

March 1, 2019

BOARD OF REGENTS MEETING NOTICE

March 7-8, 2019

The Washington State University Board of Regents will hold its next official meetings on Thursday and Friday, March 7-8, 2019, on the WSU Everett campus, in Everett, Washington, pursuant to the schedule below.

Meetings will take place at WSU Everett in the room locations outlined in the schedule below, except as otherwise noted.

Committee meetings will run as outlined below throughout the day; starting times following the 1:15 pm committee meetings are estimates only. If a session ends earlier than expected, the next scheduled session may convene immediately. Committee meetings may be attended by all members of the Board of Regents, and all members may participate.

Thursday, March 7, 2019		Location
12:00 pm	Board of Regents Lunch	Room 430
12:45 pm	Executive and Governance Committee	Room 101
1:15 pm	Concurrent Meetings	
	Research and Academic Affairs Committee	Room 101
	Student Affairs and Student Life Committee	Room 412
	Institutional Infrastructure Committee	Room 212
2:30 pm*	Finance and Compliance Committee	Room 101
4:00 pm*	Strategic and Operational Excellence Committee	Room 101
4:30 pm*	Executive Session	Room 101
6:30 pm	Board of Regents Dinner	Delta Hotel by Marriott 3105 Pine St., Everett, WA

Friday, March 8, 2019		Location
7:15 am	Board of Regents Breakfast	Room 430
8:00 am	Board of Regents Meeting	Room 101

In addition, on Thursday, March 7th, at approximately 5:00 pm the Regents will attend a reception at WSU Everett. On Friday, March 8, at approximately 11:30 am the Regents will attend a luncheon and tour at Boeing, 75th Street SW & Seaway Blvd, Everett, WA.

Questions about the Board of Regents meeting and schedule may be directed to Desiree Jacobsen, 509-335-4200.

**or upon conclusion of previous session*

Agenda
Executive and Governance Committee
Thursday, March 7, 2019
12:45 pm - 1:00pm

Location: WSU Everett, Room 101

Committee Members: Ron Sims (Chair), Brett Blankenship, and Ted Baseler

Information Item

Section

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|----|---|-----|
| 1. | Board of Regents Election of Officers (<i>Sims</i>) | E-1 |
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Action Item

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|----|---|-----|
| 2. | Bylaws Modification – Election of Officers – Board Chair Succession
(<i>Schulz/Hoyt</i>) | E-2 |
|----|---|-----|

INFORMATION ITEM #1

Election of Officers
(Ron Sims)

Election of Officers

Election of officers will take place at the May 3, 2019 Board of Regents meeting in Spokane, WA.

ACTION ITEM #1

Bylaws Modification - Election of Officers – Board Chair Succession (Kirk Schulz)

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Election of Officers – Board Chair Succession

PROPOSED: That the Board of Regents modify its Bylaws to reflect the practice of the Vice Chair succeeding as Chair to provide for a more efficient process and seamless transition in Board leadership.

SUBMITTED BY: Kirk Schulz, President

SUPPORTING
INFORMATION: **Background**

At the May Board of Regents meeting each year, the Regents elect a Chair and Vice Chair.

Generally, the practice has been for the Vice Chair to succeed as Chair. However, succession does not automatically occur, because the Bylaws provide for a separate election of both the Chair and Vice Chair each year.

The Chair and Vice Chair hold their offices for a one-year term, commencing on July 1.

Potential Modification

The Regents may wish to modify its Bylaws to reflect the practice of the Vice Chair succeeding as Chair to provide for a more efficient process and seamless transition in Board leadership.

The process would be for the Board to elect a Regent to serve as Vice Chair each year. There would be no separate nomination and election of this individual again the following year, as the Vice Chair would

automatically succeed as Chair and therefore would essentially be the Chair-Elect for the following year.

Also, currently, there is no provision for removing an officer from the Chair and Vice Chair positions. This may be a suitable time to include such a provision, as *Robert's Rules of Order* recommends including this in the Bylaws.

Bylaws

Following is an excerpt from the Board of Regents Bylaws with draft modifications:

Article 1: Officers of the Board

1. Membership. The governance of Washington State University (University) shall be vested in a Board of Regents (Board) consisting of ten (10) members (Regents), one (1) of whom shall be a student.
2. Designation. The Officers of the Board shall consist of a President, who shall also be known as the Chair of the Board (Chair), and a Vice Chair, Secretary, and Treasurer.
3. Election and Appointment Process. At its regular meeting held after the first Wednesday in April of each year, the Board shall hold elections to fill the offices of Chair and Vice Chair. The Board shall elect by majority vote, as defined in Article II, Section 6 a Chair and a Vice Chair, as nominated by the Executive Committee, based upon the advice of the Board and in consultation with the President of the University. The Chair and Vice Chair shall hold office for a one-year (1-year) term, commencing on July 1. Except in the case of resignation or removal, or other exigent circumstances, the Vice Chair shall then automatically succeed as Chair of the Board the following year and shall hold the office of Chair for one-year (1-year), commencing on July 1.

The President of the University shall serve as Secretary of the Board as prescribed by RCW 28B.30.135. Secretary of the Board,

where used in these Bylaws hereinafter, shall refer to the President of the University.

The Treasurer of the Board shall be the Vice President for Finance and Administration of the University, unless the Board in its discretion appoints another individual to this office.

4. Chair. The Chair of the Board shall preside at all meetings of the Board and shall sign all written instruments on behalf of the Board that are necessary to implement programs and policies which have been approved by the Board. The Chair of the Board shall have the authority and responsibility to perform the duties customarily attached to the office and shall have such other authority and duties as prescribed by these Bylaws, Board of Regents Policies (Board Policies), and the Board.

5. Vice Chair. The Vice Chair of the Board shall have the authority to perform the duties of the Chair of the Board in the event of the Chair's absence or incapacity. The Vice Chair may have such other authority and duties as prescribed by these Bylaws, Board Policies, and the Board.

6. Secretary. The Secretary of the Board shall not have the right to vote. The Secretary: shall be responsible for giving notice of all meetings of the Board, and recording and keeping of the minutes of the proceedings of the Board; shall be the custodian of all official records of the Board; shall attest all instruments required to be signed by the Chair of the Board; and shall perform all the duties pertaining to the office and do all other things required by the Board.

7. Treasurer. The Treasurer shall not have the right to vote. The Treasurer shall be the financial officer of the Board and shall render a true and faithful account of all moneys received and paid out.

8. Vacancies in Office and Removal. In the event of ~~resignation, disability, or death~~ a vacancy in the office of Chair, the Vice Chair shall assume the office of the Chair, serving both the unexpired term of the Chair and the full term as Chair as

provided in Article 1, Section 3, of these Bylaws. In the event of a vacancy in the office of the Vice Chair, the ~~vacancy shall be filled by a majority vote of the Board in the same manner~~ Board shall elect a Vice Chair to complete the unexpired term of the Vice Chair. A new election is then required as provided in Article 1, Section 3.

