

MINUTES
Board of Regents
December 11, 2015

The Board of Regents of Washington State University (WSU) met pursuant to call in Open Meeting at 8:00 a.m. on Friday, December 11, 2015, at WSU Health Sciences Spokane, Nursing Building, Room 205, Spokane, Washington.

Present: Regent T. Ryan Durkan, Chair; Regents Don Barbieri, Ted Baseler, Harold Cochran, Lura Powell, Ron Sims, Jansen VanderMeulen, and Mike Worthy; Interim President Daniel J. Bernardo and Interim Co-Provost Erica Austin.

I. OPENING

A. Report from the Chair of the Board of Regents. Chair Durkan called the meeting to order and welcomed everyone in the audience. Chair Durkan congratulated the WSU Football program on its upcoming Sun Bowl game against Miami scheduled for December 26, and commented she and other Regents plan to be in attendance.

Chair Durkan began her report with an update on the special joint WSU/University of Washington (UW) Board meeting with Governor Jay Inslee that took place in Seattle prior to the Apple Cup game November 27. Chair Durkan said the focus of discussions at the meeting were with regard to energy. She said the Boards heard presentations from Chen-Ching Liu, WSU's Boeing Distinguished Professor of Electrical Engineering and Computer Science (*Leading the Way in the Smart Grid*) and Daniel T. Schwartz, UW's Boeing-Sutter Professor of Chemical Engineering and Director of the Clean Energy Institute (*Accelerating our Clean Energy Future*). Chair Durkan reported that it was a great meeting and commended both universities for their strong collaboration.

Chair Durkan concluded her report by reminding the audience there would be a public comment period after the regular agenda items. She then turned the meeting over to WSU Health Sciences Spokane Chancellor Lisa Brown for her report.

B. Report from the Chancellor – WSU Health Sciences Spokane. Chancellor Lisa Brown began by thanking the Board for the opportunity to report and said it was a pleasure to have the Board on campus again. Chancellor Brown said much has happened since her last report to the Board and she would begin with an update on the Medical School. She reported that Vice Dean Kenneth Roberts, along with Dean John Tomkowiak, submitted the Medical School's 700 page application to the accrediting body. Chancellor Brown presented the timeline for the WSU Medical School and noted 2017 as the goal for the first class. She said the accreditation process continues with the first class, with WSU receiving final accreditation in the year prior to the first class graduating.

Chancellor Brown also reported on several recent hires in the College of Medicine: Yvette Roubideaux, M.D., M.P.H., Associate Dean for Diversity, Inclusion and Leadership, who recently served in the Obama Administration as Director of Indian Health Service and as Senior Advisor to the Secretary of American Indians and Alaska Natives in the U.S. Department of Health and Human Services; James Zimmerman, Vice Dean of Administration and Communication from the Chicago Medical School; and Mary Ann Clemens, Ed.D., FACHE, Special Advisor to the Dean for Curriculum Development, from the Chicago Medical School.

Chancellor Brown reported on recent research activities across the Health Sciences campus, including grant awards to John Roll, Ph.D. (Collaborative Action Toward Community Health (CATCH)); Michael McDonell, Ph.D. (Helping Our Native Ongoing Recovery (HONOR) project); Mark VanDam, Ph.D. (dads and baby talk); Hans Van Dongen, Ph.D. (drowsy driver detection tool); Kathryn Meier, Ph.D. (prostate cancer and fatty acids); and James Krueger, Ph.D. (brain protein and flu recovery). She also reported on Jonathan Wisor's TEDx talk on sleep and a healthy life, and the Initiative for Research and Education to Advance Community Health (IREACH), which has received over \$20 million in existing grant and contract funding for WSU Spokane, including over \$6 million for the first year alone.

Chancellor Brown reported that the WSU Spokane campus continues to grow. She said as a result of WSU Spokane's partnership with Empire Health Foundation and Providence Health Care, the Spokane Teaching Health Clinic will open on campus next summer. Chancellor Brown reported that the consortium just voted to accept its third class of medical residents and said six more medical residents, three family and three internal medicine residents, will be here next summer in time to move into the new clinic. Chancellor Brown reported that WSU is on track to increase resident positions by 49%.

Chancellor Brown also reported that the Washington State transportation budget included full funding for the University District Gateway Bridge project, a bike/pedestrian bridge connecting the WSU Spokane campus to the east central neighborhood.

Chancellor Brown reported that WSU has initiated a Request for Qualifications (RFQ) for the redevelopment of the Jensen Byrd building and has received two responses. She said Finance and Administration will be reviewing and vetting the responses and she, along with Interim Vice President for Finance and Administration Olivia Yang, would be back to the Board to discuss the RFQs at an upcoming Board meeting.

Chancellor Brown reported that WSU Spokane has hired a Community Engagement Coordinator, Alysia Spencer, and has launched "Cougs in the Community for Spokane." She said initiatives have included a clean-up in the east central neighborhood and a Husky/Cougar blood drive competition.

Chancellor Brown also reported that WSU Spokane is in the process of hiring a new dean for the College of Nursing, who they hope to have on campus soon.

Chancellor Brown reported that Spokane was among the first ten cities in the U.S. to receive a designation by Envision America as a "Smart City"; in partnership with WSU's College of Engineering, Itron, Avista, and others, WSU Spokane participated in nonprofit Envision America's year-long technical support for cities to become smarter by accelerating innovative technologies that tackle energy, water, waste, and air challenges and is now in the process of determining how to focus the metering and smart city technologies under development between Avista, WSU, and others in the University District neighborhood to lower WSU Spokane's carbon footprint.

Chancellor Brown concluded her report by announcing the newly revamped WSU Health Sciences Spokane website; she encouraged the Board to take a look at it and offered to take any questions.

C. Report from the President of the University. Interim President Bernardo thanked Chancellor Brown for her report and said it is a busy and eventful time of the year. He said WSU is looking forward to commencement tomorrow and he appreciates the participation of our Regents. Interim President Bernardo reported that WSU will graduate approximately 875 students during Fall Commencement and said it is always an exciting time, especially in his current role, and being an alum he looks forward to that day.

Interim President Bernardo described WSU's success and the recognition of that success in graduating students of color, as documented in a *Seattle Times* article stating the findings from a national report issued by the Education Trust in Washington, D.C. He said the national report looked at which universities over the last ten years have narrowed the gap between the graduation rates for students of color versus the graduation rates of white students. He reported that WSU is among the top six in the nation in its progress in narrowing the gap. He said over the period of the last ten years, WSU has narrowed the gap by 13%, which is "monumental and reflects the collective work of a variety of units, most notably the students." He said administrators tend to take credit for these things, but in reality it is the graduating students who deserve the most credit. Interim President Bernardo said it reflects the early work of former Vice President John Fraire, the Student Affairs group, student support services for students of color, and obviously the faculty who have worked hard as we change the demographics of WSU.

Interim President Bernardo reported that WSU has received word of and has booked a gift of nearly \$17 million from San Francisco Bay area developer, philanthropist, and alumnus Roscoe "Rock" Logan and his wife, Jane. He said this gift is the largest gift for endowed scholarships in the history of WSU and will be used to award scholarships to students who have great financial need and who want to pursue careers in teaching. He said we would begin awarding those scholarships in 2016.

