434)	(24,420)	(112,730)	(12,014)
Net Deficit-End of Year	$ (58,989)	$ (36,434)	$ (24,420)	$ (22,555)

Total Revenues



Total Operating Expenses



Major items of note in the Statements of Revenue, Expenses and Change in Net Assets include:

- Operating revenues of the Commission totaled $15.6 million in FY 2010 compared to $12.2 million in FY 2009.

    - Fees collected from higher education institutions for the operations of the Commission and for special projects for higher education totaled $4.4 million in FY 2010, basically unchanged from $4.3 million in FY 2009.
    - Other federal, state, and private grants totaled $7.0 million in FY 2010, compared to $4.8 million in FY 2009. The primary reason for the increase is due to a new National Science Foundation grant and increased activity from the prior year of the WV GEAR UP and College Access Challenge grants.
    - Sales and services of educational activities totaled $3.2 million in FY 2010, compared to $2.7 million in FY 2009. The primary reason for the increase is due to increased bandwidth sales for internet usage and holding a statewide conference in FY 2010.
    - Institutional collections totaled $0.9 million in FY 2010, as compared to $0.2 million in FY 2009. This increase is primarily attributed the reinstitution of the WVNET support fee and recognition of the Banner hosting fee.

- Operating expenses totaled $15.1 million in FY 2010 compared to $13.9 million in FY 2009. The primary reasons for the increase was a $0.7 million increase in benefits, a $0.3 million increase in supplies and other services and a $0.2 million increase in salaries and wages.

- Net nonoperating expense (revenue) was a net expense of $13.3 million in FY 2010 compared to $4.1 million in net expense in FY 2009. The change of $9.2 million is primarily attributed to decreases in State appropriations of $7.5, investment income of $1.1 million and interest from institutions for debt service of $0.5 million.

    - State general revenue and lottery appropriations totaled $48.7 million in FY 2010 compared to $56.1 million in FY 2009, a net decrease of $9.2 million. This decrease is primarily attributed to monies received in FY 2009 of $4.9 million of one time funding for institutional operations.
    - Expenditures for student financial aid and other payments to institutions totaled $54.2 million in FY 2009 compared to $56.3 million in FY 2009. This $2.1 million decrease is primarily related to decreased funding for other payments to institutions. This followed a $15.7 million increase in FY 2009.
    - Interest expense on indebtedness totaled $17.9 million in FY 2010. This is compared to $16.5 million in FY 2009. The increase of $1.4 million is primarily interest payable of $2.1 million attributed to the 2009 Series A bonds, offset by lower interest of $0.7 million from lower principal outstanding from previous issues. This followed a $0.4 million decrease in FY 2009.
    - Investment income totaled $1.3 million in FY 2010 compared to $2.4 million in FY 2009. This decrease is primarily attributed to an unrealized investment loss of $0.5 million on the 2009 Series A bond proceeds and lower rates of return from the Board of Treasury Investment (BTI).

- During FY 10 and FY 09, no capital appropriations were received. During FY 2008, $30.0 million in capital appropriations was appropriated by the Legislature for the construction of two advanced technology centers for the Community and Technical College System. As mentioned above previously, only $238,940 has been expended in relation to these programs.

- During FY 2010, there were $1.8 million of capital grants made to the institutions from an American Recovery and Reinvestment Act (ARRA) grant from the Department of Energy for $9.5 million for energy savings projects at the institutions.

- During FY 2010, there were $7.9 million of construction draws and payments made on behalf of the institutions related to the 2009A bond project.

- During FY 2010, there were $3.7 million in construction draws and transfers to the institutions and outside entities related to the 2004B bond project compared to $6.2 million in FY 2009.

Statement of Cash Flows

The final statement presented by the Commission is the Statement of Cash Flows. The Statement of Cash Flows presents detailed information about the cash activity of the Commission during the year. The statement is divided into five parts. The first section deals with operating cash flows and shows the net cash used by the operating activities of the Commission. The second section reflects cash flows from noncapital financing activities. This section reflects the cash received and spent for nonoperating, noninvesting, and noncapital financing purposes. The third section reflects the cash flows from investing activities and shows the purchases, proceeds, and interest received from investing activities. The fourth section deals with cash flows from capital and related financing activities. This section deals with the cash used for the acquisition and construction of capital and related items. The fifth part reconciles the net cash used in operating activities to the operating income or loss reflected on the Statement of Revenues, Expenses, and Changes in Net Assets.

Condensed Statements of Cash Flows
(In thousands of dollars)

	FY 2010	FY 2009	FY 2008	Change From 2009 to 2010
Cash Provided By (Used in):				
Operating Activities	$ 3,440	$ 506	$ (1,250)	$ 2,934
Noncapital Financing Activities	(2,232)	1,803	104,501	(4,035)
Capital Financing Activities	43,218	(21,358)	(69,961)	64,576
Investing Activities	(58,861)	14,805	32,566	(73,666)
(Decrease) Increase in Cash and Cash Equivalents	(14,435)	(4,244)	65,856	(10,191)
Cash and Cash Equivalents, beginning of year	83,749	87,993	22,137	(4,244)
Cash and Cash Equivalents, end of year	$ 69,314	$ 83,749	$ 87,993	$ (14,435)

Major items of note in the Cash Flow Statement include:

- Net Cash provided by operating activities increased by $2.9 million in FY 2010 compared to FY 2009 which was primarily a result of increases of fees from higher education institutions of $2.9 million and contracts and grants of $2.2 million, offset by increases of $0.6 million in payments to and on behalf of employees and $2.1 million in payments to suppliers. Major reconciling items in FY 2010 from the operating income reported on the Statement of Revenue, Expenses and Changes in Net Assets include depreciation expense and fluctuations in accounts receivable, accounts payable, and other post employment benefits.

- Net cash used in noncapital financing activities in FY 2010 decreased by $4.0 million primarily because the Commission received $2.7 million less in State appropriations and increases of payments to institutions of $2.6 million, $0.5 million in disbursements to fiduciary governmental entities, offset by increases of $1.7 million in receipts for fiduciary governmental entities.

- Net cash provided by capital financing activities totaled $43.2 million in FY 2010 compared to net cash used in capital financing activities of $21.4 million in FY 2009. This difference is primarily due to proceeds from the 2009 Series A bond issuance of $78.0 million.

- Net cash used in Investing Activities totaled $58.9 million in FY 2010 compared to net cash provided by Investing Activities of $14.8 million in FY 2009. The difference is due to the purchase of investments from the 2009 Series A bond proceeds in FY 2010 versus the maturity of investments in FY 2009.

- Total cash for FY 2010 year decreased by $14.4 million compared to a decrease in FY 2009 of $4.2 million, ending the year at $69.3 million at June 30, 2010 compared to $83.7 million at June 30, 2009.

Long-Term Debt Activity

On December 8, 2009, the Commission, on behalf of the West Virginia Council for Community and Technical College Education, issued $78,295,000 of Community and Technical Colleges Improvement Revenue Bonds, 2009 Series A (2009 Bonds). The proceeds of the 2009 Bonds are being used to finance the acquisition, construction, equipping, or improvement of community and technical college facilities in West Virginia. The interest rate on the 2009 Bonds ranges from 2.5% to 5.25% and the due dates commence July 1, 2010 and end July 1, 2028. State Lottery proceeds of a maximum of $5,000,000 per year will be used to repay the debt, which has a maximum annual debt service of $4,999,750. In addition, pursuant to Section 18 (j) (1) of the Lottery Act, the Commission has granted a third-in-party lien, for the benefit of the bond holders, on the proceeds of the State Lottery Fund, up to a maximum of $7,500,000 annually.

The Commission made all required debt payments and repaid principal of $16.1 million in FY 2010 and $15.4 million in FY 2009. See Note 7 to the financial statements for further detail of long-term debt.

Other Factors Impacting the Financial Position and Results of Operations of the Commission

The mission of the Commission is to align the West Virginia Higher Education System in accord with the master plan for 2007-2012. The master plan has two sections. The first section, The Public Agenda – Meeting West Virginia's Needs: A Vision for Higher Education in West Virginia, is a vision statement and an executive summary of the master plan. It will set forth the overarching goals for West Virginia public higher education and provides the conceptual framework for the 2007-2012 master plan of the Higher Education Policy Commission. The plan will focus on five areas that are central to meeting current challenges in West Virginia higher education:

1. Economic Growth
2. Access
3. Cost and Affordability
4. Learning and Accountability
5. Innovation

The second section, Achieving the Goals – What We Need to Do, will provide findings, outline goals, and suggest strategies for West Virginia's public colleges and universities to address in each of the five areas of the public agenda. The findings, goals, and strategies constitute the plan for addressing needs in higher education in West Virginia from 2007 to 2012 and are the basis for developing new elements in the establishment of new institutional compacts for the State's four-year public colleges and universities.