The Chair and Vice Chair of the Board may be removed from their respective positions as an officer of the Board by a majority vote at a regular or special meeting of the Board. Removal under this paragraph shall not affect the officer's continued service as a Regent.

Agenda
Research and Academic Affairs Committee
Thursday, March 7, 2019
1:15 p.m. – 2:15 p.m.

Location: WSU Everett, Room 101

Committee Members: Heather Redman (Chair), Lisa Schauer, Ron Sims, and Mike Worthy

Future Action Items

Section

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|----|---|-----|
| 1. | Rename the Department of Educational Leadership Sport Studies and Educational/Counseling Psychology to the Department of Kinesiology and Educational Psychology; and create the Department of Educational Leadership and Sport Management (<i>Bernardo/Parks</i>) | R-1 |
| 2. | Establish the Center for Arts and Humanities (<i>Bernardo/Parks</i>) | R-2 |

Information Items

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|----|--|-----|
| 1. | Faculty Manual Changes (<i>Bernardo/Parks</i>) | R-3 |
| 2. | Extend the Bachelor of Arts in Political Science Degree to Global Campus (<i>Bernardo/Parks</i>) | R-4 |
| 3. | Office of Research Update – Centers, Institutes, Laboratories (CILs) Task Force Recommendations (<i>Keane</i>) | R-5 |

FUTURE ACTION ITEM #1

**Rename the Department of Educational Leadership Sport Studies and Educational/Counseling Psychology to the Department of Kinesiology and Educational Psychology; and create the Department of Educational Leadership and Sport Management
(Daniel J. Bernardo)**

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Rename the Department of Educational Leadership Sport Studies and Educational/Counseling Psychology to the Department of Kinesiology and Educational Psychology; and create the Department of Educational Leadership and Sport Management

PROPOSED: That the Board of Regents rename the Department of Educational Leadership Sport Studies and Educational/Counseling Psychology to the Department of Kinesiology and Educational Psychology; and create the Department of Educational Leadership and Sport Management

SUBMITTED BY: Daniel J. Bernardo, Provost and Executive Vice President

SUPPORTING INFORMATION: The College of Education is requesting the opportunity to rename the Department of Educational Leadership Sport Studies and Educational/Counseling Psychology to the Department of Kinesiology and Educational Psychology; and create the Department of Educational Leadership and Sport Management.

The Department of Educational Leadership, Sport Studies, and Educational/Counseling Psychology (ELSSECP) houses four distinct disciplines: (1) Educational Leadership, (2) Sport Management, (3) Kinesiology [includes sport science and athletic training], and (4) Educational Psychology. These four disciplines are administratively located in a single department as a consequence of downsizing within the college and across the university over many years. The disciplines are somewhat disparate and don't share a common educational mission, pedagogy, or research foci.

The current college administrative structure includes one department chair and program coordinators for all disciplines. The challenge with this structure is twofold. One, faculty don't feel fully represented by a department chair that does not affiliate with their discipline. Two, it is an extremely difficult challenge for a single faculty member to serve as the department chair in a

manner that properly supports each of the faculty groups. To learn the history, background, current trends, and disciplinary nuances is simply too great a task for one individual to do well. Moreover, the size of the current department means that the department chair is focused on personnel matters more than would ordinarily be the case. This in turn takes the chair away from their own scholarship. These challenges are common knowledge among faculty and as a consequence, faculty who could be considered for the chair position are simply unwilling to do it, given the current structure.

The College of Education is proposing a new department, Department of Educational Leadership and Sport Management, while maintaining ELSSECP. The new department would house Educational Leadership and Sport Management while the current department, ELSSECP, would house Kinesiology and Educational Psychology.

The college anticipates that the chair will have their disciplinary affiliation from one of the two programs in the department. This will be true for both departments. In addition, the college will eliminate lead program coordinators for all four programs across both of these departments. Instead, for the program with a department chair that is not from their discipline and program, an assistant chair will be created. The assistant chair position will be maintained in both departments and both assistant chairs will be members of the college leadership team. In the event that no faculty member is available from either program within a department, an individual outside of the department will be sought to fill the chair role. In addition, both programs will have assistant chairs.

The advantages are fourfold:

- One, faculty will feel better represented.
- Two, the department chair will have a more reasonable administrative workload.
- Three, the department chair will be able to maintain their scholarly program.
- Four, the two departments will be in a position to generate some intellectual innovation. Sport Management and Educational Leadership share organizational theory as a major component of the curriculum. For the other department, Kinesiology and Educational Psychology share similar research models, methods, and processes. The new departmental arrangement will allow for greater collaborative efforts, which heretofore, have been lost in a large department in which individual faculty have been left to vie for their own position and resources.

The Counseling Psychology program also exists within the department but is being phased out so was not included in the list above. Counseling Psychology would stay within the current department with Kinesiology and Educational Psychology until complete phaseout, August 2021.

The attached proposal was reviewed carefully and has support from the Provost's Office. This recommendation was passed by the Faculty Senate on January 24, 2019.

ATTACHMENT: Memorandum of Understanding between the Provost and the Faculty Senate regarding the Creation, Movement, Renaming or Elimination of Academic Programs, Departments, and Colleges

**Memorandum of Understanding (MOU) between the Provost and the Faculty Senate
regarding the Creation, Movement, Renaming or Elimination of Academic Programs,
Departments, and Colleges**

Background

The present MOU was formulated because the University has no policies that directly govern the creation, movement, renaming or elimination of colleges, departments, or programs. Recent restructuring of colleges, departments, and academic programs has revealed that such policies would be useful when administrative units are changed. Although the structure of administrative units does not fall within the Faculty Senate's formal jurisdiction, the faculty will be consulted because it has an interest in changes in such units.

This MOU describes a process of consultation between the faculty and the Provost that can be used for creating, moving, renaming or eliminating an academic program, department, or college. The process described here applies only to changes in administrative structure. It does not apply to curricular changes. Curricular issues related to changes in administrative structure will go through the normal Faculty Senate approval process. Throughout this document, the term "department" means "department and/or school," following the usage in the *Faculty Manual*, and an "academic program" is defined by the *Faculty Manual* as an interdepartmental set of faculty that have an individual budget, an administrative officer, and a set of courses that lead to a degree.

This MOU was originally agreed to by the Faculty Senate as a whole on 30 January 2014. This revision has been made to include creation of and changes to academic programs.