Interim President Bernardo provided the Board an update on WSU's Strategic Plan progress. He said he wanted to give the Regents and the audience a flavor of where we are going with the plan one year in. Interim President Bernardo reported that Erica Austin is leading the initiative out of the Provost's Office and has done a great job. He said we have developed 55 metrics to monitor our progress on the Strategic Plan and, while that sounds like a lot, WSU is a very complex institution and as a result it was difficult to reduce the number of metrics to just 55. He reported that we have defined the metrics and how we are going to measure them, have identified a group of 14 peer institutions, and will be monitoring our progress annually. Interim President Bernardo said one of the things we have to do to execute and make progress with the Strategic Plan is to redirect resources to the plan. He said WSU is currently undertaking a 5% reallocation exercise. He said all units are being asked to give back 5% of their permanent budget at the end of the year. He said units have been on notice for the past year and have had about a year to make those accommodations. He reported that WSU will use that 5% to do two things, both of which are priorities: 1) fund the salary program implemented in January that was not fully funded by the legislature; and 2) respond to our strategic initiatives in student success and the Grand Challenges that Vice President Chris Keane discussed yesterday. Interim President Bernardo said the reallocation will be done through a proposal process and said it is an exciting and controversial exercise. He said we do not consider it a budget cut, we consider it a reallocation, and every dollar pulled back will be reissued to the areas around those identified priorities.

Interim President Bernardo reported on a "very interesting and innovative" double masters degree program recently developed between WSU and Zurich University of Applied Sciences in Switzerland. He said it has been designed to graduate globally educated professionals to assume leadership positions in technology-driven multinational corporations. He said the program has been spearheaded by WSU professor Joseph Iannelli, who serves as Executive Director of Engineering and Computer Science at WSU Tri-Cities, and Asif Chaudhry, Vice President for International Programs.

In conclusion, Interim President Bernardo reported that WSU is really excited about fall enrollment in terms of number of applications as well as the quality of applications. He said the quality of applications is measured by traditional student preparedness metrics such as SAT scores, high school grade point averages, etc., and that WSU is up over 2,000 applications from last year. He reported that WSU is hosting events in communities throughout the state directed toward recruiting high achieving students and providing an opportunity for those prospective students to interact with faculty and staff. He said WSU has developed a packet of information, a set of activities and scholarships, research opportunities, and internship opportunities to recruit these high achieving students. Interim President Bernardo said it is a "Cougar promise" about what students could expect and the quality of the education they would receive if they come to WSU.

II. MINUTES. It was moved and seconded that the Board of Regents approve the minutes of its October 30, 2015, meeting. Carried.

III. REPORTS FROM UNIVERSITY GROUPS. Representatives from each of the University groups—Foundation Board of Governors, Faculty Senate, Administrative and Professional Advisory Council, Associated Students of WSU, Graduate and Professional Student Association, and the Alumni Association—reviewed their reports as submitted. (*Exhibit A*)

IV. EXECUTIVE COMMITTEE REPORT. Chair Durkan reported that the Executive Committee had one agenda item—a report from Regent Worthy on the Presidential Search Advisory Committee. Chair Durkan provided a brief recap of the process, beginning with the appointment of an ad hoc committee consisting of Regents Worthy, Jennings, and Powell, which will advise the Board on matters related to the search. She went on to say that in September the Regents approved the Presidential Search Guidelines, the Composition and Characteristics of the Presidential Search Advisory Committee, and the appointment of the Executive Search Firm of Isaacson, Miller. Chair Durkan reported that at the September 18 Board meeting the Regents approved the 25 member Presidential Search Advisory Committee, representing a wide variety of backgrounds, expertise, and perspectives; in mid-September WSU launched the Presidential Search website (<https://presidentiaalsearch.wsu.edu>); on October 7 the Search Advisory Committee held its first meeting; and following that meeting, Committee Chair Worthy launched into 26 listening sessions around the state, including sessions with the WSU Foundation Board, the Alumni Board, WSU Vancouver, WSU Tri-Cities, WSU Pullman, the Washington Grain Commission, WSU Spokane, Seattle, WSU North Puget Sound, and many others. She said the Committee has conducted outreach with key stakeholders that went into developing an Opportunities and Challenges profile available on the website, which identifies 12 essential qualities and strengths the Board would like to emphasize in screening candidates. She said one is a commitment to the land-grant mission, and the desire and ability to position WSU as a leading land-grant institution for the future. Secondly, the Board would like to see a passion for students and the belief in the power of education to change lives. She said the Board would like to see a commitment to diversity and inclusion, a personal commitment to and a conviction that diversity is essential to improve education, WSU, and society. She said the Board is also looking for a highly ethical, collegial, and consultative leader with a collaborative and transparent leadership style and unquestionable integrity. She said the Board is looking for experience in and knowledge of national and global business, public policy, and cultural matters, and a demonstrated understanding of philanthropic fundraising, including significant involvement in leading a comprehensive campaign. Chair Durkan reported that during the month of November the position has been advertised in several publications, including *The Chronicle of Higher Education*, and on December 9 the Search Advisory Committee held its second meeting to discuss the process for screening candidates going forward. She said the Committee is in the process of building the candidate pool and the search consultant is doing a very good job of

continuing to recruit and build the pool. Chair Durkan said we are continuing the process, are on track, and well on our way to finding the next great president of WSU.

Chair Durkan concluded the Executive Committee report.

V. FINANCE AND AUDIT COMMITTEE REPORT. Regent Powell reported that the Finance and Audit Committee had five Information Items. She said the first item was an Internal Audit Update by Chief Audit Executive Heather Lopez. She reported the second item was the WSU Financial Statement Audit Entrance provided by Debbie Pennick from the Washington State Auditor's Office. Regent Powell reported the third Information Item was regarding an RFQ about to be released for WSU Tri-Cities housing. The Committee was updated on the RFQ process and the past efforts of WSU Tri-Cities to develop student housing. She said WSU owns 13 acres of vacant land near the Wine Science Center where student housing could be located, and once the RFQ is released and WSU has reviewed the responses, Finance and Administration will update the Committee. Regent Powell reported the next item regarded the WSU Pullman, Hotel Phase 2: Marriott Courtyard. She said in 2010 the University entered into a 99-year ground lease of a 7.5 acre parcel with Stonebridge Company, who in 2014 opened the Marriott Residence Inn. She said the next plan is for a Marriott Courtyard on the property and the real benefit to WSU will be having an additional 3,300 square feet of meeting space, and a full kitchen which will allow for conferences to be held onsite. Regent Powell reported the final Information Item was an update on the WSU Supplemental Retirement Plan Benefit discontinued in 2011 and the impact of WSU's obligation under the plan for those employees "grandfathered" in prior to the discontinuation.

Regent Powell reported that the Committee heard one Future Action Item regarding the WSU Pullman, Plant Sciences Building (REC5). She said this is the next building in the research and educational complex which has put together a series of interconnected facilities to encourage collaboration amongst multiple colleges on the Pullman campus. She said it will allow programs to be relocated from antiquated facilities and will be a great recruitment and retention tool for faculty, scientists and students.