The achievement of the goals for the higher education system as described in the Master Plan are dependent upon many factors, one of which is adequate resources to implement the strategies necessary to achieve the goals. At the present time the Commission itself maintains a strong financial condition. Although the net asset position of the Commission is reported as a deficit of $59.0 million, this deficit includes the $4.3 million in net system bond indebtedness that will be allocated to the institutions as the debt is repaid over the next two years, $29.9 million of deferred interest payable on the 2000 Series A Bonds that will continue to increase until the year 2013, (the year the bonds actually go into repayment), $144.0 million of debt on the 2004 Series A Facilities Bonds (2004 bonds) (net of unexpended bond proceeds of $3.0 million) which will be paid by $10 million annual Lottery Commission excess proceeds, if available, and $78.3 million of debt on the 2009 Bonds (net of unexpended bond proceeds of $70.2 million) which will be paid by the maximum $5 million annual Lottery Commission excess proceeds, if available. In the event that excess Lottery Commission proceeds are not available, the institutions will be responsible for providing the moneys for repayment of the debt on the 2004 bonds. The vast majority of the funding which is reported in the financial statements of the Commission is ultimately assigned to the public higher education institutions in the State for capital projects, grants, scholarships and special projects. This funding is critical to the success of the higher education system in meeting the compact goals.

Economic Outlook

General revenue funding from the State for the Commission's internal operations were approximately $4.2 million in FY 2010, which is substantially unchanged from the $4.1 million in FY 2009. For FY 2010, fees from the institutions for the funding of Commission operations were approximately $4.4 million, which was a 3.8% increase from the $4.3 million in FY 2009. For FY 2011, general revenue funding of $4.1 million has been appropriated by the State, which is just in excess of a 2% budget reduction compared with FY 2010. For FY 2011, fees from the institutions for funding of the Commission's operations are expected to remain unchanged. For FY 2012, all State agencies have been requested to submit a general revenue budget appropriation request at 100% of the current level in FY 2011.

Lastly, the Commission entered into an agreement on February 25, 2010 with the Union Carbide Corporation (UCC) a wholly-owned subsidiary of The Dow Chemical Company (Dow) for the donation of property known as Union Carbide Corporation's Technology Park in the City of South Charleston, County of Kanawha, and State of West Virginia. This property consists of 258 acres, several major buildings and infrastructure Dow has opened the Tech Park to other business to enhance economic development opportunities. Kanawha Valley Community and Technical College will relocate their campus to the site with the renovation of one of the existing buildings and there will be the construction of an Advanced Technology Center for community college technical training and education. The deed to the property is expected to transfer to the Commission on or before December 15, 2010, at which time a donation would be recognized.

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

STATEMENTS OF NET ASSETS
AS OF JUNE 30, 2010 AND 2009

	2010	2009
ASSETS		
CURRENT ASSETS:		
Cash and cash equivalents	$ 69,314,458	$ 83,749,490
Appropriations due from primary government	8,072,809	13,087,611
Accounts receivable — net	1,419,645	2,688,012
Interest receivable	77,809	77,126
Prepaid expense	40,989	43,373
Receivable from institutions — current portion	11,650,823	11,208,057
Total current assets	90,576,533	110,853,669
NONCURRENT ASSETS:		
Cash and cash equivalents	63,102,247	48,113,794
Investments	60,125,422	
Receivable from institutions	114,288,051	125,938,874
Other assets	7,090,394	7,729,590
Capital assets — net	1,841,069	1,772,798
Total noncurrent assets	246,447,183	183,555,056
TOTAL	$337,023,716	$294,408,725

(Continued)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

STATEMENTS OF NET ASSETS
AS OF JUNE 30, 2010 AND 2009

LIABILITIES AND NET ASSETS	2010	2009
CURRENT LIABILITIES:		
Accounts payable	$ 1,833,027	$ 1,500,593
Amounts due to institutions and affiliates	4,119,459	6,189,329
Accrued liabilities	150,167	133,790
Deposits	1,501,172	2,400,788
Deferred revenue	87,710	55,805
Compensated absences — current portion	505,751	490,620
Interest payable	4,996,693	3,099,482
Bonds payable — current portion	18,205,000	16,070,000
Total current liabilities	31,398,979	29,940,407
NONCURRENT LIABILITIES:		
Compensated absences	243,244	214,762
Deferred interest payable	29,917,183	26,059,564
Other post employment benefit liability	917,681	164,078
Bonds payable	333,536,218	274,464,208
Total noncurrent liabilities	364,614,326	300,902,612
Total liabilities	396,013,305	330,843,019
NET ASSETS (DEFICIT):		
Invested in capital assets — net of related debt	-	-
Restricted for — expendable:		
Scholarships	11,281,635	18,763,176
Sponsored projects	49,594,292	58,854,472
Capital projects	53,141,340	57,131,248
Debt service	451,464	1,145,435
Total restricted expendable	114,468,731	135,894,331
Unrestricted	(173,458,320)	(172,328,625)
Total net deficit	(58,989,589)	(36,434,294)
TOTAL	$ 337,023,716	$ 294,408,725

See notes to financial statements. (Concluded)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS
FOR THE YEARS ENDED JUNE 30, 2010 AND 2009

	2010	2009
OPERATING REVENUES:		
Fees from higher education institutions	$ 4,418,444	$ 4,256,358
Institutional collections	870,190	234,717
Contracts and grants:		
Federal	5,458,126	3,568,647
State	1,250,592	1,269,241
Private	255,227	
Sales and services of educational activities	3,242,067	2,727,517
Miscellaneous — net	124,166	99,666
Total operating revenues	15,618,812	12,156,146
OPERATING EXPENSES:		
Salaries and wages	6,098,146	5,862,536
Benefits	2,167,123	1,508,780
Supplies and other services	6,206,859	5,942,729
Utilities	155,473	133,144
Depreciation and amortization	471,325	436,274
Total operating expenses	15,098,926	13,883,463
OPERATING INCOME (LOSS)	519,886	(1,727,317)

(Continued)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

STATEMENTS OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS FOR THE YEARS ENDED JUNE 30, 2010 AND 2009

	2010	2009
NONOPERATING REVENUES (EXPENSES):		
State appropriations	$ 48,662,942	$ 56,119,594
Payments on behalf of the Commission		89,073
Investment income	1,264,908	2,401,748
Institutional debt service payments from institutions:		
Interest	4,907,640	5,409,822
Other	2,829,575	2,832,968
Interest on indebtedness	(17,937,145)	(16,501,430)
Student financial aid and other payments to institutions	(54,198,563)	(56,304,508)
Net loss on sale of equipment	(2,001)	(2,578)
Other nonoperating (expenses) revenues — net	1,195,164	1,840,319
Net nonoperating (expenses) revenues	(13,277,480)	(4,114,992)
LOSS BEFORE OTHER REVENUES, EXPENSES, GAINS, LOSSES, OR TRANSFERS	(12,757,594)	(5,842,309)
STATE CAPITAL GRANTS (FEDERAL)	1,777,593	
CAPITAL PAYMENTS AND TRANSFERS TO INSTITUTIONS AND OUTSIDE ENTITIES	(11,575,294)	(6,172,279)
DECREASE IN NET ASSETS	(22,555,295)	(12,014,588)
NET DEFICIT — Beginning of year	(36,434,294)	(24,419,706)
NET DEFICIT — End of year	$ (58,989,589)	$ (36,434,294)

See notes to financial statements.

(Concluded)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED JUNE 30, 2010 AND 2009

	2010	2009
CASH FLOWS FROM OPERATING ACTIVITIES:		
Fees and reimbursements from higher education institutions	$ 5,664,298	$ 2,794,764
Institutional collections	1,095,029	900,132
Contracts and grants	6,988,445	4,837,888
Payments to and on behalf of employees	(7,908,778)	(7,281,282)
Payments to suppliers	(5,659,101)	(3,520,015)
Payments to utilities	(155,473)	(133,144)
Sales and service of educational activities	3,315,750	2,807,683
Other	99,666	99,666
Net cash provided by operating activities	3,439,836	505,692
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:		
State appropriations	53,677,744	56,389,780
Receipts for fiduciary governmental entities	53,486,996	51,775,575
Disbursements to fiduciary governmental entities	(54,386,612)	(53,915,597)
Payments to institutions	(55,009,609)	(52,446,396)
Net cash (used in) provided by noncapital financing activities	(2,231,481)	1,803,362
CASH FLOWS FROM CAPITAL FINANCING ACTIVITIES:		
Payment of bond issuance costs	(178,291)	
Proceeds from bond issuance	78,030,895	
Institutional receipts for debt service	18,670,272	18,706,286
Purchases of capital assets	(541,597)	(907,702)
Principal paid on bonds	(16,070,000)	(15,425,000)
Interest paid on bonds	(12,182,315)	(13,295,842)
State capital grants (federal) received	1,777,593	
Capital payments and transfers to institutions and outside entities	(11,575,294)	(6,172,279)
Capital loans to institutions		(500,000)
Capital loan repayments from institutions	275,000	222,500
Deposits to noncurrent cash and cash equivalents	(25,113,708)	(11,093,238)
Withdrawals from noncurrent cash and cash equivalents	10,125,255	7,107,768
Net cash provided by (used in) capital financing activities	43,217,810	(21,357,507)
CASH FLOWS FROM INVESTING ACTIVITIES:		
Receipts from investment income	1,778,441	2,889,432
Purchases of investments	(60,639,638)	
Receipts from sales of investments		11,915,959
Cash (used in) provided by investing activities	(58,861,197)	14,805,391
DECREASE IN CASH AND CASH EQUIVALENTS	(14,435,032)	(4,243,062)
CASH AND CASH EQUIVALENTS — Beginning of year	83,749,490	87,992,552
CASH AND CASH EQUIVALENTS — End of year	$ 69,314,458	$ 83,749,490