Process for Creation of a New Academic Program, Department, or College

The process for creating a new academic program, department, or college begins with obtaining pre-approval from the Provost. This request for pre-approval should emanate from the dean of the college proposing the new academic program or department. Next, a Notice of Intent to create such a unit should be filed with the Provost's Office. A form, attached to this MOU, contains a set of questions that should be addressed in this Notice of Intent.

If the Provost decides that the Notice is not worthy of consideration, the process stops and the Provost informs those who submitted the Notice of his or her decision. If the Provost decides that the Notice is worthy of consideration, (s)he sends that Notice to the Executive Secretary of the Faculty Senate. The Provost, in consultation with the Faculty Senate Executive Committee, will then decide whether the Notice should receive full consideration by the Faculty Senate.

If the decision is positive, the proposal will be examined by, at least, the Faculty Senate Steering Committee and the Faculty Affairs Committee. Other Faculty Senate committees and, potentially, the entire Faculty Senate and/or the entire faculty, may be involved as determined by the Faculty Senate Steering Committee. The Faculty Senate Executive Committee will summarize the results of the Faculty Senate deliberations and will send recommendations concerning the creation of the unit to the Provost by the last day of the semester following the semester in which the Faculty Senate received the Notice.

The Notice of Intent to Create a Department includes the question of whether the department should also serve as a tenure unit. A tenure unit is the unit within which tenure is held by tenured faculty members at the University. Inclusion of this question and a requirement for justification recognizes that some, but probably not all, newly formed departments should also serve as tenure units.

Process for Movement of an Academic Program, Department, or College across Campuses or Administrative Structures

This process is identical to that for creation of an academic program, department, or college except that the questions involved in the Notice of Intent differ somewhat from those involved in the Notice of Intent to Create an Academic Program, Department, or College (see the attached form).

Process for Renaming an Academic Program, Department, or College

This process is identical to that for creation of an academic program, department, or college except that the questions involved in the Notice of Intent differ somewhat from those involved in the Notice of Intent to Create an Academic Program, Department, or College (see the attached form).

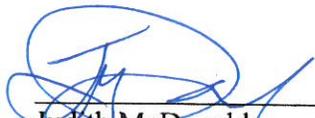
Process for Eliminating an Academic Program, Department, or College

Because it has been effective in the past, the description of unit discontinuation in Section III.E.3.b of the *Faculty Manual* will be used as the process for eliminating a program, department, or college with the further stipulation that this process will begin as described under "Process for Creation of a New Program, Department, or College" [i.e., with pre-approval by the Provost and then a filing of a Notice of Intent to Eliminate an Academic Program, Department, or College with the Provost's Office (see the attached form)].

Conclusion

This MOU may be terminated by a vote of the Faculty Senate or by the Provost. Both parties are required to provide 60 calendar days' notice (excluding the period between the end of the Spring semester and the beginning of the Fall semester) before termination is effective. Notice by the Provost must be given to the Executive Secretary of the Faculty Senate.

Signatures,



Judith McDonald
Chair, Faculty Senate

8/14/18
Date



Daniel J. Bernardo
Provost and Executive Vice President

August 13, 2018
Date

Notice of Intent to Create an Academic Program, Department, or College

Proposed name of unit

Department of Educational Leadership and Sport Management

Proposed campus(es)

WSU Pullman

Unit Type (select one)

- Academic Program
 Department
 College

If academic program or department, where will unit be housed?

College of Education

Justification for new unit. If a department, indicate whether it will serve as a tenure unit, and justify

The Department of Educational Leadership,

List of existing units that will be eliminated if unit is created. If none, enter "None"

None

If academic program or department, list faculty who will be members of the unit. If college, list academic units that will be members of the college

Calderone, Shannon

Describe process used to consult faculty affected by creation of the proposed new unit

The department has had a series of meetings

Describe process used to consult other academic units affected by creation of the proposed new unit

The topic of creating another department was

List any and all objections raised during consultations to creation of the proposed new unit, and provide responses to each

No objections were raised.

Proposed budget

\$1,109,800 excl state funded fringe benefits

Describe impact on Libraries. If none, enter "None"

None. This is a budget neutral change. Given

Desired start date (semester, calendar year)

Fall 2019

Name of person submitting this Notice

Michael S. Trevisan

Date submitted

9/10/18

If program, electronic signature of head of
sponsoring department

Date signed

If academic program or department, electronic
signature of dean of sponsoring college

Date signed

Michael S. Trevisan

9/10/18

Submit completed form to Office of the Provost and Executive Vice President at
provost.deg.changes@wsu.edu .

Notice of Intent to Rename an Academic Program, Department, or College

Name of unit

Department of Educational Leadership, Sport

Proposed new name of unit

Department of Kinesiology and Educational Psyc

Justification for proposed name change

To accurately reflect remaining departmental

Describe process used to arrive at new name, including consultations with faculty and other potentially affected units

1. Anonymous survey of rating of names,

List any and all objections raised during consultations to proposed new name, and provide responses to each. If none, enter "None"

No objections were raised.

Desired effective date (semester, calendar year)

Fall 2019

Name of person submitting this Notice

Michael S. Trevisan

Date submitted

9/10/18

Electronic signature of dean of sponsoring college

Michael S. Trevisan

Date signed

9/10/18

Submit completed form to Office of the Provost and Executive Vice President at provost.deg.changes@wsu.edu .

Proposed Departments	Discipline	Programs	Degrees	Faculty
Kinesiology and Educational Psychology	Educational Psychology	1. Educational Psychology	1. MA in Educational Psychology 2. PhD in Educational Psychology	Sola Adesope Kira Carbonneau Shenghai Dai Robert Dainelson Brian French Chad Gotch Jennifer Lebeau Zoe Higheagle Strong Mike Trevisan
	Kinesiology	1. Sport Science 2. Athletic Training	1. BS in Kinesiology, Major in Sport Science 2. BS in Sports Medicine (part of the MAT degree) 3. Master's in Athletic Training	Robert Catena Christopher Connolly Anne Cox Tami Goetz Kasee Hildenbrand Kimberly Holmstrom Phillip Morgan Katy Pietz Judy Schultz Sarah Ullrich-French
	Counseling Psychology (Will phase out by 8/2021)	1. Counseling Psychology	1. Ph.D. in Counseling Psychology	Brian McNeill Phyllis Erdman Hsin-Ya Liao
Educational Leadership and Sport Management	Educational Leadership	1. Educational Leadership	1. Ed. M in Educational Leadership 2. MA in Educational Leadership 3. EdD in Educational Leadership 4. PhD in Educational Leadership	Shannon Calderone Kathleen Cowin Glenys Hill Kristin Huggins Sharon Kruse Teena McDonald Tom Opstad Paul Pitre Katherine Rodela
	Sport Management	1. Sport Management	1. BA in Sport Management 2. MA in Sport Management	Tammy Crawford Hank Evans Scott Jedlicka Tae Ho Kim Chris Lebens Simon Licen Yong Chae Ree John Wong

FUTURE ACTION ITEM #2

Establish the Center for Arts and Humanities (Daniel J. Bernardo)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Establishment of the Center for Arts and Humanities

PROPOSED: That the Board of Regents establish the Center for Arts and Humanities

SUBMITTED BY: Daniel J. Bernardo, Provost and Executive Vice President

SUPPORTING
INFORMATION:

The Center for the Arts and Humanities will serve as an organizing point for creative and scholarly activity (research) and public engagement (service) in the arts and humanities, with the further potential to support innovative teaching at both the undergraduate and graduate levels. Its work and contributions are expected to engage not only those faculty and students formally associated with arts and humanities units but also those faculty who independently express artistic and/ or humanistic interests. Given this integrated range of aims and its particularly outward-facing and collaborative emphasis, a center is the most appropriate designation for this proposed unit.