A. Action Items. Regent Powell reported that the Committee had one Action Item to bring forward to the Board.

1) WSU Pullman, The Chinook (Old Bookie) Schematic Design.
Regent Powell advanced the following motion:

WSU Pullman, The Chinook (Old Bookie) Schematic Design

It was moved and seconded that the Board of Regents approve the schematic design documents for the WSU Pullman, The Chinook (Old Bookie) project as proposed. Carried. (*Exhibit B*)

Regent Powell concluded the Finance and Audit Committee report.

VI. ACADEMIC AND STUDENT AFFAIRS COMMITTEE REPORT. Regent VanderMeulen (standing in as Chair of the Academic and Student Affairs Committee for Regent Carson) reported that the Committee heard an update on WSU research from Vice President for Research Chris Keane. Regent VanderMeulen said Vice President Keane demonstrated the new WSU Research website (research.wsu.edu) showcasing WSU Research and how it's connecting to the community and economic development.

Regent VanderMeulen reported that the Committee also heard from Interim Vice President for Student Affairs and Dean of Students Melynda Huskey on Student Wellbeing and Mental Health. He said there is large increase nationwide in students utilizing mental health resources.

Regent VanderMeulen reported that the Committee heard from Vice President of WSU Global Campus Dave Cillay on academic technology across the WSU system. Regent VanderMeulen said the ability of WSU's technology to connect our campuses has been a concern the Board has heard in the past. He said the Committee learned while there has been progress, there are still areas of concern in ensuring students can access the resources.

Regent VanderMeulen reported that the Committee heard five Future Action Items. He said the Committee heard from Vice President Huskey and Associate Vice President Terry Boston with regard to FY2017 Housing and Dining Rates. Regent VanderMeulen said a 1.3% increase is being recommended and will be brought as an Action Item at the January 2016 meeting for Board approval.

Regent VanderMeulen reported that the Committee heard the Future Action Item regarding Changes to the *Faculty Manual*—Appointment of Chairs and Directors.

Regent VanderMeulen reported that the Committee heard a brief presentation on the establishment of the Metropolitan Center for Applied Research and Extension based out of WSU North Puget Sound at Everett.

Regent VanderMeulen also reported on two additional Future Action Items regarding Degree Name Changes; 1) Master of Nursing in "Advanced Population Health" to "Population Health"; and 2) Material Science and Engineering Program in "Nuclear Engineering" to "Nuclear Material."

A. Action Items. Regent VanderMeulen reported that the Committee had one Action Item to bring forward to the Board:

1) Changes to the *Faculty Manual*—Section IV.H/Copyrights. Regent VanderMeulen advanced the following motion:

Changes to the Faculty Manual – Section IV.H/Copyrights

It was moved and seconded that the Board of Regents approve the changes to the *Faculty Manual*–Section IV.H/Copyrights as proposed. Carried. (*Exhibit C*)

Regent VanderMeulen concluded the Academic and Student Affairs Committee report.

VII. EXTERNAL AFFAIRS COMMITTEE REPORT. Regent Barbieri reported that the Committee heard a presentation from Vice President for Advancement John Gardner on Marketing-Communication/Advancement Initiatives. Regent Barbieri said WSU has a cougar brand “Coug Nation” and a unified system. He said the concept on how we market that brand and what that brand means to our diverse group of consumers, students, communities, and alumni is such an important issue and from a Board perspective we owe it an indepth discussion.

Regent Barbieri concluded the External Affairs Committee Report.

VIII. OTHER BUSINESS. Chair Durkan reported that the Regents met in Executive Session yesterday with legal counsel to discuss ongoing or potential litigation involving the University. She said no action is necessary at this time.

IX. PUBLIC COMMENT PERIOD. There was no public comment.

X. ADJOURNMENT. The meeting adjourned at 9:45 a.m.

Approved by the Board of Regents at its meeting held January 29, 2016, on the WSU Vancouver Campus.

SIGNED COPY AVAILABLE IN THE PRESIDENT’S OFFICE

December 11, 2015

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Foundation Regents Report

SUBMITTED BY: Judy Rogers, President, WSU Foundation
Chair, Board of Governors, WSU Foundation

The Washington State University Foundation is pleased to report the following:

- During Fiscal Year 2016 (July 1, 2015-June 30, 2016), the WSU Foundation has recorded \$41.4 million in total private support as of October 31, 2015. The WSU Foundation's Fiscal Year 2015 Progress Report is attached.
- The WSU Foundation's endowment market value as of September 30, 2015 was \$411.2 million. The investment return for FY2015 to date was -4.00%, and the three-year investment return to date was 6.60%. Additional endowment performance information can be found at: <https://foundation.wsu.edu/endowment-performance/>.
- Washington State University announced this month the creation of its largest endowed scholarship fund made possible through an estate gift from San Francisco Bay Area developer, philanthropist, and WSU alumnus Roscoe "Rock" Logan and his wife, Jane Logan. The \$16.5 million estate gift was received in September and will open doors for future teachers studying at WSU for generations to come. Beginning in 2016, The *R.H. and Jane Logan Scholarships* will be awarded annually to WSU undergraduate and graduate students who plan to teach in the public school system, have a 3.0 or higher grade point average, and demonstrate financial need. The awards are renewable for "Logan Scholars" as long as they continue to qualify according to the criteria. More information can be found at: <https://foundation.wsu.edu/category/fundraising-news/>.
- To date, the *Dr. Elson S. Floyd Medical Education Founders Fund* has received nearly \$1.9 million in gifts and pledges from 919 donors since the fund began in June. Established in accordance with the Floyd family's wishes, the new fund will support the accreditation, implementation, and operation of the new WSU College of Medicine. Additional information can be found at: <https://foundation.wsu.edu/tribute-to-leadership/>.
- The next meeting of the Board of Governors is March 4, 2016 in Everett, WA.
The next meeting of the Board of Trustees will be May 19-20, 2016, in Spokane, WA.

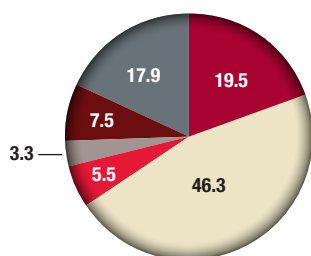
WASHINGTON STATE UNIVERSITY FOUNDATION
YEAR-TO-DATE PROGRESS REPORT
July 1, 2015 - October 31, 2015

FY2016-to-date	10/31/2015	10/31/2014
Gift Totals	\$28,143,703	\$23,076,694
Private Grants	\$7,409,233	\$10,441,194
Sub Total, Gifts & Grants	\$35,552,936	\$33,517,888
Pledge Balance	\$2,773,492	\$1,027,383
Sub Total Gifts, Grants & Pledges	\$38,326,428	\$34,545,271
Revocable Gifts	\$3,058,405	\$6,043,155
Annual Fundraising Totals	\$41,384,833	\$40,588,426
Other Contributions	\$0	\$0
Annual Total	\$41,384,833	\$40,588,426

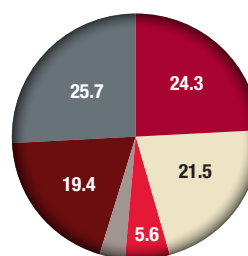
Note: These figures are unaudited

FISCAL YEAR CONTRIBUTIONS BY SOURCE

(AS A PERCENTAGE)