(Continued)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED JUNE 30, 2010 AND 2009

	2010	2009
RECONCILIATION OF OPERATING INCOME (LOSS) TO NET CASH PROVIDED BY OPERATING ACTIVITIES:		
Operating income (loss)	$ 519,886	$ (1,727,317)
Adjustments to reconcile operating income (loss) to net cash provided by operating activities:		
Depreciation and amortization expense	471,325	436,274
Payments on behalf of the Commission		89,073
Changes in assets and liabilities:		
Accounts receivables — net	1,268,309	(999,741)
Prepaid expenses	2,384	3,562
Accounts payable	332,434	2,530,271
Accrued liabilities	16,377	22,639
Other post employment benefit liability	753,603	96,508
Compensated absences	43,613	17,215
Deferred revenue	31,905	37,208
NET CASH PROVIDED BY OPERATING ACTIVITIES	$ 3,439,836	$ 505,692

See notes to financial statements. (Concluded)

1. ORGANIZATION

On March 19, 2000, the West Virginia Legislature enacted Senate Bill No. 653 (S.B. 653), which restructured public higher education in West Virginia.

S.B. 653 also created the West Virginia Higher Education Policy Commission (the Board of the West Virginia Higher Education Fund that encompassed all West Virginia public higher education prior to Senate Bill No. 448 (S.B. 448)), which is responsible for developing, gaining consensus around, and overseeing the implementation and development of a higher education public policy agenda. The West Virginia Higher Education Policy Commission (the “Commission”) consists of two parts. One part is the administrative functions of the Commission. The second part is a separate division which includes the accounts of West Virginia Network for Educational Telecommuting (WVNET). Oversight of WVNET lies with the Commission. WVNET was originally created in 1975 to provide central computing facilities and wide-area network communications services as a resource for the public colleges and universities in the State of West Virginia (the “State”).

Each Institutional Governing Board (all institutions, the Commission, and the West Virginia Council for Community and Technical College Education (the “Council”) comprise the West Virginia Higher Education Fund) has certain powers and duties, including, but not limited to, the power to determine, control, supervise, and manage the financial, business, and educational policies and affairs of the institution(s) under its jurisdiction; the duty to develop a master plan for the institution; the power to prescribe the specific functions and institution’s budget request; the duty to review, at least every five years, all academic programs offered at the institution; and the power to fix tuition and other fees for the different classes or categories of students enrolled at the institution(s).

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements of the Commission have been prepared in accordance with generally accepted accounting principles as prescribed by Governmental Accounting Standards Board standards (GASB). The financial statement presentation required by GASB provides a comprehensive, entity-wide perspective of the Commission’s assets, liabilities, net assets, revenues, expenses, changes in net assets, and cash flows.

The Commission follows all GASB pronouncements as well as Financial Accounting Standards Board (FASB) Statements and Interpretations, Accounting Principles Board Opinions, and Accounting Research Bulletins issued on or before November 30, 1989, and has elected not to apply the FASB Statements and Interpretations issued after November 30, 1989, to its financial statements.

Reporting Entity — The Commission is a statutory entity and an operating unit of the West Virginia Higher Education Fund and represents separate funds of the State that are not included in the State’s general fund. The Commission is a separate entity which, along with all State institutions of higher education and the Council, form the Higher Education Fund of the State. The Higher Education Fund is considered a component unit of the State and its financial statements are discretely presented in the State’s comprehensive annual financial report.

The accompanying financial statements present all funds under the direct authority of the Commission. The basic criteria for inclusion in the accompanying financial statements is the exercise of oversight responsibility derived from the Commission's ability to significantly influence operations and accountability for fiscal matters of related entities.

Financial Statement Presentation — GASB establishes standards for external financial reporting for public colleges and universities and requires that financial statements be presented on a basis to focus on the Commission as a whole. Net assets are classified into four categories according to external donor restrictions or availability of assets for satisfaction of Commission obligations. The Commission's net assets are classified as follows:

Invested in Capital Assets — Net of Related Debt — This represents the Commission's total investment in capital assets, net of accumulated depreciation and outstanding debt obligations related to capital assets, including those on individual institutions' financial statements. To the extent debt has been incurred but not yet expended for capital assets, such amounts are not included as a component of investment in capital assets, net of related debt.

Restricted Net Assets — Expendable — This includes resources in which the Commission is legally or contractually obligated to spend resources in accordance with restrictions imposed by external third parties.

The West Virginia Legislature, as a regulatory body outside the reporting entity, has restricted the use of certain funds by Article 10, *Fees and Other Money Collected at State Institutions of Higher Education*, of the West Virginia State Code (the "Code"). House Bill 101, passed in March 2004, simplified the tuition and fee restrictions to auxiliaries and capital items. These activities are fundamental to the normal ongoing operations of the related institutions. These restrictions are subject to change by future actions of the West Virginia Legislature. The Commission does not have any such Code-restricted net assets at June 30, 2010 or 2009.

Restricted Net Assets — Nonexpendable — This includes endowment and similar type funds in which donors or other outside sources have stipulated, as a condition of the gift instrument, that the principal is to be maintained inviolate and in perpetuity, and invested for the purpose of producing present and future income, which may either be expended or added to principal. There were no nonexpendable net assets as of June 30, 2010 or 2009.

Unrestricted Net Assets — Unrestricted net assets represent resources derived from student tuition and fees, state appropriations, and sales and services of educational activities. These resources are used for transactions relating to the educational and general operations of the Commission, and may be used at the discretion of the Commission to meet current expenses for any purpose.

Basis of Accounting — For financial reporting purposes, the Commission is considered a special-purpose government engaged only in business-type activities. Accordingly, the Commission's financial statements have been prepared on the accrual basis of accounting with a flow of economic resources measurement focus. Revenues are reported when earned and expenses when materials or services are received. All interdivision accounts and transactions have been eliminated.

Cash and Cash Equivalents — For purposes of the statements of net assets, the Commission considers all highly liquid investments with an original maturity of three months or less to be cash equivalents.

Cash and cash equivalents balances on deposit with the State of West Virginia Treasurer's Office (the "State Treasurer") are pooled by the State Treasurer with other available funds of the State for investment purposes by the West Virginia Board of Treasury Investments (BTI). These funds are transferred to the BTI, and the BTI is directed by the State Treasurer to invest the funds in specific external investment pools in accordance with the Code, policies set by the BTI, provisions of bond indentures, and the trust agreements when applicable. Balances in the investment pools are recorded at fair value or amortized cost, which approximates fair value. Fair value is determined by a third-party pricing service based on asset portfolio pricing models and other sources in accordance with GASB. The BTI was established by the State Legislature and is subject to oversight by the State Legislature. Fair value and investment income are allocated to participants in the pools based upon the funds that have been invested. The amounts on deposit are available for immediate withdrawal or on the first day of each month for the WV Short Term Bond Pool (formerly, Enhanced Yield Pool) and, accordingly, are presented as cash and cash equivalents in the accompanying financial statements.

The BTI maintains the Consolidated Fund investment fund, which consists of eight investment pools and participant-directed accounts, three of which the Commission may invest in. These pools have been structured as multiparticipant variable net asset funds to reduce risk and offer investment liquidity diversification to the Fund participants. Funds not required to meet immediate disbursement needs are invested for longer periods. A more detailed discussion of the BTI's investment operations pool can be found in its annual report. A copy of that annual report can be obtained from the following address: 1900 Kanawha Blvd. East, Room E-122, Charleston, WV 25305 or http://www.wvbti.com.

Investments — GASB requires the Commission to record certain investment balances at fair value. The Commission's investments are on deposit with the Municipal Bond Commission or with external financial institutions. These funds primarily represent unexpended proceeds of bond issuances and are restricted to expenditures for capital improvements and bond-related costs and debt service reserve funds. These funds are classified as noncurrent due to the restrictions on expenditure or requirement to provide debt service reserve funds. Amounts held for restricted expenditures are available for immediate withdrawal.

Permissible investments for all agencies include those guaranteed by the United States of America, its agencies and instrumentalities (U.S. Government obligations); corporate debt obligations, including commercial paper, which meet certain ratings; certain money market funds; repurchase agreements; reverse repurchase agreements; asset-backed securities; certificates of deposit; state and local government securities (SLGS); and other investments. Other investments consist primarily of investments in accordance with the Linked Deposit Program, a program using financial institutions in the State to obtain certificates of deposit, loans approved by the legislature, and any other program investments authorized by the legislature.