By creating a Center for the Arts and Humanities WSU will catalyze new patterns of inquiry among current arts and humanities faculty, providing a framework for more collaborative and outward-facing work. In particular it will concentrate on larger-scale interdisciplinary interest areas that draw upon but necessarily extend beyond the scope of individual departments. Its establishment will confirm WSU's commitment to the arts and humanities as areas of serious intellectual inquiry, one that is consonant with our continuing obligation as a land-grant institution to the creation and extension of new knowledge to the wider public.

Nationwide more than 120 institutions have some form of arts/humanities center or institute. More importantly, such centers are characteristic of high-performing comprehensive research universities. Of the 42 public universities identified as "Top 25" in the Arizona State University's Measuring University Performance list (a key source of "Drive to 25" Metrics), 70% have such a center. Of the actual top 25, 80% have such a center, and those that do not are most frequently more specialized technical institutions. More immediately, in the PAC-12, 9 of 12 PAC-12 universities have formal arts/humanities centers. Two that do not-Arizona and UCLA-have a stand-

alone College of Humanities that coordinates several arts- or humanities-based centers. WSU is the only PAC-12 institution to have neither an arts/humanities center nor an independent college of the arts and humanities.

By themselves, of course, the presence of these centers at other institutions does not necessarily oblige the creation of a similar center at WSU. Such centers do testify compellingly, however, to the widespread recognition among our aspirational peers that today's greatest challenges are not simply scientific nor technical. Rather, they are also questions of values, beliefs, history, aesthetics, and culture, all of which are fundamentally artistic and humanistic areas of inquiry. A failure to invest appropriately in the arts and humanities thus threatens the capacity of any institution-WSU included-to effectively understand, engage, and solve our world's most pressing and complex problems.

At its core, the Center proposes to pursue a fundamental transformation of arts and humanities research at WSU. Working in concert with academic departments, which will remain centers of more specialized, field-specific inquiry, the Center will advance a broader agenda, one that crosses traditional scholarly boundaries, encourages innovation, and advocates for the vital contribution of the arts and humanities to the public good.

With this commitment serving as its guiding principle, the Center will pursue the following primary goals:

- Expand WSU's capacity for foundational research in the arts and humanities
- Nurture cross- and interdisciplinary connection and collaboration
- Increase the public visibility and outreach of WSU arts and humanities faculty
- Advance WSU's commitment to diversity, inclusion, and community engagement
- Catalyze WSU's engagement with emergent fields of humanistic and artistic knowledge

The complete proposal for the Center for the Arts and Humanities is attached. This proposal was reviewed carefully and has support from the Provost's Office. This recommendation was passed by the Faculty Senate on January 24, 2019.

ATTACHMENT: WSU Center for the Arts and Humanities (Proposal)

WSU Center for the Arts and Humanities (Proposal)

Submitted by Todd Butler, Associate Professor and Chair (English)
on behalf of the Center for the Arts and Humanities Planning Group
butlert@wsu.edu, 335-2639

[Note: This Center was provisionally approved by the Research and Arts Committee on April 23, 2018. This submission represents the full proposal required under that process within 90 days of approval.]

Rationale

The Center for the Arts and Humanities will serve as an organizing point for creative and scholarly activity (research) and public engagement (service) in the arts and humanities, with the further potential to support innovative teaching at both the undergraduate and graduate levels. Its work and contributions are expected to engage not only those faculty and students formally associated with arts and humanities units but also those faculty who independently express artistic and/or humanistic interests. Given this integrated range of aims and its particularly outward-facing and collaborative emphasis, a center is the most appropriate designation for this proposed unit.

Benefit

By creating a Center for the Arts and Humanities WSU will catalyze new patterns of inquiry among current arts and humanities faculty, providing a framework for more collaborative and outward-facing work. In particular it will concentrate on larger-scale interdisciplinary interest areas that draw upon but necessarily extend beyond the scope of individual departments. Its establishment will confirm WSU's commitment to the arts and humanities as areas of serious intellectual inquiry, one that is consonant with our continuing obligation as a land-grant institution to the creation and extension of new knowledge to the wider public.

Nationwide more than 120 institutions have some form of arts/humanities center or institute. More importantly, such centers are characteristic of high-performing comprehensive research universities. Of the 42 public universities identified as "Top 25" in the Arizona State University's Measuring University Performance list (a key source of "Drive to 25" Metrics), 70% have such a center. Of the actual top 25, 80% have such a center, and those that do not are most frequently more specialized technical institutions. More immediately, in the PAC-12, 9 of 12 PAC-12 universities have formal arts/humanities centers. Two that do not—Arizona and UCLA—have a stand-alone College of Humanities that coordinates several arts- or humanities-based centers. **WSU is the only PAC-12 institution to have neither an arts/humanities center nor an independent college of the arts and humanities.**

By themselves, of course, the presence of these centers at other institutions does not necessarily oblige the creation of a similar center at WSU. Such centers do testify compellingly, however, to the widespread recognition among our aspirational peers that today's greatest challenges are not simply scientific nor technical. Rather, they are also questions of values, beliefs, history, aesthetics, and culture, all of which are fundamentally artistic and humanistic areas of inquiry. A failure to invest appropriately in the arts and humanities thus threatens the capacity of any institution—WSU included—to effectively understand, engage, and solve our world's most pressing and complex problems.

Mission, Purpose and Goals

At its core, the Center proposes to pursue a fundamental transformation of arts and humanities research at WSU. Working in concert with academic departments, which will remain centers of more specialized, field-specific inquiry, the Center will advance a broader agenda, one that crosses traditional scholarly boundaries, encourages innovation, and advocates for the vital contribution of the arts and humanities to the public good.