OCTOBER 2015



OCTOBER 2014

Month Ended October 31	10/31/2015	10/31/2014
Gift Totals	\$3,602,640	\$7,022,658
Private Grants	\$1,879,364	\$2,164,377
Sub Total, Gifts & Grants	\$5,482,004	\$9,187,035
Pledge Balance	-\$246,972	\$334,044
Sub Total Gifts, Grants & Pledges	\$5,235,032	\$9,521,079
Revocable Gifts	\$373,405	\$1,810,655
Other Contributions	\$0	\$0
Monthly Total	\$5,608,437	\$11,331,734

Endowment Summary	Three Months Ended 9/30/2015	Three Months Ended 9/30/2014
Endowment, Beginning	\$412,826,312	\$404,995,479
Gifts and Other Additions	\$19,644,332	\$7,660,008
Investment Gains (Losses)	-\$15,747,704	-\$452,676
Distributions to WSU Programs and Advancement Fee	-\$5,496,622	\$5,353,193
Endowment, Ending	<u>\$411,226,318</u>	<u>\$406,849,619</u>
Investment Return, FY2016-to-date	-4.00%	-0.10%
Three-year return through Sept. 30, 2015 and Sept. 30, 2014	6.60%	10.60%

KEY STATISTICS	10/31/2015	10/31/2014
Alumni of Record Available for solicitation	172,735	168,485
Alumni Participation Rate	3.7%	3.6%
Total Number of FY2016 Donors	15,888	16,422
Total FY Gifts, Grants, Pledges, Revocable Commitments	26,129	25,725

Constituent Year-To-Date Progress Report

October 31, 2015

College/Campus/Unit	Goal	Gifts To Date	New Pledges	Private Grants	Revocable Commitments	Other Contributions	Total Commitments	% of Goal	To be Raised
CAHNRS/4-H-Extension	25,000,000	3,831,064	162,570	2,633,436	250,000	0	\$6,877,070	27.5%	\$18,122,930
Arts & Sciences	7,500,000	255,817	21,166	353,232	0	0	\$630,215	8.4%	\$6,869,785
Carson College of Business	7,000,000	224,973	30,070	0	100,000	0	\$355,043	5.1%	\$6,644,957
Murrow College of Communication	1,500,000	50,934	5,795	0	325,000	0	\$381,729	25.4%	\$1,118,271
Education	1,500,000	153,792	4,645	2,000	825,000	0	\$985,437	65.7%	\$514,563
Voiland College of Eng. & Arch.	10,000,000	1,010,644	165,900	1,399,402	0	0	\$2,575,945	25.8%	\$7,424,055
Honors College	600,000	60,702	650	0	70,000	0	\$131,352	21.9%	\$468,648
Nursing	1,000,000	90,209	6,765	46,896	200,000	0	\$343,870	34.4%	\$656,130
Pharmacy	1,500,000	410,545	1,250	437,596	0	0	\$849,391	56.6%	\$650,609
Veterinary Medicine	7,700,000	1,275,223	511,987	1,207,546	197,405	0	\$3,192,161	41.5%	\$4,507,839
WSU Spokane	2,500,000	964,089	100,555	78,830	0	0	\$1,143,474	45.7%	\$1,356,526
WSU Tri-Cities	2,800,000	132,726	1,748	116,387	0	0	\$250,860	9.0%	\$2,549,140
WSU Vancouver	2,500,000	206,742	28,882	230,846	0	0	\$466,470	18.7%	\$2,033,530
Cougar Athletics	12,000,000	940,167	920,990	0	1,000	0	\$1,862,157	15.5%	\$10,137,843
Graduate School	500,000	195,050	0	204,000	0	0	\$399,050	79.8%	\$100,950
International Programs	1,700,000	2,354	1,175	0	0	0	\$3,529	0.2%	\$1,696,471
Libraries	500,000	20,821	275	0	0	0	\$21,096	4.2%	\$478,904
Murrow Public Media	3,000,000	523,445	2,132	169,739	0	0	\$695,316	23.2%	\$2,304,684
Museum of Art	2,500,000	114,839	31,275	0	100,000	0	\$246,114	9.8%	\$2,253,886
Student Affairs & Enrollment	2,500,000	16,430,714	12,205	299,236	1,000,000	0	\$17,742,155	709.7%	\$0
Undergraduate Education	0	12,165	200	0	0	0	\$12,365	0.0%	\$0
General University Support	6,200,000	1,236,688	763,257	230,088	-10,000	0	\$2,220,033	35.8%	\$3,979,967
FY2016 Annual Totals	\$100,000,000	\$28,143,703	\$2,773,492	\$7,409,233	\$3,058,405	\$0	\$41,384,833	41.4%	\$58,615,167

** Grand total is correct. It is smaller than column cumulative because some gifts and pledges for branch campuses are also reflected in college figures.*

December 11, 2015

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Faculty Senate Report

SUBMITTED BY: Faculty Senate Executive Committee, Richard Zack, Chair

1. Met with the President and Co-Provosts to discuss items of concern. These include safety issues on campus (e.g., active shooter scenario, training for faculty, staff, and students), broad topic of mental health issues, budget reallocations, and general relationships between campuses of the WSU system. Dr. Bernardo spoke at the 19 November meeting of the Faculty Senate.
2. Co-sponsored “An Elegant Dinner” and the visit of Dr. Deryl Hunt to Pullman and his presentations on “The Power of Mentoring via The Ellison Model.” Dr. Hunt also spoke at a meeting of the Faculty Senate.
3. Hosted a social for the members of the Faculty Senate. We are endeavoring of build more personal relationships between senators, which we hope will allow for more communication among them and a stronger overall senate and the generation of ideas through less formal conversation.
4. We are beginning to implement suggestions from the Academic Integrity Task Force. Again, this will be a joint Provost/Faculty Senate venture. This will be a long-term project with the hope of instilling a culture of academic integrity as opposed to forcing one.
5. We are examining the discontinuation of the program in Counseling Psychology in the College of Education.
6. The Faculty Senate Chair visited Tri-Cities and Vancouver.

December 11, 2015

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: ASWSU Spokane Regents Report

SUBMITTED BY: Pierce Robledo

The ASWSUS executive staff focused on three goals for the 2015 -2016 academic year. We determined these goals based on student feedback and our experience working for ASWSUS last year while adding our own goals for the campus. This report will summarize these goals in more detail, summarize our work so far, things to work on in the future, different ways we would like to improve our campus and discuss potential new needs.