Allowance for Doubtful Accounts — It is the Commission's policy to provide for future losses on uncollectible accounts, contracts, grants, and loans receivable based on an evaluation of the underlying account; contract, grant, and loan balances; the historical collectibility experienced by the Commission on such balances; and such other factors which, in the Commission's judgment, require consideration in estimating doubtful accounts.

Noncurrent Cash, Cash Equivalents, and Investments — Cash, cash equivalents, and investments that are (1) externally restricted to make debt service payments and long-term loans to students, or to maintain sinking or reserve funds, (2) to purchase capital or other noncurrent assets or settle long-term liabilities, and (3) permanently restricted net assets, are classified as noncurrent assets in the accompanying statements of net assets.

Other Assets — Other assets include bond issuance costs that are amortized over the life of the related bonds.

Capital Assets — Capital assets include software, intangibles, and furniture and equipment. Capital assets are stated at cost at the date of acquisition or construction, or fair value at the date of donation in the case of gifts. Depreciation or amortization is computed using the straight-line method over the estimated useful lives of the assets, generally 3 to 7 years for software and intangibles and 3 to 10 years for furniture and equipment. The financial statements reflect all adjustments required by GASB.

Deferred Revenue — Cash received for programs or activities to be conducted primarily in the next fiscal year are classified as deferred revenue.

Compensated Absences and Other Post Employment Benefits — The Commission accounts for compensated absences in accordance with the provisions of GASB.

GASB provides standards for the measurement, recognition, and display of other post employment benefits (OPEB) expenditures, assets, and liabilities, including applicable note disclosures and required supplementary information. During fiscal year 2006, House Bill No. 4654 was established to create a trust fund for OPEB for the State of West Virginia. Effective July 1, 2007, the Commission was required to participate in this multiple employer cost-sharing plan, the West Virginia Retiree Health Benefit Trust Fund, sponsored by the State of West Virginia. Details regarding this plan can be obtained by contacting West Virgina Public Employees Insurance Agency (PEIA), State Capitol Complex, Building 5, Room 1001, 1900 Kanawha Boulevard, East, Charleston, WV 25305-0710 or http://www.wvpeia.com.

GASB requires entities to accrue for employees' rights to receive compensation for vacation leave or payments in lieu of accrued vacation or sick leave as such benefits are earned and payment becomes probable.

The Commission's full-time employees earn up to two vacation leave days for each month of service and are entitled to compensation for accumulated, unpaid vacation leave upon termination. Full-time employees also earn 1-1/2 sick leave days for each month of service and are entitled to extend their health or life insurance coverage upon retirement in lieu of accumulated, unpaid sick leave. Generally, two days of accrued sick leave extends health insurance for one month of single coverage and three days extends health insurance for one month of family coverage. For employees hired after 1988 or who were hired before 1988 but did not choose such coverage until after 1988 but before July 1, 2001, the employee shares in the cost of the extended benefit coverage to the extent of 50% of the premium required for the extended coverage. Employees hired July 1, 2001, or later will no longer receive sick leave credit toward insurance premiums when they retire. Additionally, all retirees have the option to purchase continued coverage regardless of their eligibility for premium credits. This liability is now provided for under the multiple employer cost-sharing plan approved by the State.

The estimated expense and expense incurred for the vacation leave or OPEB benefits are recorded as a component of benefits expense on the statements of revenues, expenses, and changes in net assets.

Deferred Interest Payable — Interest on capital accretion bonds is recognized over the life of the related bonds on the interest method.

Bonds — Bond premiums or discounts are amortized over the life of the related bonds.

Risk Management — The State's Board of Risk and Insurance Management (BRIM) provides general, property, and casualty coverage to the Commission and its employees. Such coverage may be provided to the Commission by BRIM through self-insurance programs maintained by BRIM or policies underwritten by BRIM that may involve experience-related premiums or adjustments to BRIM.

BRIM engages an independent actuary to assist in the determination of its premiums so as to minimize the likelihood of premium adjustments to the Commission or other participants in BRIM's insurance programs. As a result, management does not expect significant differences between premiums the Commission is currently charged by BRIM and the ultimate cost of that insurance based on the Commission's actual loss experience. In the event such differences arise between estimated premiums currently charged by BRIM to the Commission and the Commission's ultimate actual loss experience, the difference will be recorded as the change in estimate becomes known.

In addition, through its participation in the PEIA and third-party insurers, the Commission has obtained health, life, prescription drug coverage, and coverage for job-related injuries for its employees. In exchange for payment of premiums to PEIA and the third-party insurer, the Commission has transferred its risks related to health, life, prescription drug coverage, and job-related injuries.

Classification of Revenues — The Commission has classified its revenues according to the following criteria:

Operating Revenues — Operating revenues include activities that have the characteristics of exchange transactions, such as (1) fees from higher education institutions; (2) most federal, state, local, and nongovernmental grants and contracts; and (3) federal appropriations for land grant institutions.

Nonoperating Revenues — Nonoperating revenues include activities that have the characteristics of nonexchange transactions, such as gifts and contributions and other revenues that are defined as nonoperating revenues by GASB, such as state and federal appropriations and investment income.

Other Revenues — Other revenues consist primarily of capital appropriations, grants, and gifts.

Use of Restricted Net Assets — The Commission has not adopted a formal policy regarding whether to first apply restricted or unrestricted resources when an expense is incurred for purposes for which both restricted and unrestricted net assets are available. Generally, the Commission attempts to utilize restricted funds first when practical.

Institutional Collections — Institutional collections represent revenues earned from colleges and universities throughout the State for the use of central site (WVNET) computing services.

Government Grants and Contracts — Government grants and contracts normally provide for the recovery of direct and indirect costs, subject to audit. The Commission recognizes revenue associated with direct costs as the related costs are incurred. Recovery of related indirect costs is generally recorded at fixed rates negotiated for a period of one to five years.

Interest Expense — The Commission accounts for interest on debt as an expense of the period in which it is incurred.

Income Taxes — The Commission is exempt from income taxes, except for unrelated business income, as a nonprofit organization under federal income tax laws and regulations of the Internal Revenue Service.

Cash Flows — Any cash and cash equivalents escrowed, restricted for noncurrent assets, or in funded reserves have not been included as cash and cash equivalents for the purpose of the statements of cash flows.

Use of 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 and 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.

Risk and Uncertainties — Investments are exposed to various risks, such as interest rate, credit, and overall market volatility. Due to the level of risk associated with certain securities, it is reasonably possible that changes in risk and values will occur in the near term and that such changes could materially affect the amounts reported in the financial statements.

Newly Adopted Statements Issued by the Governmental Accounting Standards Board — During 2010, the Commission adopted Statement No. 51, *Accounting and Financial Reporting for Intangible Assets*. This statement provides guidance regarding whether and when intangible assets should be considered capital assets for financial reporting purposes. The adoption of this statement did not have a material impact on the financial statements.

The Commission also adopted Statement No. 53, *Accounting and Financial Reporting for Derivative Instruments*. This statement requires governmental entities to measure most derivative instruments at fair value as assets or liabilities. It also improves disclosure requirements surrounding the entity's derivative instrument activity, its objectives for entering into the derivative instrument, and the instrument's significant terms and risks. The adoption of this statement did not have a material impact on the financial statements.

Recent Statements Issued by the Governmental Accounting Standards Board — The Governmental Accounting Standards Board has issued Statement No. 59, *Financial Instruments Omnibus*, effective for fiscal years beginning after June 15, 2010. This statement improves financial reporting by providing more complete information, by improving consistency of measurements, and by providing clarifications of existing standards related to certain financial instruments and external investment pools. The Commission has not yet determined the effect that the adoption of Statement No. 59 may have on its financial statements.

3. CASH AND CASH EQUIVALENTS

The composition of cash and cash equivalents at June 30, 2010 and 2009, was held as follows:

2010	**Current**	**Noncurrent**	**Total**
State Treasurer	$ 68,354,653	$ 46,500,239	$ 114,854,892
Municipal Bond Commission	959,805		959,805
Trustee		16,602,008	16,602,008
Total	$ 69,314,458	$ 63,102,247	$ 132,416,705

2009	Current	Noncurrent	Total
State Treasurer	$ 82,662,567	$ 43,012,773	$ 125,675,340
Municipal Bond Commission	1,086,780		1,086,780
Trustee	143	5,101,021	5,101,164
Total	$ 83,749,490	$ 48,113,794	$ 131,863,284

Amounts held by the Municipal Bond Commission or Trustee represent various projects funds, debt service, and other repair and replacement reserve funds required to be escrowed by various bond trust indentures.

Amounts with the State Treasurer and the Municipal Bond Commission as of June 30, 2010 and 2009, are comprised of the following investment pools:

The BTI has adopted an investment policy in accordance with the "Uniform Prudent Investor Act." The "prudent investor rule" guides those with responsibility for investing the money for others. Such fiduciaries must act as a prudent person would be expected to act, with discretion and intelligence, to seek reasonable income; preserve capital; and, in general, avoid speculative investments. The BTI's investment policy is to invest assets in a manner that strives for maximum safety, provides adequate liquidity to meet all operating requirements, and achieves the highest possible investment return consistent with the primary objectives of safety and liquidity. The BTI recognizes that risk, volatility, and the possibility of loss in purchasing power are present to some degree in all types of investments. Due to the short-term nature of BTI's Consolidated Fund, the BTI believes that it is imperative to review and adjust the investment policy in reaction to interest rate market fluctuations/trends on a regular basis and has adopted a formal review schedule. Investment policies have been established for each investment pool and account of the BTI's Consolidated Fund. Of the BTI's Consolidated Fund pools and accounts in which the Commission invest, all are subject to credit risk.