With this commitment serving as its guiding principle, the Center will pursue the following primary goals:

- Expand WSU's capacity for foundational research in the arts and humanities
- Nurture cross- and interdisciplinary connection and collaboration
- Increase the public visibility and outreach of WSU arts and humanities faculty
- Advance WSU's commitment to diversity, inclusion, and community engagement
- Catalyze WSU's engagement with emergent fields of humanistic and artistic knowledge

Nature and Scope of Activity

As the above goals suggest, the CAH's primary focus, especially in its initial stages of development, will be to increase the scholarly and creative preeminence of WSU faculty initiatives in the arts and humanities. At the same time, we will foster greater connections between interested faculty in order to create new networks of activities that extend beyond current department "silos."

Pursuing all these goals within the diversity of fields and methodologies in the arts and humanities requires a support model that is **targeted, flexible, and accessible** to a wide range of faculty. In addition, when taken as a whole, the support model should assist faculty in moving from initial inquiry into increasingly complex and long-term projects.

The Center will thus pursue an "incubator approach" to catalyzing scholarship, creativity, and engagement, one which encourages an initially wide base of supported projects while at the same time identifying and advancing the most promising and impactful work. Doing so offers the greatest potential for promoting and sustaining work that can generate significant professional recognition, public impact, and, where appropriate, external funding from individual donors and private, state, and federal agencies.

The Center incubator is envisioned at present as a multi-stage model, one in which each stage offers opportunity for further development tied to the achievement of specific benchmarks:

- **Catalyst Grants:** The Center will make available on a rolling basis a series of small-scale Catalyst Grants designed to encourage and support networks of faculty and students who gather for reading, planning, or study around a particular theme or area of interest. Catalyst Grants may also support symposia, visiting artists or scholars, or other one-time faculty initiatives that offer the opportunity to develop new nodes of discussion and collaboration. Supplemental funds will be made available for networks that integrate community or public partners.

- **Cluster Initiatives:** Competitive, larger-scale funding will enable the expansion of faculty networks into concentrated creative and scholarly initiatives. Centered on a multi-disciplinary area of inquiry such as environmental humanities or race and social justice, these initiatives will bring faculty together for sustained, collaborative work in key areas of the arts and humanities. Particular attention will be paid to supporting “proof of concept” efforts designed to generate either foundational partnerships with external constituencies or the baseline research necessary to develop competitive external funding applications.
- **Individual Fellowships:** Recognizing that much work in the arts and humanities remains highly individualized, the Center will also provide competitive individual fellowships for faculty projects possessing significant scholarly, creative, or public impact. This support will be aligned with a work plan leading directly to the completion of a major scholarly/creative project or high-level external grants and engagement. These fellowships will also extend the collaborative and outward-facing commitments of the Center through monthly fellows meetings and the expectation of a public lecture.

Staging support in this fashion will help develop a **culture of collaboration** while preserving more significant funding for those projects that have demonstrated the leadership and intellectual potential necessary for achieving significant impact. By supporting multiple stages of discovery and providing a scaffold for development, this model will also encourage the pursuit of more complex, projects whose ambition could yield WSU an **increase in AAU-recognized prestigious awards**.

Working with both academic departments and the Graduate School, the Center will also **advance graduate and undergraduate research and education**. The Center will provide complementary support and in its later stages coordinate training opportunities that will cross disciplinary boundaries and encourage a public-service mindset within the next generation of researchers, scholars, and practitioners in the arts and humanities. Again, foundational work in this area has already begun. In a recent proposal to the NEH’s “NextGen Ph.D.” program, Dr. Todd Butler (English) has identified the Center as an organizing entity for a multi-unit initiative that will bring together humanities faculty with counterparts in CAHNRS/Extension, the Medical School, and the Graduate School, as well as current graduate students and alumni, for discussions aimed at developing a national model for a “21st-century land grant Humanities Ph.D.” that would offer graduate students opportunities to engage directly with underserved communities state-wide.

In addition to the potential for students to be integrated into this and other Center-sponsored projects, the CAH will offer more immediate opportunities that will directly support graduate training and research:

- **Summer Support:** While WSU graduate students are generally supported via academic-year assistantships, the lack of summer funding remains a serious barrier to timely academic progress. The Center thus plans to offer a series of competitive summer fellowships designed to advance cutting-edge projects through targeted travel, research, and stipendiary support. One fellowship—the “Public Humanities Fellow”—will be reserved for students pursuing work that envisions the direct engagement with or application to non-academic audiences.
- **“In-Ac” Assistantship:** Administrative and outreach support for the Center will initially be provided through the work of a graduate assistant, who will coordinate speakers, events, and

publicity. Serving in this role will offer students the opportunity to connect with WSU and visiting faculty, expand their own skill sets, and envision and pursue non-faculty positions within the academy.

As the Center develops, it may also serve as the locus for graduate training in areas such as writing for publication, team-teaching (perhaps via a Center-sponsored graduate seminar), or qualitative statistics that would be either difficult or redundant for academic departments to offer independently. With its emphasis on interdisciplinary and public work, the Center will also be **particularly well-positioned to support new models of graduate and undergraduate education** such as certificates and interdisciplinary programs.

Relationship to Existing Centers and Related Units

While the majority of WSU's existing centers are focused primarily (if not exclusively) on the sciences or social sciences, two units will serve as important partners for the CAH. The ultimate aim would be to foster a differentiated yet integrated ecosystem for arts and humanities support across WSU's campuses.

The Center for Digital Scholarship and Curation (CDSC), a joint project of the WSU Libraries and the College of Arts and Sciences, possesses extensive expertise in creating digital tools, projects, public programming, and educational opportunities both WSU and the publics it serves. The availability of this expertise will enable participating CAH faculty to discover, learn, and produce new outlets for their work. During AY18-19, for example, one faculty member submitted a six-figure grant proposal to the NEH's "Dialogues on War" program that envisioned working with both the CAH and CDSC to develop a state-wide program of guided public conversations regarding the experience of women veterans both during their service and their reintegration into civilian life. Though unfunded in this initial submission, recently-received internal support will enable the faculty member to develop this work further and likely submit it again (a fact that also demonstrates the necessity of the Center's incubator role).

As this project suggests, the CDSC offers technical facilities (such as high-end workstations) and training resources (such as faculty/student workshops in digital technologies) that the CAH does not seek to duplicate but rather to support and help grow. In particular, we foresee that our collaboration, as well as the research funding the CAH can provide, will encourage a greater number of faculty—some of whom might not initially be "digitally inclined"—to connect with the resources and expertise offered by the CDSC.

The WSU Museum of Art similarly offers a opportunities for mutually beneficial partnerships, especially in the areas of education and public outreach. In addition to being a locus for the Fine Arts on the Pullman campus, the Museum has strong local and state-wide partnerships that could help faculty pursue more outward-facing approaches to their scholarship. At the same time, the Museum may provide an ideal locus for more public programming (such as exhibits, speakers, or symposia) that faculty might integrate into CAH-supported work.