Goal #1: Create a fitness center for WSU Spokane

- We are considered a health science campus and it is important that we create a building dedicated to establishing individual's health. Also, by creating a fitness center organizations can host sports tournaments, fitness classes, intramural leagues, and health fairs.
- Each program has a unique need for their class. One such Program the Nutrition Exercise Physiology (NEP) program requires 1st year students to go to a fitness center in Spokane Community College to learn different techniques for their exercise class. If we create a fitness center on campus this will enable NEP students to host their class on site and will decrease students from traveling to a different location.
- Creating a fitness center will also create on campus job opportunities for students that want to work a flexible job to accommodate their class schedule. WSU Spokane does not offer very many opportunities for students who want to work on campus. This will increase the number of student job opportunities on campus and help students that are in need of work and extra money to pay for school.
- Pursue and keep constant communication with WSU Spokane Administration to plan a development a fitness center on campus i.e. Jensen Byrd
- Help alleviate the costs of creating a fitness center by having students vote for a fee each semester to help fund the campus fitness center
- Pursue viable funding options by partnering with Eastern Washington University to cover costs of a campus fitness center by sharing the facility with EWU students and faculty

Goal #2: Establish a program to help students who have children while attending WSU Spokane

- Many of the students in WSU Spokane are considered non-traditional students. A good portion of our student population have children. Being a student with a family is a tough task and ASWSUS wants to provide help for those students
- Last year we were able to survey students with families and asked them their need for a childcare subsidy. We took a lot from that survey and realized that students , but we

also want to expand our horizon to more than just childcare and seek input on what students true needs with families

- The 2014 – 2015 ASWSUS Senate provided the committee \$10,000 to use/implement a program to help students with families.
- The committee has decided to create another survey to see what other needs students with children need to help them do well in their program
- We have also created a Family Friendly Program that will coordinate with different community organizations to establish resources to help connect students with children discounts in the community partner with the food pantry on campus to help provide baby formula, diapers and various other needs for students
- Lastly, are still pursuing with the administration to plan and hopefully create a childcare center for the university district in partnership with other colleges

Goal #3: Improve student life and resources for students in the Yakima campus of WSU Spokane

- With our campuses so far apart, communication between our campuses is of the utmost importance. The Yakima campus needs to feel connected to Spokane, and proper communication techniques will help with this. We have a lot of advanced technology that can help.
- Asking the Yakima students exactly what they want and need is the key to success. Further, Yakima students need to be honest and frank with what they need, and make sure their voice is heard. If they are complacent then the task becomes that much harder.
- It is critical that we establish a student-to-student connection between the campuses. This will streamline communication and allow for a leader to emerge from the Yakima students. We see there being representatives from both Pharmacy and Nursing communicating with ASWSUS in order to properly disseminate important information from Spokane to Yakima.
- Community outreach in the Yakima area will be the best method to expose Yakima students to the events that each program's organizations hold, and will be optimal for showing these students how to be an important part of their own local community.
- While email is efficient to communicate between campuses, it is certainly not the most personal. We would use techniques such as video conferencing and YouTube to reach out to the students in an interesting manner, as well as more frequent visits to the campus for outreach.

Looking forward:

As we continue our term in the spring semester, we hope that we are able to accomplish our goals and if not help the next group continue on were we have left off. In the future we hope that we are able to identify more needs on campus such as increasing on campus job opportunities, planning more inter-professional events on campus, and impact our community by working with the administrators, community leaders, and students.

Conclusion:

We understand that these are lofty goals for one semester and we know most of this will not be accomplished in one year, but we are hoping to start the discussion now and hope we progress the issues we bring up. We will continue to strive to meet our goals as we start the next semester. We thank you for the opportunity to have a hand in the extracurricular education of future health care providers and a chance to represent our students on this growing campus.

December 11, 2015

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: GPSA Report

SUBMITTED BY: Melanie Thornton, President

On behalf of GPSA, I would like to thank the Board of Regents for your continual support of graduate and professional students. It is with great pleasure that I report the following:

National Association of Graduate and Professional Students (NAGPS): Melanie Thornton, President, Darlington Sabasi, Director of Grants and Scholarship, and Ghazi Bari, Director of Programming, attended the annual NAGPS conference at University of Southern California from October 29 – November 1. Melanie gave a presentation on graduate student leadership and engaging graduate students in decision making. Katie Harris, GPSA Director of Legislative Affairs, was elected to serve on the NAGPS Board of Directors as the Director of Legislative Affairs, and Melanie Thornton was elected to serve as the Director of Communication for 2016. Melanie also received the 2015 President's Award for Excellence in Advocacy. As legacy members of NAGPS, this organization allows GPSA leaders to meet peer graduate student leaders, learn about best practices and issues impacting graduate and professional students across the country, and thus improve the effectiveness of our organization.

Professional Development: GPSA has developed a partnership with WSU's Center for Transformational Learning and Leadership. The Center will be hosting a GPSA leadership workshop on Monday, March 21, 2016, during the week of Academic Showcase. The workshop will explore current theories of leadership, and allow individuals to discover personal leadership values and strengths upon which an individual's personal vision of excellence in leadership will be built. GPSA is excited about the beginning of this partnership and look forward to working with the Center in the future.

Legislative Affairs: GPSA participated in the NAGPS Call Congress Day event, November 18, where graduate and professional students across the nation called Congress to talk about the importance of graduate education. GPSA made a total of **52(!!)** calls to Congress focusing on international student visas, student loans, research funding and open access. This was our second time participating in the event and we doubled the number of phone calls from the previous event. GPSA sent two Executive Board members to attend the Washington Students Association General Assembly and Board of Directors meeting held at Central Washington University on November 14. Finally, GPSA will be sending 12 graduate/professional students to Olympia in January to participate in Cougar Day at the Capitol.

Town Hall – Strategic Plan: GPSA held a town hall forum, November 12, to discuss the long-term needs of the graduate/professional student community. Major topics included funding for conference travel, fellowship and scholarship opportunities, childcare support, and mental health and well-being.

Affiliate Funding: GPSA awarded \$15,000 to 26 registered student organizations for Spring 2016.

Excellence Awards: GPSA selected graduate and professional students for Teaching Assistant, Graduate Student Instructor, Research Assistant, and Graduate Assistant excellence awards for Summer/Fall 2015. GPSA also awarded an Advisor Excellence Award, and a Registered Student Organization Award. We realize that many of our peers and advisors are going above and beyond what is expected and we want them to be recognized.

December 11, 2015

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: APAC Report

SUBMITTED BY: Larry Clark, Chair, Administrative Professional Advisory Council

The Administrative Professional Advisory Council is pleased to report the following:

- We had a good turnout for the APAC-sponsored Active Shooter training on November 6 at the Pullman campus. Among the 125 total participants, 65 were onsite at Pullman and another 60 joined by videoconference from the urban campuses and research stations.
- President Bernardo spoke to APAC on November 12 and updated the council on University news and events, such as the Bellevue partnership, medical school, and the budget reallocation. We would like to thank him for his willingness to answer questions candidly and for his accessibility.
- APAC is sponsoring the Toys for Tots holiday charity drive on the Pullman campus.
- The council joined Faculty Senate and the Office of Equity and Diversity in sponsoring the presentation by Dr. Deryl Hunt on inclusive community building.
- The APAC chair will visit administrative professionals on the urban campuses over the next few months to listen to concerns and gather ideas from them for improving communication across the University.
- We began sending out our monthly AP email newsletter to disseminate information of importance to administrative professionals.
- The council will have presentations at upcoming meetings on stress management and work/life balance, and respectful communication in a global world (with Vice President Asif Chaudhry).

December 11, 2015

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Alumni Association Progress Report

SUBMITTED BY: Tricia Hukee, WSUAA President

On the heels of the Alumni Association's record achievement of 30,000 members, the fall lineup of activities continues to break records.