WV Money Market — Credit Risk — Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. For the years ended June 30, 2010 and 2009, the WV Money Market Pool has been rated AAAm by Standard & Poor's. A Fund rated "AAAm" has extremely strong capacity to maintain principal stability and to limit exposure to principal losses due to credit, market, and/or liquidity risks. "AAAm" is the highest principal stability fund rating assigned by Standard & Poor's. As this pool has been rated, specific information on the credit ratings of the underlying investments of the pool have not been provided.

The BTI limits the exposure to credit risk in the WV Money Market Pool by requiring all corporate bonds to be rated AA- by Standard & Poor's (or its equivalent) or higher. Commercial paper must be rated at least A-1 by Standard & Poor's and P1 by Moody's. The pool must have at least 15% of its assets in U.S. Treasury issues.

At June 30, 2010 and 2009, the WV Money Market Pool investments had a total carrying value of $2,876,711,000 and $2,570,261,000, respectively, of which the Commission's ownership represents 2.72% and 3.28%, respectively.

WV Government Money Market Pool — Credit Risk — For the years ended June 30, 2010 and 2009, the WV Government Market Pool has been rated AAAm by Standard & Poor's. A Fund rated "AAAm" has extremely strong capacity to maintain principal stability and to limit exposure to principal losses due to credit, market, and/or liquidity risks. "AAAm" is the highest principal stability fund rating assigned by Standard & Poor's. As this pool has been rated, specific information on the credit ratings of the underlying investments of the pool have not been provided.

The BTI limits the exposure to credit risk in the WV Government Money Market Pool by limiting the pool to U.S. Treasury issues, U.S. government agency issues, money market funds investing in U.S. Treasury issues and U.S. government agency issues, and repurchase agreements collateralized by U.S. Treasury issues and U.S. government agency issues. The pool must have at least 15% of its assets in U.S. Treasury issues.

At June 30, 2010 and 2009, the WV Government Money Market Pool investments had a total carrying value of $221,183,000 and $283,826,000, of which the Commission's ownership represents 0.25% and 0.24%, respectively.

WV Short Term Bond Pool:

Credit Risk — The BTI limits the exposure to credit risk in the WV Short Term Bond Pool by requiring all corporate bonds to be rated A by Standards & Poor's (or its equivalent) or higher. Commercial paper must be rated at least A-1 by Standards & Poor's and P1 by Moody's. The following table provides information on the credit ratings of the WV Short Term Bond Pool's investments (in thousands):

	Credit Rating*		2010		2009	
Security Type	Moody's	S&P	Carrying Value	Percent of Pool Assets	Carrying Value	Percent of Pool Assets
Corporate asset backed securities	Aaa	AAA	$ 24,330	5.37 %	$ 16,402	5.21 %
	Aaa	NR *	10,353	2.28	5,136	1.63
	Aa3	AAA	1,000	0.22	223	0.07
	Aa2	AAA			461	0.15
	A3	AAA			273	0.09
	Baa2	AAA			831	0.26
	Baa1	BBB **			332	0.10
	Baa2	BBB **			1,376	0.44
	Ba1	CC **	45	0.01		
	Ba2	BB **	219	0.05		
	Ba3	AAA			645	0.20
	B1	AAA			779	0.25
	B1	BBB **	605	0.13		
	B1	CCC **	857	0.19		
	B2	B *			493	0.16
	B2	CCC **	366	0.08	539	0.17
	B3	AAA			949	0.30
	B3	B **	442	0.10		
	B3	BBB **	247	0.05		
	B3	CCC **	554	0.12		
	Caa1	BB **			254	0.08
	Caa1	CCC **	230	0.05		
	Caa2	CCC **	779	0.17		
	NR *	AAA	3,538	0.78	679	0.22
			43,565	9.60	29,372	9.33
Corporate bonds and notes	Aaa	AAA	72,549	16.00	47,204	14.99
	Aaa	AA	2,060	0.46		
	Aa1	AA	5,430	1.20	4,445	1.41
	Aa1	A			2,052	0.65
	Aa2	AAA			3,040	0.96
	Aa2	AA	6,650	1.47	9,066	2.88
	Aa3	AA	6,722	1.48		
	Aa3	A	13,850	3.05	7,831	2.49
	A1	AA	15,485	3.41	4,813	1.53
	A1	A	21,098	4.65	5,522	1.75
	A2	A	41,093	9.06	32,040	10.17
	A3	A	4,158	0.92	7,024	2.23
	Baa3	A			2,067	0.66
			189,095	41.70	125,104	39.72
						.00
U.S. agency bonds	Aaa	AAA	40,180	8.86	60,250	19.13
U.S. Treasury notes***	Aaa	AAA	158,423	34.93	88,805	28.20
U.S. agency mortgage backed securities****	Aaa	AAA	4,540	1.00	4,975	1.58
Money market funds	Aaa	AAA	17,715	3.91	6,426	2.04
			$453,518	100 %	$314,932	100 %

* NR = Not Rated

** The securities were not in compliance with BTI Investment Policy at June 30, 2010 and/or 2009. The securities were in compliance when originally acquired, but were subsequently downgraded. BTI management and its investment advisors have determined that it is in the best interests of the participants to hold the securities for optimal outcome.

*** U.S. Treasury issues are explicitly guaranteed by the United States government and are not subject to credit risk.

**** U.S. agency mortgage backed securities are issued by the Government National Mortgage Association and are explicitly guaranteed by the United States government and are not subject to credit risk.

At June 30, 2010 and 2009, the Commission's ownership represents 1.5% and .5%, respectively, of these amounts held by the BTI.

Interest Rate Risk — Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. All the BTI's Consolidated Fund pools and accounts are subject to interest rate risk.

The overall weighted average maturity of the investments of the WV Money Market Pool cannot exceed 60 days. Maximum maturity of individual securities cannot exceed 397 days from date of purchase. The following table provides information on the weighted average maturities for the various asset types in the WV Money Market Pool:

	2010		2009	
Security Type	**Carrying Value (In thousands)**	**WAM (Days)**	**Carrying Value (In thousands)**	**WAM (Days)**
Repurchase agreements	$ 174,980	1	$ 212,010	1
U.S. Treasury notes	65,153	140		
U.S. Treasury bills	476,670	35	483,714	69
Commercial paper	855,844	18	592,479	32
Certificates of deposit	281,000	45	128,402	56
U.S. agency discount notes	606,048	52	635,602	57
Corporate bonds and notes	20,000	19	73,812	38
U.S. agency bonds/notes	246,990	55	294,019	70
Money market funds	150,026	1	150,223	1
	$ 2,876,711	33	$ 2,570,261	47

The overall weighted average maturity of the investments of the WV Government Money Market Pool cannot exceed 60 days. Maximum maturity of individual securities cannot exceed 397 days from date of purchase. The following table provides information on the weighted average maturities for the various asset types in the WV Government Money Market Pool:

	2010		2009	
Security Type	**Carrying Value (In thousands)**	**WAM (Days)**	**Carrying Value (In thousands)**	**WAM (Days)**
Repurchase agreements	$ 66,600	1	$ 53,000	1
U.S. Treasury notes	8,526	114		
U.S. Treasury bills	29,982	72	74,424	94
U.S. agency discount notes	36,465	115	87,662	55
U.S. agency bonds/notes	79,532	30	68,608	37
Money market funds	78	1	132	1
	$ 221,183	44	$ 283,826	51

The overall effective duration of the investments of the WV Short Term Bond Pool cannot exceed 731 days. Maximum maturity of individual securities cannot exceed 1,827 days (five years) from date of purchase. The following table provides information on the effective duration for the various asset types in the WV Short Term Bond Pool at June 30, 2010 and 2009:

	2010		2009	
Security Type	**Carrying Value (in Thousands)**	**Effective Duration (Days)**	**Carrying Value (in Thousands)**	**Effective Duration (Days)**
U. S. Treasury bonds/notes	$ 158,423	583	$ 88,805	917
Corporate notes	189,095	560	125,104	559
Corporate asset backed securities	43,565	679	29,372	622
U.S. agency bonds/notes	40,180	288	60,250	752
U.S. agency mortgage backed securities	4,540	360	4,975	540
Money market funds	17,715	1	6,426	1
	$ 453,518	530	$ 314,932	691

Other Investment Risks — Other investment risks include concentration of credit risk, custodial credit risk, and foreign currency risk. None of the BTI's Consolidated Fund's investment pools or accounts is exposed to these risks as described below.

