



July 16, 2007

Nate Carlisle  
Salt Lake Tribune  
90 S. 400 West, Suite 700  
Salt Lake City, UT 84101

Re: Public Records Request

Dear Mr. Carlisle:

In response to your Request to Examine or Copy Records dated June 28, 2007 (received July 2, 2007) Boise State University's responses are as follows:

**--A calendar or other documentation indicating the frequency of drug test administered to athletes.**  
Please see attached.

**--The budge for or amount of money dedicated to drug testing for fiscal or calendar years, 2004, 2005, 2006 and 2007.**

2004 - \$ 732  
2005 - \$ 495  
2006 - \$2,565  
2007 - \$ 999

**-- Audits or reports discussing the drug testing of athletes, excluding standardized information provided by other government agencies or the NCAA.**

None exist.

**--Contracts or agreements with vendors who have a role in drug testing athletes.**

None exist.

**-- All information provided by vendors the last time your institution put the drug testing of athletes up for bid or requested proposals.**

We have not put the drug testing out to bid.

Regarding the following requests, those requests have been denied. As General Counsel for Boise State University, I have had an opportunity to review these requests, which are hereby denied pursuant to Idaho Code § 9-340A, which exempts from disclosure any public record exempt from disclosure by federal or

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state law or federal regulations. The records requested below are exempt under FERPA. The Family Educational Rights & Privacy Act, 20 USC 1232g (FERPA) prohibits disclosure of student educational records other than directory information and neither race nor ethnicity is considered directory information.

- Documentation or an accounting of all positive tests. This might include internal forms recording positive tests or an electronic spreadsheet or database.**
- Records related to punishments levied for positive tests.**

You have a right to appeal this denial by instituting proceedings in the District Court of Ada County to compel Boise State University to make the information available.. The petition contesting Boise State University's decision shall be filed within one hundred eighty (180) days from the date of mailing of the notice of denial.

Please call should you have questions.

Very truly yours,



Kevin D. Satterlee  
Associate Vice President and  
General Counsel