Review and Assessment

Demonstrating return on investment requires a **rigorous and sustained assessment plan** concentrating on not only individual programs but also the Center's overall operations. This plan will include both qualitative

and quantitative metrics, as well as evaluations of both traditional scholarship and creative activity and broader indices of public impact. In addition to initial work plans, all recipients of significant Center support will be required to submit final and, in the case of multi-year clusters, intermediate progress reports. Overall Center assessment efforts will also consider the following sources and categories of data:

Productivity: Center staff will maintain records of scholarly and creative output of participating faculty, paying particular attention to the number of publications, shows, and grant applications as well as the national and/or international visibility of this work.

Routes to Impact: Especially in the formative stages of a project, impact (whether scholarly or public) can be difficult to predict. Retrospective assessment can be similarly challenging in the case of longer-term projects. To manage these challenges, faculty will work with Center staff to develop “Routes to Impact” plans, building into each project at the outset a conscious consideration of how their research and creative work will extend into both the academy and the wider community.

Public Engagement: Center staff will also track measures of public engagement, including attendance, print and social media presence, and where appropriate changes in the capacity of target populations to participate in and support other arts and humanities-related projects.

The Center director will report to internal stakeholders the results of these activities and assessment efforts on an annual basis. As the Center develops, this reporting process will also provide the basis for externally-focused annual reports which themselves will become fundraising mechanisms. In year four (or at another mutually agreed upon point) the Center will undergo an external review led by individuals from similar centers at peer institutions.

Administration and Membership

Operational and planning activities will be supervised by a center director in coordination with members of the CAH Faculty Board. Fiscal administration will be handled by CAS fiscal personnel in coordination with the Office of Research, while day-to-day administrative tasks—which should be limited in the start-up period—will be handled by the graduate assistant detailed above.

Meeting at least once a semester, and more frequently as appropriate, the Faculty Board will evaluate funding proposals, plan programming, and monitor the overall administration of the Center. The board will be comprised of representatives appointed by chairs of WSU’s primary arts and humanities schools/departments (English; Fine Arts; History; Languages, Race, and Culture [DFLC/CCGRS]; Music; and PPPA [Philosophy]). Approximately three seats will be held open for any individual faculty member—including those from non-arts/humanities units—expressing an interest in supporting the work of the CAH. These members will be selected by the departmentally-appointed members identified above. Representatives from the WSU Libraries and the Office of Research will similarly serve in *ex officio* capacities. Faculty members will serve two-year staggered terms, and particular attention will be paid to ensuring representation from WSU’s multiple campuses.

As a joint project of the College of Arts and Sciences and the Office of Research, the CAH's director will be selected by the Dean of CAS after consultation with the Vice President of Research. The CAH Director, who will serve a renewable three-year term, is expected to be a tenured faculty member in a CAS arts or humanities department who possesses a record of creative and/or scholarly accomplishment, administrative leadership, and interdisciplinary activity at WSU. The Dean of CAS and VP of Research have proposed that the initial Director will be Dr. Todd Butler, Associate Professor of English.

Additional key faculty who have actively participated in the most recent design of the CAH and will continue in an advisory capacity until the CAH and its board structure is formally approved include the following (CVs attached):

School of Design and Construction: Ayad Rahmani

Education: A. G. Rud

English: William Hamlin

Fine Arts: Squeak Meisel

History: Sue Peabody (Vancouver), Jesse Spohnholz, Matthew Sutton

Libraries: Trevor Bond

Music: Dean Luethi, Lori Wiest

Office of Research: Geeta Dutta, Becky James

Financial Support and University Resources

Testifying to the broad support for the Center's vision and activities, this proposal is accompanied by letters of commitment from CAS, the Office of Research, the Graduate School, the Libraries, and the President's Office. These are multi-year commitments designed to sustain a significant pace of activity during the initial three years of the Center's existence.

A Note on Fiscal Responsibility

Recognizing that its initial years will run parallel to a general budgetary retrenchment at WSU, the Center will operate on a lean resource and staffing model. The bulk of the financial commitments below represent either 17A/gift funds not subject to budget reductions or, in the case of funding from the Office of Research, the redirection of funds already having been sequestered for arts and humanities use. By committing these funds to the management of the CAH, the Office of Research will continue its support of individual faculty while simultaneously boosting a more ambitious vision for the arts and humanities. The proposed director (Butler) has also agreed in the initial year to waive any stipend and course release from CAS. Together these measures will ensure that the bulk of the Center's resources will flow directly to faculty and programming across WSU rather than be consumed by administrative expenses.

Budgetary Support

While the specific distribution of some research elements (such as the ratio of small-scale collaborative grants to larger projects) will depend in part on the number and type of faculty applications, the following represents a general overview of the projected annual budget and sources:

October 19, 2017

To the Humanities Planning Group,

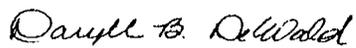
Thank you for your continuing efforts to develop a Center for the Arts and Humanities at Washington State University. Having reviewed your revised proposal, I find it well worth the College of Arts and Sciences' continuing support. In particular, your renewed focus on the university's land-grant mission, as well as your emphasis on collaborative and transformative work, will help make the Center a vital locus for scholarship and creative activity at WSU.

On behalf of the College, I am thus willing to commit the following resources to support the proposed center, each beginning in AY18-19 and extending for an additional two academic years after that. The College of Arts and Sciences will provide a summer stipend of \$8000 to the director to support the year-round leadership of the Center, and where appropriate will provide funding to the director's home department to accommodate the shifts in workload expectations that will necessarily accompany this leadership role. At the same time, I am committed to working with you to identify additional resources to support diversity-related and public-engagement initiatives. I will also direct the College's Development team to provide lead assistance in any pursuit of philanthropic support for the Center.

This support is contingent upon formal approval of your proposal by the Faculty Senate. I also expect that—as detailed in your proposal—the Center will continue to operate as a partnership between CAS and the Office of Research, with the Center's director being nominated by the Dean of the College of Arts and Sciences in conjunction with the Vice President of Research. For this initial period, after consultation with the Office of Research, I would request that Dr. Todd Butler (English) continue his leadership of your group as Director.

Thank you again for your continued efforts—I look forward to continued success in the years to come.

Sincerely,



Daryll B. DeWald, Dean
College of Arts and Sciences

March 9, 2018

To the Humanities Planning Group,

Thank you for your continuing efforts to develop a Center for the Arts and Humanities at Washington State University. On behalf of the Office of Research (OR) I am happy to continue our commitment to this shared initiative, as its aim of advancing the scholarly and creative activity of WSU faculty and graduate students is at the core of our mission.