Concentration of credit risk is the risk of loss attributed to the magnitude of the BTI's Consolidated Fund pool or account's investment in a single corporate issuer. The BTI investment policy prohibits those pools and accounts permitted to hold corporate securities from investing more than 5% of their assets in any one corporate name or one corporate issue.

The custodial credit risk for investments is the risk that, in the event of the failure of the counterparty to a transaction, the BTI will not be able to recover the value of investment or collateral securities that are in the possession of an outside party. Repurchase agreements are required to be collateralized by at least 102% of their value, and the collateral is held in the name of the BTI. Securities lending collateral that is reported on the BTI's statement of fiduciary net assets is invested in the lending agent's money market fund in the BTI's name. In all transactions, the BTI or its agent does not release cash or securities until the counterparty delivers its side of the transaction.

Foreign currency risk is the risk that changes in exchange rates will adversely affect the fair value of an investment or a deposit. None of the BTI's Consolidated Fund's investment pools or accounts holds interests in foreign currency or interests valued in foreign currency.

Deposits — Custodial credit risk of deposits is the risk that in the event of failure of a depository financial institution, a government will not be able to recover deposits or will not be able to recover collateral securities that are in the possession of an outside party. Deposits include nonnegotiable certificates of deposit. None of the above pools contain nonnegotiable certificates of deposit. The BTI does not have a deposit policy for custodial credit risk.

4. INVESTMENTS

The composition of investments at June 30, 2010, was comprised of fixed income securities as follows:

	Rates	Maturity Dates	Balance
Federal Home Loan Mortgage Corporation bonds	1.75%-6.00%	6/15/2011-1/15/2013	$ 50,821,460
Federal National Mortgage Association bonds	1.75%-4.875%	5/18/2012-4/19/2013	9,303,962
Total			$ 60,125,422

5. ACCOUNTS RECEIVABLE

Accounts receivable at June 30, 2010 and 2009, were as follows:

	2010	**2009**
Student loan receivables — net of allowance for doubtful accounts of $2,921,818 and $2,636,230	$ 348,122	$ 340,849
Grants and contracts receivable	41,067	32,477
Due from higher education institutions	637,539	1,829,129
Other accounts receivable	392,917	485,557
Total	$ 1,419,645	$ 2,688,012

6. CAPITAL ASSETS

A summary of capital asset activity for the Commission for the years ended June 30, 2010 and 2009, is as follows:

	2010			
	Beginning Balance	Additions	Reductions	Ending Balance
Capital assets not being depreciated — land	$ -	$ -	$ -	$ -
Total capital assets not being depreciated	$ -	$ -	$ -	$ -
Other capital assets:				
Buildings	$ -	$ -	$ -	$ -
Software	109,000	1,144		110,144
Intangible	670,132	256,163		926,295
Equipment	7,243,127	284,290	(72,634)	7,454,783
Total other capital assets	8,022,259	541,597	(72,634)	8,491,222
Less accumulated depreciation and amortization for:				
Buildings				
Software	39,361	36,047		75,408
Intangible	32,523	98,741		131,264
Equipment	6,177,577	336,537	(70,633)	6,443,481
Total accumulated depreciation and amortization	6,249,461	471,325	(70,633)	6,650,153
Other capital assets — net	$ 1,772,798	$ 70,272	$ (2,001)	$ 1,841,069
Capital asset summary:				
Capital assets not being depreciated or amortized	$ -	$ -	$ -	$ -
Other capital assets	8,022,259	541,597	(72,634)	8,491,222
Total cost of capital assets	8,022,259	541,597	(72,634)	8,491,222
Less accumulated depreciation and amortization	6,249,461	471,325	(70,633)	6,650,153
Capital assets — net	$ 1,772,798	$ 70,272	$ (2,001)	$ 1,841,069

	2009			
	Beginning Balance	Additions	Reductions	Ending Balance
Capital assets not being depreciated — land	$ -	$ -	$ -	$ -
Total capital assets not being depreciated	$ -	$ -	$ -	$ -
Other capital assets:				
Buildings	$ -	$ -	$ -	$ -
Software	109,000			109,000
Intangible		670,132		670,132
Equipment	9,560,635	237,571	(2,555,079)	7,243,127
Total other capital assets	9,669,635	907,703	(2,555,079)	8,022,259
Less accumulated depreciation and amortization for:				
Buildings				-
Software	3,028	36,333		39,361
Intangible		32,523		32,523
Equipment	8,362,659	367,418	(2,552,500)	6,177,577
Total accumulated depreciation and amortization	8,365,687	436,274	(2,552,500)	6,249,461
Other capital assets — net	$ 1,303,948	$471,429	$ (2,579)	$ 1,772,798
Capital asset summary:				
Capital assets not being depreciated or amortized	$ -	$ -	$ -	$ -
Other capital assets	9,669,635	907,703	(2,555,079)	8,022,259
Total cost of capital assets	9,669,635	907,703	(2,555,079)	8,022,259
Less accumulated depreciation and amortization	8,365,687	436,274	(2,552,500)	6,249,461
Capital assets — net	$ 1,303,948	$471,429	$ (2,579)	$ 1,772,798

Title to certain real property at the institutions is held by the Commission by virtue of legislative assignment from prior systemwide governing boards. Title can be transferred from the Commission to the Institutional Governing Boards upon mutual agreement. Regardless of title, all real property at the institution is recorded in the institution's financial statements.

The Commission maintains certain collections of inexhaustible assets to which no value can be practically determined. Accordingly, such collections are not capitalized or recognized for financial statement purposes. Such collections include contributed works of art that are held for exhibition. These collections are neither disposed of for financial gain nor encumbered in any means.

7. LONG-TERM LIABILITIES

A summary of long-term obligation activity for the Commission for the years ended June 30, 2010 and 2009, is as follows:

2010	Beginning Balance	Additions	Reductions	Ending Balance	Current Portion
Bonds payable	$ 290,534,208	$78,036,030	$ (16,829,020)	$ 351,741,218	$18,205,000
Other long-term liabilities:					
Accrued compensated absences	705,382	43,613		748,995	505,751
Deferred interest payable	26,059,564	3,857,619		29,917,183	
Other post employment benefit liability	164,078	753,603		917,681	
Total long-term liabilities	$ 317,463,232	$82,690,865	$ (16,829,020)	$ 383,325,077	

2009	Beginning Balance	Additions	Reductions	Ending Balance	Current Portion
Bonds payable	$ 306,718,228	$	$ (16,184,020)	$ 290,534,208	$16,070,000
Other long-term liabilities:					
Accrued compensated absences	688,167	17,215		705,382	490,620
Deferred interest payable	22,425,696	3,633,868		26,059,564	
Other post employment benefit liability	67,570	96,508		164,078	
Total long-term liabilities	$ 329,899,661	$ 3,747,591	$ (16,184,020)	$ 317,463,232	

8. BONDS PAYABLE

The State chartered the former University System of West Virginia and the former State College System of West Virginia with the responsibility to construct or renovate, finance, and maintain various academic and other facilities of the State's higher education institutions. Financing for these facilities was provided through revenue bonds issued by the former State Board of Regents, the former College and University System Boards, the Interim Governing Board, or the Commission. All bonds payable are administered by the Commission, as successor to the various former governing boards.

The Commission has the authority to assess each institution of the West Virginia Higher Education Fund for payment of debt service on these system bonds. The tuition and registration fees of the institutions are generally pledged as collateral for the Commission's bond indebtedness. Student fees collected by an institution in excess of the debt service allocation are retained by the institution for internal funding of capital projects and maintenance. The bonds remain an obligation of the Commission.

There were $6,970,000 of Series A 2000 University System bonds that were defeased and outstanding at June 30, 2009. These bonds were called and paid April 1, 2010.

Bonds payable at June 30, 2010 and 2009, consisted of the following:

	Maximum Interest Rate	Original Range of Annual Principal Installment Due	Principal Amount Outstanding 2010	2009
2009 Series A Community and Technical College Improvement Revenue Bonds, due through 2039	5.25 %	$1,425,000 to $4,760,000	$ 78,295,000	$ -
2007 Series A Revenue Refunding Bonds, due through 2027	5.00	185,000 to 1,880,000	24,265,000	25,010,000
2004 Series B Higher Ed Facilities Bonds, due through 2034	6.00	2,680,000 to 9,520,000	144,025,000	147,925,000
2003 Series A College Facilities Bonds, due through 2012	5.00	2,325,000 to 2,690,000	3,925,000	6,520,000
2003 Series A University Facilities Bonds, due through 2012	5.00	5,740,000 to 7,875,000	15,380,000	22,520,000
Series 2000A University System Bonds, due through 2031	6.26	Zero to 3,263,864	36,590,868	36,590,868
Series 2000B University System Bonds, due through 2010	5.96	210,000 to 625,000		285,000
Series 1998 University System Bonds, due through 2028	5.25	1,065,000 to 3,625,000	43,525,000	44,930,000
			346,005,868	283,780,868
Add Bond premium			5,994,320	6,753,340
Less Bond discount			(258,970)	
Total			$ 351,741,218	$ 290,534,208

A summary of the annual aggregate payments for years subsequent to June 30, 2010, is as follows:

Years Ending June 30	Principal	Interest	Total
2011	$ 18,205,000	$ 13,527,435	$ 31,732,435
2012	17,345,000	14,320,751	31,665,751
2013	11,873,864	17,032,562	28,906,426
2014	12,067,212	16,840,064	28,907,276
2015	12,290,284	16,618,692	28,908,976
2016–2020	61,150,672	78,629,079	139,779,751
2021–2025	69,746,816	68,845,872	138,592,688
2026–2030	68,193,108	55,107,905	123,301,013
2031–2034	53,498,912	18,277,776	71,776,688
2035–2040	21,635,000	3,351,000	24,986,000
Total	$ 346,005,868	$ 302,551,136	$ 648,557,004

The higher education institutions' tuition, registration, and other specified fees generally are pledged as collateral for the Commission's bond indebtedness, as well as any monies held by the trustees.