- Away-game events including *PreGames* and the *Football Friday* evening events filled to capacity and beyond. At Rutgers, Cougs enjoyed our event in Times Square, and after over-filling the venue, Cougs had to be turned away at the door for the *PreGame* the next day. The trend continued through the season leading to the UCLA game at the Rose Bowl where we hosted the over 1,300 Cougs who attended that *PreGame*.
- *The Feast* dinner series welcomed Cougar-connected wineries Barnard Griffin, L'Ecole No. 41, Maryhill, Chateau Ste. Michelle, and Mercer Estates. Each sell-out crowd was treated to fantastic cuisine, wine, and entertainment. Since the WSUAA was given responsibility for managing *The Feast*, we have sold out every dinner over the course of the past seven years.
- During Homecoming we welcomed the largest group of Golden/Diamond Reunion attendees in recent history. We also filled the Alumni Centre during the Platinum Life and Life Member Reception, where we surprised Platinum Life members with desk plaques.
- We are also staying connected with our future alumni. Through events like Grad Fair, where students complete all the steps necessary to participate in graduation, we expect to welcome over 800 new WSUAA members after the December Commencement tomorrow. This is in addition to the 2,500 student members across all campuses.
- We would like to publicly acknowledge how fortunate we are to receive support from WSU, the Board of Regents, and our fantastic alumni. Today we extend a special thank-you to Platinum Life Members, Interim President Dan Bernardo and Interim Co-Provost Ron Mittelhammer for their hands-on involvement in all of the WSUAA's activities this past fall. From the WSUAA Fall Leadership Conference, the *PreGames*, the *Feasts*, Golden/Diamond Grad Reunions, the Platinum Life and Life Member Reception, to numerous other events, Drs. Bernardo and Mittelhammer have supported the WSUAA every step of the way. Their support means the world to us and to our alumni.

WSUAA – Our Alumni Make Us Look Really Good

ACTION ITEM #1

WSU Pullman, The Chinook (Old Bookie) - Schematic Design (Olivia Yang)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Pullman, The Chinook (Old Bookie), Schematic Design

PROPOSED: That the WSU Board of Regents approve the schematic design documents for the WSU Pullman, The Chinook (Old Bookie) project.

SUBMITTED BY: Olivia Yang, Interim Vice President for Finance and Administration

SUPPORTING INFORMATION: The Old Bookie building has been vacant for the last seven years since the Student Book Corporation relocated into the remodeled Compton Union Building. The Old Bookie consists of 88,000 square feet of space located at the north edge of campus, one of WSU's main entryways.

In 2014, efforts were undertaken to test the feasibility of renovating the building into a student services facility to augment student social and recreation spaces on campus. On March 11, 2015, WSU Pullman students voted to increase student fees by \$98 per semester in order to generate roughly \$3.3 million per year to meet a debt payment estimated to be approximately \$2.2 million, which would cover the project costs. The student fee would also cover the operating and maintenance costs of the renovated facility estimated at \$1.1 million.

This project will include a full building renovation that will repurpose the building as a new student space. Amenities are to include ample study and social spaces, a quick serve restaurant, recreation spaces, a fitness center, and an outdoor courtyard developed to include outdoor seating and a variety of activity spaces.

The location of this facility will provide these services and amenities in a closer proximity to many of the students housed near this section of the campus.

The Board of Regents approved the design and construction for the project within the budgeted amount of \$32,000,000 at the May, 2015 meeting.

The design presentation is appended as Attachment A.

ACTION ITEM #1
Revisions to the Faculty Manual
(Erica Weintraub Austin)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Revisions to the Faculty Manual

PROPOSED: That the Board of Regents approve the attached changes to the Faculty Manual – Section IV H/ Copyrights

SUBMITTED BY: Erica Weintraub Austin, Interim Provost and Executive Vice President

SUPPORTING INFORMATION: On September 15, 2015, the Faculty Affairs Committee approved the attached recommended changes from the Office for Economic Development & External Affairs to Section IV.H Copyright Policy, of the Faculty Manual. This recommendation was passed by the Faculty Senate on October 8, 2015.

TO: Richard Zack, Chair of Senate

FROM: Judith McDonald, Chair of the Faculty Affairs Committee



SUBJECT: Proposed changes to the *Faculty Manual* regarding Copyrights and Royalties

DATE: September 16, 2015

On September 15, 2015, the Faculty Affairs Committee approved the attached recommended changes from the Office for Economic Development & External Affairs to Section IV.H Copyright Policy, of the Faculty Manual.

CURRENT-Proposed Revisions to Faculty Manual Section IV. H.

Copyright Policy ~~language in Faculty Manual (as approved 050814)~~

H COPYRIGHT POLICY

The United States government grants a copyright to the author or creator of original works of authorship. Copyrights for works created after January 1, 1978, are granted for the term of the author's life and an additional 70 years. In the case of a work made for hire, the term of the copyright is 95 years from the year of first publication or 120 years from the year of creation, whichever expires first. The copyright allows the author or persons assigned rights for the author to rightfully withhold others from copying or using the works without permission. A copyright is automatically secured when the work is created or "fixed" in a tangible medium. No publication or registration or other action in the Copyright Office is required; however, it is required that a copyright be registered before a lawsuit is brought. Refer to the U.S. Copyright Office at <http://lcweb.loc.gov/copyright/> for further information.

1. Copyright Policy Objectives

a.) The University encourages the publication of scholarly works as an inherent part of its educational mission. In this connection, it acknowledges the right of faculty, staff, and students to prepare and publish, through individual initiative, architectural designs, photographs and slides, illustrations, computer software, multimedia presentations, sound recordings, video productions, telecasts, music, grant proposals, scholarly publications, and other material. The following statement of University policy on ownership of copyrightable material is provided to clarify the respective rights and responsibilities of individuals and the University in this important area. OC will administer the policy.

2. Copyright Ownership

a.) University Ownership of Copyrighted Works

(1) Work Made for Hire. Except as otherwise provided in the Employee Ownership of Copyrighted Works section of this Policy, sub section 2.b of this manual or as otherwise provided in WSU policy, the University shall own all copyrightable works that were created as a "work made for hire." "Work made for hire," as defined by the Copyright Act, includes (1) works prepared by University employees within the employee's scope of employment, or (2) works not created within the employee's scope of employment but that are specially commissioned by the University pursuant to a written agreement that is signed by both the University and the employee.

(2) Sponsored Agreements. The University shall have the right to perform its obligations with respect to copyrightable works, data, prototypes, and other intellectual property under any contract, grant, or other arrangement with third parties, including sponsored research agreements, license agreements, and the like. When a work is created in a sponsored program, Employees shall assign all rights to the University ~~or~~ as unless otherwise required by the sponsored agreement necessary to facilitate obligations under grants and contracts.

(3) The Employee shall own copyrightable works unrelated to the employee's University

employment responsibilities that are developed on an employee's own time and without University support or use of University facilities.

b) ~~Faculty~~Employee Ownership of Copyrighted Works.