As such, beginning in AY18-19 the Office of Research will assign to the Center the responsibility for directing the \$75,000 in research support funding currently allocated to Arts & Humanities Grant Program. These funds will support the Center's Catalyst Grants, Cluster Initiatives, and Arts & Humanities Fellowship. Presuming that the Center continues working with OR to support faculty research consonant with our shared missions, this funding will also be extended for an additional two academic years following that date.

While day-to-day management of these funds will be handled by the College of Arts and Sciences (CAS), we expect that—as detailed in your proposal—the Center will continue to operate as a partnership between CAS and the Office of Research. As such, we would request that Dr. Geeta Dutta, Director, Office of Research Advancement and Partnerships, serve as our formal liaison to the Center, and that you continue to work with other staff as appropriate.

We look forward to working with you to make the Center a sustained success.

Sincerely,



Dr. Christopher J. Keane
Vice President for Research

July 2, 2018

TO: Dr. Butler, Associate Professor and Chair

FROM: Dr. Lisa M. Gloss, Interim Dean of the Graduate School



RE: Center for the Arts and Humanities

COMMITMENT#: 562

Dear Dr. Butler,

Thank you for sharing your proposal for a Center for the Arts and Humanities. I am genuinely excited about the possibilities of the proposal, especially the focus on interdisciplinary research and scholarship, and I am happy to provide support.

As interim Dean of the Graduate School, I am particularly excited by the possible impacts on graduate education opportunities. Your willingness to support the next generation of arts and humanities scholars and artists is commendable, as is your goal to integrate graduate students into the programming and administration of the Center. This vision matches the Graduate School's commitment to ensuring that all WSU students are well-prepared to make an impact on their academic fields as well as the wider public we serve.

I am happy to commit to the following elements of support, beginning in AY18-19 and extending for an additional two academic years after that.

- Based on a 50/50 match from the Center, we will provide scholarship funds to support the summer "Public Humanities Fellow" identified in your proposal. Specifically, the Graduate School will provide a \$1500 scholarship from the Glenn Terrell Presidential Graduate Fellowship fund. Applications for these scholarships should be sent directly to the Graduate School for review and approval. To be eligible for this scholarship, the student must be currently enrolled and in good academic standing in a graduate program in the arts, humanities and social sciences. Students with a cumulative GPA of ≥ 3.5 will be given preference.

- The Graduate School will entertain one nomination from the Center for the following scholarships, to provide summer support for a Center fellow:
 - Richard R. and Constance M. Albreth Scholarship (\$1,500)
 - Charles Allen Master's Thesis Award (\$1,000)
 - Arnold and Julia Greenwell Memorial Scholarship for Social Sciences and Humanities (\$1,000)

Generally, nominations for these scholarships are vetted and submitted via the academic colleges. This support allows the Center to submit a nomination for a Center fellow directly to the Graduate School, independent of the competition within a given college. The nominated student must meet all of the eligibility criteria of the scholarships, as detailed at:

<https://gradschool.wsu.edu/scholarships-fellowships-awards/>

The nominees from the Center will compete for the scholarship against all other students nominated by the colleges.

- The Graduate School will provide an annual tuition waiver (Fall and Spring semesters only) for the Center's graduate assistant. This waiver will provide flexibility to the Center with respect to the funding sources that are identified to support this GA during the academic year.

As the Center grows, the Graduate School is willing to consider extension of this commitment beyond the initial three-year period, as well as work with the Center to identify other modes of support. This extension or expansion of support is dependent on the completion and review of the program assessment you have outlined in your proposal.

I look forward to a productive partnership between the Graduate School and the Center for the Arts and Humanities in the advancement of graduate education at WSU.

Sincerely,



Dr. Lisa M. Gloss

Interim Dean of the Graduate School

March 12, 2018

Dear Dr. Butler,

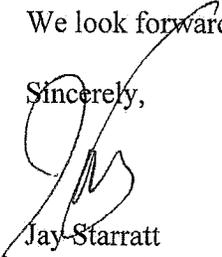
Thank you for meeting with us recently to discuss the proposed Center for the Arts and Humanities. As one of Washington State University's central resources for scholarly and creative work in the arts and humanities, the Libraries is pleased to support your efforts.

In particular, we are willing to provide initial space within Holland/Terrell Library for the Center's scholarly functions and fellows meetings. We are also willing to contribute \$5,000 per year for the next three years to support the Center's effort to bring highly visible and engaged arts and humanities programming to the WSU community.

Expenditure of these funds should be coordinated with WSU Libraries via Dr. Trevor Bond, Associate Dean for Digital Initiatives and Special Collections. We appreciate your willingness to involve Dr. Bond in your initial conversations and to provide him with a continuing role in developing the Center and its activities. We also appreciate your continuing willingness to work in partnership with existing Libraries initiatives such as the Center for Digital Scholarship and Curation and to support the CDSC's role as one of WSU's primary outlets for digital scholarship and public engagement.

We look forward to working with you in the years to come.

Sincerely,


Jay Starratt
Dean of Libraries

May 14, 2018

Dr. Todd Butler
Associate Professor and Chair
English Department
Avery 202E
Pullman, WA 99164-5020

Dear Dr. Butler,

Thank you for your group's continuing efforts to develop a Center for the Arts and Humanities at Washington State University. WSU's "Drive to 25" requires a comprehensive effort to advance scholarly and creative work across our institution, and the Center offers a significant opportunity to move us forward this while at the same time extending this commitment to the wider public.

To support the proposed Center I am thus willing to commit a total of \$25,000 annually for a three-year period beginning in AY18-19. As we have discussed, I expect that the majority of this funding will be paired with the Graduate School's tuition waiver to support the graduate assistantship that will assist the Center's operations. The remainder may be used for any public programming that will help advance the profile of the arts and humanities at WSU.

The continuance of this support is contingent upon its appropriate use, as well as your efforts to secure provisional and formal approval for the Center. I appreciate in particular the proposal's willingness to regularly assess the Center's productivity, and I would welcome the regular submission of such assessments to my office.

Thank you again for your continued efforts—I look forward to continued success in the years to come.

Sincerely,


Dr. Kirk Schulz
President

INFORMATION ITEM #1

Faculty Manual Changes Approved by the President Under Delegated Authority (Daniel J. Bernardo)

Changes to the Faculty Manual

The Faculty Senate recommended approval for the following changes to the *Faculty Manual*. Please find below a list of the proposed changes as well as attached redline copies of each proposed change as presented to the Faculty Senate.