9. OTHER POST EMPLOYMENT BENEFITS

In accordance with GASB, OPEB costs are accrued based upon invoices received from PEIA based upon actuarially determined amounts. At June 30, 2010 and 2009, the noncurrent liability related to OPEB costs was $917,681 and $164,078, respectively. The total OPEB expense incurred and the amount of OPEB expense that relates to retirees was $912,321 and $159,916, respectively, during 2010, and $364,917 and $179,193, respectively, during 2009. As of June 30, 2010 and 2009, there were 8 and 9 retirees, respectively, receiving these benefits.

10. UNRESTRICTED NET ASSETS

The Commission did not have any designated unrestricted net assets as of June 30, 2010 or 2009.

11. RETIREMENT PLANS

Substantially all full-time employees of the Commission participate in either the West Virginia Teachers' Retirement System (the "STRS") or the Teachers' Insurance and Annuities Association-College Retirement Equities Fund (TIAA-CREF). Previously, upon full-time employment, all employees were required to make an irrevocable selection between the STRS and TIAA-CREF. Effective July 1, 1991, the STRS was closed to new participants. Current participants in the STRS are permitted to make a one-time election to cease their participation in that plan and commence contributions to the West Virginia Teachers' Defined Contribution Plan. Contributions to and participation in the West Virginia Teachers' Defined Contribution Plan by the Commission's employees have not been significant to date.

Effective January 1, 2003, higher education employees enrolled in the basic 401(a) retirement plan with TIAA-CREF have an option to switch to the new Educators Money 401(a) basic retirement plan ("Educators Money"). New hires have the choice of either plan.

Total contributions to the Educators Money for the year ended June 30, 2010, were $5,990, which consisted of $2,995 from the Commission and $2,995 from covered employees. Total contributions to the Educators Money for the year ended June 30, 2009, were $5,940, which consisted of $2,970 from the Commission and $2,970 from covered employees. Total contributions to the Educators Money for the year ended June 30, 2008, were $5,034, which consisted of $2,517 from the Commission and $2,517 from covered employees.

The STRS is a cost-sharing, defined benefit, public employee retirement system. Employer and employee contribution rates are established annually by the State Legislature. The contractual maximum contribution rate is 15%. The Commission accrued and paid its contribution to the STRS at a rate of 15% of each enrolled employee's total annual salary for the years ended June 30, 2010 and 2009. Required employee contributions were at the rate of 6% of total annual salary in both 2010 and 2009. Participants in the STRS may retire with full benefits upon reaching age 60 with five years of service, age 55 with 30 years of service, or any age with 35 years of service. Lump sum withdrawal of employee contributions is available upon termination of employment. Pension benefits are based upon 2% of final average salary (the highest five years salary out of the last 15 years) multiplied by the number of years of service.

Total contributions to the STRS for the year ended June 30, 2010, were $64,570, which consisted of $46,121 from the Commission and $18,449 from covered employees. Total contributions to the STRS for the year ended June 30, 2009, were $67,427, which consisted of $48,162 from the Commission and $19,265 from covered employees. Total contributions to the STRS for the year ended June 30, 2008, were $65,218, which consisted of $46,584 from the Commission and $18,634 from covered employees.

The contribution rate is set by the State Legislature on an overall basis and the STRS does not perform a calculation of the contribution requirement for individual employers, such as the Commission. Historical trend and net pension obligation information is available from the annual financial report of the Consolidated Public Retirement Board. A copy of the report may be obtained by writing to the Consolidated Public Retirement Board, Building 5, Room 1000, Charleston, WV 25305.

The TIAA-CREF and Educators Money are defined contribution benefit plans in which benefits are based solely upon amounts contributed plus investment earnings. Employees who elect to participate in these plans are required to make a contribution equal to 6% of total annual compensation. The Commission matches the employees' 6% contribution. Contributions are immediately and fully vested.

In addition, employees may elect to make additional contributions to TIAA-CREF and Educators Money, which are not matched by the Commission.

Total contributions to the TIAA-CREF for the year ended June 30, 2010, were $676,724, which consisted of $338,362 from the Commission and $338,362 from covered employees. Total contributions to the TIAA-CREF for the year ended June 30, 2009, were $640,626, which consisted of $320,313 from the Commission and $320,313 from covered employees. Total contributions to the TIAA-CREF for the year ended June 30, 2008, were $595,590, which consisted of $297,795 from the Commission and $297,795 from covered employees.

The Commission's total payroll for the years ended June 30, 2010 and 2009, was $6,180,238 and $5,907,675, respectively. Total covered employees' salaries in the STRS, TIAA-CREF, and Educators Money were $307,475, $5,639,346, and $49,920 and $321,085, $5,347,882, and $49,500, respectively, in 2010 and 2009, respectively.

12. OPERATING LEASES

Future annual minimum scheduled lease payments on operating leases for years subsequent to June 30, 2010, are as follows:

2011	$ 135,424

Total rent expense for the years ended June 30, 2010 and 2009, was $400,531 and $392,901, respectively. The Commission has no noncancelable leases.

The primary operations of WVNET are conducted at property located on Chestnut Ridge Road in Morgantown. This property is owned by other units of the West Virginia Higher Education Fund and WVNET is not charged any rent for the use of the property. WVNET is responsible for all physical plant services, utilities, renovations, insurance, and other operating costs for this property. These operating costs are recorded in the Commission's statements of revenues, expenses, and changes in net assets.

13. CONTINGENCIES

The nature of the educational industry is such that, from time to time, claims will be presented against the Commission on account of alleged negligence, acts of discrimination, breach of contract, or disagreements arising from the interpretation of laws or regulations. While some of these claims may be for substantial amounts, they are not unusual in the ordinary course of providing educational services in a higher education system. In the opinion of management, all known claims are covered by insurance or are such that an award against the Commission would not impact seriously on the financial status of the Commission.

Under the terms of federal grants, periodic audits are required and certain costs may be questioned as not being appropriate expenditures under the terms of the grants. Such audits could lead to reimbursement to the grantor agencies. The Commission's management believes disallowances, if any, will not have a significant impact on the Commission's financial position.

The Internal Revenue Code of 1986 establishes rules and regulations for arbitrage rebates. There are no arbitrage rebate liabilities that have been recorded in the financial statements as of June 30, 2010 or 2009.

WVNET occupies a building that is known to contain asbestos. WVNET is not required by federal, state, or local law to remove the asbestos from the building. WVNET is required by Federal Environmental, Health, and Safety Regulations to manage the presence of asbestos in the building in a safe condition. WVNET addresses its responsibility to manage the presence of asbestos in the building on a case-by-case basis. Significant problems of dangerous asbestos conditions are abated as the condition becomes known. WVNET also addresses the presence of asbestos as building renovation or demolition projects are undertaken and through asbestos operation and maintenance programs directed at containing, managing, or operation with the asbestos in a safe condition.

14. REIMBURSED EXPENDITURES

The Commission, through WVNET, acts as a purchasing agent for the public higher education institutions of the State and other state agencies to obtain bulk-pricing discounts for maintenance and equipment purchases. In addition, the Commission, through WVNET, provides purchasing services regarding computer equipment purchases. In fiscal years 2010 and 2009, approximately $3,470,000 and $3,580,000, respectively, was reimbursed by the schools and other state agencies to WVNET. The Commission treats these items as reimbursed expenditures so as not to distort total revenues and expenditures.

15. NATURAL CLASSIFICATIONS WITH FUNCTIONAL CLASSIFICATIONS

For the years ended June 30, 2010 and 2009, the following table represents operating expenses within both natural and functional classifications:

2010	Salaries and Wages	Benefits	Supplies and Other Services	Utilities	Depreciation and Amortization	Total
General institutional support	$ 6,098,146	$ 2,167,123	$ 6,206,859	$ -	$ -	$ 14,472,128
Administration, operations, and maintenance of plant				155,473		155,473
Depreciation and amortization					471,325	471,325
Total	$ 6,098,146	$ 2,167,123	$ 6,206,859	$155,473	$471,325	$ 15,098,926

2009	Salaries and Wages	Benefits	Supplies and Other Services	Utilities	Depreciation and Amortization	Total
General institutional support	$ 5,862,536	$ 1,508,780	$ 5,942,729	$ -	$ -	$ 13,314,045
Administration, operations, and maintenance of plant				133,144		133,144
Depreciation and amortization					436,274	436,274
Total	$ 5,862,536	$ 1,508,780	$ 5,942,729	$133,144	$436,274	$ 13,883,463

16. SUBSEQUENT EVENTS

During August 2010, the West Virginia Development Office issued approximately $162 million of Education, Arts, Science and Tourism (EAST) bonds. The Commission, as provided in the State Code, received 60%, or $97.2 million, of the proceeds to help fund various building and campus renewal projects. The West Virginia Development Office is responsible for repayment of the debt.