(1) The University shall not assert ownership in the following works created by ~~Faculty~~Employees within the ~~Faculty's~~Employee's scope of employment including, but not necessarily limited to, the following:

- (a) scholarly material,
- (b) educational material (eg., text books),
- (c) art works,
- (d) musical compositions,--
- (e) sound recordings
- (f) dramatic and nondramatic literary works, and
- (g) Creative works fixed in a film, video, or other media.

unless (1) substantial kinds or amounts of University resources, as defined below, were used to create the works; (2) the works are created pursuant to a written agreement between the employee and the University; or (3) the works are created pursuant to ~~at the terms of a~~ third-party sponsored agreement, contract, or grant, ~~specifically allocating ownership rights to the University~~university.

- ~~(a) scholarly material,~~
- ~~(b) educational material,~~
- ~~(c)(a) art works,~~
- ~~(d) musical compositions, and~~
- ~~(e) dramatic and nondramatic literary works.~~

(2) Substantial University Resource Use Resulting in University Ownership. The University shall assert an ownership interest for works identified in the previous paragraph to which the University contributes substantial kinds or amounts of resources. Each department or unit of the University ~~may publish, with~~is required to propose for the approval of the Provost ~~or his/her designee,~~ a description of what ~~constitutes~~department specific resources should not constitute substantial kinds or amounts of University resources. ~~In, which may or may not include computers and software routinely distributed to faculty in the event that a department or unit does not publish such a policy prior to perform the creation of~~faculty's duties to the worksUniversity. (see form in BPPM)) Unless the Provost has approved such departmental exceptions, substantial kinds or amounts of resources shall mean the use of staff or clerical time other than peer review; provision of university funding specifically for or in support of the development of the work; ~~not to include professional leave,~~ and provision of equipment, facilities, and supplies, beyond that which is usually provided for meeting employment obligation. Substantial kinds or amounts of resources shall not include professional leave provided to faculty.

Use of equipment, facilities, and supplies which are usually provided for faculty to meet employment obligation typically include, but are not necessarily limited to, office space, a computer and peripherals including a printer and software and resources included in the BPPM Form which may be unit specific in a department proposal as provided above, which has been approved by the Provost or designee. Note: When a service center is open to use by the public through a facility use agreement or contract, the faculty's use of the service

center on the same terms and conditions available to the public is not considered a significant resource.

c.) Student Writings. Students employed by the University in any capacity are covered by the terms of this policy. In addition, where a student receives financial aid or remuneration under a sponsored research, training, or fellowship program, his or her rights in copyrightable material are limited by the terms of the University agreement with the sponsoring agency. The University has no ownership rights in copyrightable material developed by students who are not employees.

d.) Patentable Works. Some works, particularly certain types of computer programs, may qualify for patent as well as copyright protection. An author, upon recognizing that one of his or her works is of this kind, is responsible for disclosing it to OC for a determination of (i) ownership and (ii) whether the University wishes to seek patent protection should ownership be vested in the University. OC, following the procedures set out in the University's patent policy, will make these determinations. If ownership of such a work is vested in the University under the patent policy, but the University decides not to protect the work, ownership and disposition of the work is then determined in accordance with this Policy. If Faculty wish to appeal OC's or its staff's decisions, the procedure set out in section 6 of the Patent Policy shall be followed.

3. Administration of the Copyright Policy

a.) Disclosure. Material subject to copyright and owned by the University under the circumstances set forth in the Copyright Policy should be promptly disclosed to OC.

b.) Determination of Ownership in Unclear Cases. Such determinations will be made by OC and will follow the guidelines set out in this Policy. Either the University or the author may initiate this review.

c.) Distribution of Royalties. See the Division of Copyright Royalties section of this document.

d.) General Advice and Assistance. Contact the Washington State University, Office of Commercialization, WSU Research and Technology Park, Pullman, WA 99164-1802, telephone (509) 335-5526.

4. Management of Copyrights

a.) The University will retain ownership of its copyright interests for development by OC or other University publishing units or Colleges, e.g., Office of Publications and Printing, Educational Telecommunications and Technology, Information Technology, or the Extended Degree Program. The University may select a managing agent and execute any necessary assignments to the managing agent.

b.) Copyright registration is simple. Software commercialization through sale or licensing may be complex and expensive requiring active participation by the authors and the University.

5. Division of Copyright Royalties on University Owned Copyrights managed by OC

~~a.) (1) The University retains all monetary proceeds from commercialization of University-owned copyrighted works (often software). When practicable and consistent with any related agreements, the University or its designee may collect and distribute royalties, fees, equity interests, or dividends to authors and University in accordance with procedures established by the University. The guidelines as follows will be used most commonly, but the University reserves the right to adjust the distribution of its share.~~

a.) ~~The University or its designee, OC,~~ will deduct the costs of obtaining and maintaining legal protection, for each copyrighted work to arrive at “~~adjusted income~~Adjusted Income.”

~~(2) The University or its designee, OC,~~ will deduct twenty percent (20%) from ~~adjusted income~~Adjusted Income. This deduction is directed toward covering the expenses for administering OC.

~~(3) The University or its designee, OC,~~ will ~~first~~ reimburse the appropriate University unit, including OC, for expenses advanced in developing and distributing the copyrighted work, e.g., distance learning courseware. The remaining income is the Net Income.

~~(4) Copyright royalty income~~(4) Net Income for each copyrighted work will be distributed to authors and/or creators and/or contributors as identified in Patent Policy

~~V. a.2,~~ Section 8. Division of Patent Royalties.

b.) In the event of multiple authors, the authors will agree among themselves as to the distribution of the income accruing to the authors; distribution of the authors' share shall be made only upon receipt of a signed agreement between the authors.

c.) The University or its designee may negotiate, but shall not be obligated to negotiate, for equity interests in lieu of or in addition to royalty and/or monetary consideration as a part of an agreement relating to Inventions or Copyrightable Works. Any equity interests acquired pursuant to this section shall be assigned to the Washington ~~State Research Foundation or a designee of the~~ University ~~Foundation~~ for management. Neither the Washington ~~State University Research~~ Foundation nor the University or its designee acts as a fiduciary for any person concerning equity or other consideration received under the terms of this regulation.

6. Division of Copyright Royalties on University Owned Copyrights managed by another University unit (University publishing units or Colleges)

The University unit manages collection and distribution of all net monetary proceeds from commercialization of University-owned copyrighted works managed by an University unit other than OC. When practicable and consistent with any related agreements, the University unit may collect and distribute royalties, fees, proceeds from equity interests, or dividends to authors and University in accordance with the royalty distribution guidelines agreed to by the parties. Distribution of the University share of the net income from commercialization will be as outlined in Section 5a, unless other contractual arrangements are agreed to by all parties, including the managing unit or college, who are

eligible to share in the income from the copyrighted works.

7. Division of Copyright Royalties on University Owned Copyrights managed by an agent other than OC and another University unit

The University manages and distributes all net monetary proceeds from commercialization of University- owned copyrighted works managed by an agent other than OC or another University unit, including University Publications. When practicable and consistent with any related agreements, the University or its managing agent may collect and distribute royalties, fees, proceeds from equity interests, or dividends to authors and University in accordance with the royalty distribution guidelines agreed to by the parties. If University has contracted that the works are to be managed by a third-party as provided in subsection 4a, that managing agent shall be entitled to deduct its contracted fee from those proceeds prior to the University receiving its share of the monetary proceeds. Distribution of the University share of the net income from commercialization will be as outlined in Section 5a, unless other contractual arrangements are agreed to by all parties, including the managing unit or college, who are eligible to share in the income from the copyrighted works.