* * * * * *

ADDITIONAL INFORMATION

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

COMBINING SCHEDULE OF NET ASSETS INFORMATION
AS OF JUNE 30, 2010 (WITH COMPARATIVE TOTALS FOR 2009)

	2010					
	HEPC Division	WVNET Division	Eliminations		Combined	2009 Total
ASSETS						
CURRENT ASSETS:						
Cash and cash equivalents	$ 64,401,938	$ 4,912,520	$ -		$ 69,314,458	$ 83,749,490
Appropriations due from primary government	8,072,809				8,072,809	13,087,611
Accounts receivable — net	986,688	434,200	(1,243)	(A)	1,419,645	2,688,012
Interest receivable	76,534	1,275			77,809	77,126
Prepaid expense		40,989			40,989	43,373
Receivable from institutions — current portion	11,650,823				11,650,823	11,208,057
Total current assets	85,188,792	5,388,984	(1,243)		90,576,533	110,853,669
NONCURRENT ASSETS:						
Cash and cash equivalents	63,102,247				63,102,247	48,113,794
Investments	60,125,422				60,125,422	
Receivable from institutions	114,288,051				114,288,051	125,938,874
Other assets	7,090,394				7,090,394	7,729,590
Capital assets — net	250,838	1,590,231			1,841,069	1,772,798
Total noncurrent assets	244,856,952	1,590,231	-		246,447,183	183,555,056
TOTAL	$ 330,045,744	$ 6,979,215	$ (1,243)		$ 337,023,716	$ 294,408,725

(Continued)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

COMBINING SCHEDULE OF NET ASSETS INFORMATION
AS OF JUNE 30, 2010 (WITH COMPARATIVE TOTALS FOR 2009)

	2010					
	HEPC Division	WVNET Division	Eliminations		Combined	2009 Total
LIABILITIES						
CURRENT LIABILITIES:						
Accounts payable	$ 462,676	$ 1,370,351	$ -		$ 1,833,027	$ 1,500,593
Amounts due to institutions and affiliates	4,120,702		(1,243)	(A)	4,119,459	6,189,329
Accrued liabilities	150,167				150,167	133,790
Deposits	1,501,172				1,501,172	2,400,788
Deferred revenue		87,710			87,710	55,805
Compensated absences — current portion	265,837	239,914			505,751	490,620
Interest payable	4,996,693				4,996,693	3,099,482
Bonds payable — current portion	18,205,000				18,205,000	16,070,000
Total current liabilities	29,702,247	1,697,975	(1,243)		31,398,979	29,940,407
NONCURRENT LIABILITIES:						
Compensated absences	158,854	84,390			243,244	214,762
Deferred interest payable	29,917,183				29,917,183	26,059,564
OPEB liabilities	553,563	364,118			917,681	164,078
Bonds payable	333,536,218				333,536,218	274,464,208
Total noncurrent liabilities	364,165,818	448,508	-		364,614,326	300,902,612
Total liabilities	393,868,065	2,146,483	(1,243)		396,013,305	330,843,019
NET ASSETS (DEFICIT):						
Invested in capital assets	(203,590,835)	1,590,231	202,000,604	(B)	-	
Restricted for — expendable:						
Scholarships	11,281,635				11,281,635	18,763,176
Sponsored projects	49,594,292				49,594,292	58,854,472
Capital projects	53,141,340				53,141,340	57,131,248
Debt service	451,464				451,464	1,145,435
Total restricted expendable	114,468,731	-	-		114,468,731	135,894,331
Unrestricted	25,299,783	3,242,501	(202,000,604)	(B)	(173,458,320)	(172,328,625)
Total net (deficit) assets	(63,822,321)	4,832,732	-		(58,989,589)	(36,434,294)
TOTAL	$ 330,045,744	$ 6,979,215	$ (1,243)		$ 337,023,716	$ 294,408,725

(A) To eliminate interdivision receivables/payables.
(B) To reclass negative net assets invested in capital assets net of related debt to unrestricted net assets (deficit). (Concluded)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

COMBINING SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS (DEFICIT) INFORMATION FOR THE YEAR ENDED JUNE 30, 2010 (WITH COMPARATIVE TOTALS FOR 2009)

	2010					
	HEPC Division	WVNET Division	Eliminations		Combined	2009 Total
OPERATING REVENUES:						
Fees from higher education institutions	$ 4,418,444	$ -	$ -		$ 4,418,444	$ 4,256,358
Institutional collections		1,070,190	(200,000)	(C)	870,190	234,717
Contracts and grants:						
Federal	5,458,126				5,458,126	3,568,647
State	1,250,592				1,250,592	1,269,241
Private	255,227				255,227	
Sales and services of educational activities		3,283,845	(41,778)	(C)	3,242,067	2,727,517
Miscellaneous — net	24,500	99,666			124,166	99,666
Total operating revenues	11,406,889	4,453,701	(241,778)		15,618,812	12,156,146
OPERATING EXPENSES:						
Salaries and wages	3,654,765	2,443,381			6,098,146	5,862,536
Benefits	1,270,149	896,974			2,167,123	1,508,780
Supplies and other services	4,136,941	2,311,696	(241,778)	(C)	6,206,859	5,942,729
Utilities		155,473			155,473	133,144
Depreciation and amortization	99,044	372,281			471,325	436,274
Total operating expenses	9,160,899	6,179,805	(241,778)		15,098,926	13,883,463
OPERATING INCOME (LOSS)	$ 2,245,990	$ (1,726,104)	$ -		$ 519,886	$ (1,727,317)

(C) To eliminate interdivision revenue/expense.

(Continued)

WEST VIRGINIA HIGHER EDUCATION POLICY COMMISSION

COMBINING SCHEDULE OF REVENUES, EXPENSES, AND CHANGES IN NET ASSETS (DEFICIT) INFORMATION FOR THE YEAR ENDED JUNE 30, 2010 (WITH COMPARATIVE TOTALS FOR 2009)

	2010				
	HEPC Division	WVNET Division	Eliminations	Combined	2009 Total
NONOPERATING REVENUES (EXPENSES):					
State appropriations	$ 46,719,734	$ 1,943,208	$ -	$ 48,662,942	$ 56,119,594
Payments on behalf of the Commission					89,073
Investment income	1,257,010	7,898		1,264,908	2,401,748
Institutional debt service payments from institutions:					
Interest	4,907,640			4,907,640	5,409,822
Other	2,829,575			2,829,575	2,832,968
Interest on indebtedness	(17,937,145)			(17,937,145)	(16,501,430)
Student financial aid and other payments to institutions	(54,198,563)			(54,198,563)	(56,304,508)
Net loss on sale of equipment		(2,001)		(2,001)	(2,578)
Other nonoperating (expenses) revenues — net	1,195,164			1,195,164	1,840,319
Net nonoperating (expenses) revenues	(15,226,585)	1,949,105	-	(13,277,480)	(4,114,992)
(LOSS) INCOME BEFORE OTHER REVENUES, EXPENSES, GAINS, LOSSES, OR TRANSFERS	(12,980,595)	223,001	-	(12,757,594)	(5,842,309)
STATE CAPITAL GRANTS (FEDERAL)	1,777,593			1,777,593	
CAPITAL PAYMENTS AND TRANSFERS TO INSTITUTIONS AND OUTSIDE ENTITIES	(11,575,294)			(11,575,294)	(6,172,279)
(DECREASE) INCREASE IN NET ASSETS	(22,778,296)	223,001	-	(22,555,295)	(12,014,588)
NET (DEFICIT) ASSETS — Beginning of year	(41,044,025)	4,609,731		(36,434,294)	(24,419,706)
NET (DEFICIT) ASSETS — End of year	$ (63,822,321)	$ 4,832,732	$ -	$ (58,989,589)	$ (36,434,294)

(Concluded)

Deloitte & Touche LLP
2500 One PPG Place
Pittsburgh, PA 15222-5401
USA
Tel: +1 412 338 7200
Fax: +1 412 338 7380
www.deloitte.com

INDEPENDENT AUDITORS' REPORT 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*

To the West Virginia Higher Education
Policy Commission:

We have audited the financial statements of the West Virginia Higher Education Policy Commission (the "Commission") as of and for the year ended June 30, 2010, and have issued our report thereon dated December 2, 2010. We conducted our audit 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.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered the Commission'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 Commission's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Commission'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 over financial reporting 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.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the Commission'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 the West Virginia Higher Education Policy Commission, management of the Commission, 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.

Deloitte & Touche LLP

December 2, 2010