IV H. Copyright Policy

The United States government grants a copyright to the author or creator of original works of authorship. Copyrights for works created after January 1, 1978, are granted for the term of the author's life and an additional seventy (70) years. In the case of a work made for hire, the term of the copyright is ninety-five (95) years from the year of first publication or one hundred twenty (120) years from the year of creation, whichever expires first. The copyright allows the author or persons assigned rights for the author to rightfully withhold others from copying or using the works without permission. A copyright is automatically secured when the work is created or "fixed" in a tangible medium. No publication or registration or other action in the Copyright Office is required; however, it is required that a copyright be registered before a lawsuit is brought. Refer to the U.S. Copyright Office at <http://lcweb.loc.gov/copyright> for further information.

1. Copyright Policy Objectives

a) The University encourages the publication of scholarly works as an inherent part of its educational mission. In this connection, it acknowledges the right of faculty, staff, and students to prepare and publish, through individual initiative, architectural designs, photographs and slides, illustrations, computer software, multimedia presentations, sound recordings, video productions, telecasts, music, grant proposals, scholarly publications, and other material. The following statement of University policy on ownership of copyrightable material is provided to clarify the respective rights and responsibilities of individuals and the University in this important area. OC will administer the policy.

2. Copyright Ownership

a) University Ownership of Copyrighted Works

(1) Work Made for Hire. Except as otherwise provided in the Employee Ownership of Copyrighted Works section of this Policy, the University shall own all copyrightable works that were created as a "work made for hire." "Work made for hire," as defined by the Copyright Act, includes 1) works prepared by University employees within the employee's scope of employment, or 2) works not created within the employee's scope of employment but that are specially commissioned by the University pursuant to a written agreement that is signed by both the University and the employee.

(2) Sponsored Agreements. The University shall have the right to perform its obligations with respect to copyrightable works, data, prototypes, and other intellectual property under any contract, grant, or other arrangement with third parties, including sponsored research agreements, license agreements, and the like. Employees shall assign all rights to the University or as required by the sponsored agreement necessary to facilitate obligations under grants and contracts.

(3) The Employee shall own copyrightable works unrelated to the employee's University employment responsibilities that are developed on an employee's own time and without University support or use of University facilities.

b) Faculty Ownership of Copyrighted Works.

(1) The University shall not assert ownership in the following works created by Faculty within the Faculty's scope of employment, unless 1) substantial kinds or amounts of University resources, as defined below, were used to create the works; 2) the works are created pursuant to a written agreement between the employee and the University; or 3) the works are created pursuant to a third-party sponsored agreement, contract, or grant, specifically allocating ownership rights to the University.

(a) scholarly material,

(b) educational material, 2015-16 Faculty Manual Board of Regents Approved 05.08.15

- (c) art works,
- (d) musical compositions, and
- (e) dramatic and nondramatic literary works.

(2) Substantial University Resource Use Resulting in University Ownership. The University shall assert an ownership interest for works identified in the previous paragraph to which the University contributes substantial kinds or amounts of resources. Each department or unit of the University may publish, with the approval of the Provost, a description of what constitutes substantial kinds or amounts of University resources. In the event that a department or unit does not publish such a policy prior to the creation of the works, substantial kinds or amounts of resources shall mean the use of staff or clerical time other than peer review; provision of university funding specifically for or in support of the development of the work; not to include professional leave, and provision of equipment, facilities, and supplies beyond that which is usually provided for meeting employment obligation.

c) Student Writings. Students employed by the University in any capacity are covered by the terms of this policy. In addition, where a student receives financial aid or remuneration under a sponsored research, training, or fellowship program, his or her rights in copyrightable material are limited by the terms of the University agreement with the sponsoring agency. The University has no ownership rights in copyrightable material developed by students who are not employees.

d) Patentable Works. Some works, particularly certain types of computer programs, may qualify for patent as well as copyright protection. An author, upon recognizing that one of his or her works is of this kind, is responsible for disclosing it to OC for a determination of (i) ownership and (ii) whether the University wishes to seek patent protection should ownership be vested in the University. OC, following the procedures set out in the University's patent policy, will make these determinations. If ownership of such a work is vested in the University under the patent policy, but the University decides not to protect the work, ownership and disposition of the work is then determined in accordance with this Policy. If Faculty wish to appeal OC's or its staff's decisions, the procedure set out in section 6 of the Patent Policy shall be followed.

3. Administration of the Copyright Policy

a) Disclosure. Material subject to copyright and owned by the University under the circumstances set forth in the Copyright Policy should be promptly disclosed to OC.

b) Determination of Ownership in Unclear Cases. Such determinations will be made by OC and will follow the guidelines set out in this Policy. Either the University or the author may initiate this review.

c) Distribution of Royalties. See the Division of Copyright Royalties section of this document.

d) General Advice & Assistance. Contact the Washington State University, Office of Commercialization, WSU Research and Technology Park, Pullman, WA 99164-1802, telephone (509) 335-5526.

4. Management of Copyrights

a) The University will retain ownership of its copyright interests for development by OC or other University publishing units or Colleges, e.g., Office of Publications and Printing, Educational Telecommunications and Technology, Information Technology, or the Extended Degree Program. The University may select a managing agent and execute any necessary assignments to the agent.

b) Copyright registration is simple. Software commercialization through sale or licensing may be complex and expensive requiring active participation by the authors and the University. 2015-16 Faculty Manual Board of

Regents Approved 05.08.15

5. Division of Copyright Royalties

a) The University retains all monetary proceeds from commercialization of University-owned copyrighted works (often software). When practicable and consistent with any related agreements, the University or its designee may collect and distribute royalties, fees, equity interests, or dividends to authors and University in accordance with procedures established by the University. The guidelines as follows will be used most commonly, but the University reserves the right to adjust the distribution of its share.

(1) The University or its designee will deduct the costs of obtaining and maintaining legal protection for each copyrighted work to arrive at "adjusted income."

(2) The University or its designee will deduct twenty percent (20%) from adjusted income. This deduction is directed toward covering the expenses for administering OC.

(3) The University or its designee will first reimburse the appropriate University unit for expenses advanced in developing and distributing the copyrighted work, e.g., distance learning courseware. The remaining income is the Net Income.

(4) Copyright royalty income will be distributed as identified in Patent Policy IV.G.8.

b) In the event of multiple authors, the authors will agree among themselves as to the distribution of the income accruing to the authors; distribution of the authors' share shall be made only upon receipt of a signed agreement between the authors.

c) The University or its designee may negotiate, but shall not be obligated to negotiate, for equity interests in lieu of or in addition to royalty and/or monetary consideration as a part of an agreement relating to Inventions or Copyrightable Works. Any equity interests acquired pursuant to this section shall be assigned to the Washington State University Foundation for management. Neither the Washington State University Foundation nor the University acts as a fiduciary for any person concerning equity or other consideration received under the terms of this regulation.