- Section III.D.11 - Professional Leave
- Section III.C.3c - Intensive Review Results
- Section III.C.3c - Annual Review
- Section III.C.4d - Advancement of Rank, Promotion to Regents Professor
- Section V.K.1 - Termination: Non-reappointment

These recommendations were passed by the Faculty Senate on January 10, 2019 and February 7, 2019. They were subsequently approved by the President under the authority delegated by the Board of Regents on January 27, 2017.

p.63

III D. 11. Professional Leave

Faculty members on professional leave are relieved from ~~all~~ teaching, research, administrative, and committee functions for the leave period so that full time may be devoted to the purpose for which the leave is granted. Given the importance of promotion and tenure cases, faculty on professional leave should be notified about and participate in priority matters including review and voting for promotion and tenure cases, elections, and hires, as requested. Professional leaves are to be used for specified projects to further professional study or development and must be of advantage to the University in terms of improved instruction, research, or public service.

FAC proposal III.C.3c

p.47

III C. Employment 3. Review of Faculty c. Annual Review: Intensive Review, Results

The chair should ~~provide~~ meet and discuss with the candidate ~~with a copy of the career progress report prior to the face-to-face meeting.~~ , and provide a copy of, the career progress report that includes a summary of strengths, weaknesses, and areas of development to prepare for promotion.

FAC proposal III.C.3.c

p.44

c) Annual Review

III C. Employment 3. Review of Faculty, Annual Review

Faculty who have served at Washington State University for less than one year need not be reviewed except for pre-tenure faculty who must have a record of review from the start of their appointment.

p.51, 52

III C. Employment 4. Advancement in Rank d) Promotion to Regents Professor

d) Promotion to Regents Professor

Tenured professors who have reached the highest levels of achievement in their discipline and at WSU are eligible to be nominated for regents professor. Promotion to regents professor requires service to the university for at least seven years. Each college may nominate only two faculty members as candidates for this promotion each year. The nomination process for promotion to regents professor is initiated by department chairs/directors or deans. Those who are not selected for promotion may be nominated again. The rank of regents professor can be held by no more than 30 active Washington State University faculty members at any one time. The promotion process and procedures correspond to those for promotion to professor but with appropriate modifications to accommodate the university-wide nature and limitations on numbers. Faculty recommendation ballots are not necessary for this nomination.

p.104

V K. Termination

Employment may be terminated in any of the following ways:

1. Non-reappointment

Terminal Appointments (Fixed Term) and Contingent (Indefinite Term) Appointments

For a faculty member with an appointment carrying a terminal date, the appointment ends on the specified terminal date, unless positive action is taken to reappoint that faculty member. It is recommended that the faculty member’s administrative head send out a courtesy notice of non-reappointment.

Continuous Appointments

For a faculty member with an appointment with no contractual end date, employment may be terminated at any time consistent with their employment contracts and this section, with or without cause. A non-reappointed faculty member will be advised in writing by the administrative head as soon as it has been decided that the appointment is not to be renewed. This decision shall be made by the administrative head with the approval of the appropriate appointing authority. This notification will be given to the faculty member in accordance with the following:

Type of Appointment	Year of Employment	Minimum Advance Notice in Calendar Months
Annual (twelve-month)	1	3
Annual (twelve-month)	2	6
Annual (twelve-month)	3 or more	12
Academic (nine-month)	1	3*
Academic (nine-month)	2	6*
Academic (nine-month)	3 or more	9*

*Excluding three summer months

These notice provisions shall not apply in situations involving extraordinary circumstances, such as financial exigencies or elimination of function.

~~A written notice of non-reappointment is required only when a faculty member’s fixed term appointment length is two (2) years or more and the faculty member has not yet received a letter of reappointment or if the faculty member is on a continuous appointment (which may be terminated with or without cause). The written notice must be issued to the faculty member as follows: (a) at least two (2) months in advance of the termination of services if in the first or second year of employment; (b) at least three (3) months in advance of the termination of services if in the third year of employment; (c) at least six (6) months in advance of the termination of services if in the fourth or fifth year of employment; (d) at least twelve (12) months in advance of the termination of services if employed by the University for six (6) years or longer. For the purposes of non-reappointment notification, total time of service (in temporary and/or continuous positions) at WSU will be accounted for when determining total employment time. At the request of a fixed-term faculty member, a written statement of the reason for non-reappointment shall be provided within 10 business days of receipt of the employee’s request and following consultation with tenured members of the department involved. At the request of the faculty member, a written statement of the reason for non-reappointment shall be provided. Contingency appointments always end on the designated terminal date unless the specified contingencies are satisfied.~~

The above revisions will also apply to page 66, Section III E.1. (Included below)

p.66

III E. Termination Of Employment

A faculty member’s employment at the University may be terminated in any of the following ways:

1. Non-reappointment

Terminal Appointments (Fixed Term) and Contingent (Indefinite Term) Appointments

For a faculty member with an appointment carrying a terminal date, the appointment ends on the specified terminal date, unless positive action is taken to reappoint that faculty member. It is recommended that the faculty member’s administrative head send out a courtesy notice of non-reappointment.

Continuous Appointments

For a faculty member with an appointment with no contractual end date, employment may A faculty member on appointment without terminal date and without tenure has no presumption of reappointment, including reappointment with tenure. Such faculty may be terminated at any time consistent with their employment contracts and this section, with or without cause. A non-reappointed faculty member will be advised in writing by the ~~department chair~~ administrative head as soon as it has been decided that the appointment is not to be renewed. This decision shall be made by the ~~department chair~~ administrative head with the approval of the dean appropriate appointing authority, and following consultation with tenured members of the department involved. This notification will be given to the faculty member in accordance with the following:

Type of Appointment	Year of Employment	Minimum Advance Notice in Calendar Months
Annual (twelve-month)	1	3
Annual (twelve-month)	2	6
Annual (twelve-month)	3 or more	12
Academic (nine-month)	1	3*
Academic (nine-month)	2	6*
Academic (nine-month)	3 or more	9*

*Excluding three summer months

~~follows: (a) at least three (3) months in advance of the termination of services if in the first year of employment; (b) at least six (6) months in advance of the termination of services if in the second year of employment; (c) at least twelve (12) months in advance of the termination of services if in the employment of the University for two (2) years or longer. At the request of the faculty member, a written statement of the reason for non-reappointment shall be provided. These notice provisions shall not apply in situations involving extraordinary circumstances, such as financial exigencies or elimination of function.~~

INFORMATION ITEM #2

Degree Extension of the Bachelor of Arts in Political Science to the Global Campus Approved by the President Under Delegated Authority (Daniel J. Bernardo)

The purpose of the online Political Science major is to better serve "degree completers" (individuals who have completed some college courses at WSU or elsewhere, and now wish to return to school) as well as nontraditional students from diverse backgrounds. In addition, because implementing the Political Science major will involve increasing the variety of Political Science courses offered, the major will be useful not only for those students interested in majoring in Political Science, but also for students in other majors seeking electives and UCORE courses.

The proposed Political Science degree online is an extension of the School of Politics, Philosophy, and Public Affairs degree and is modeled identical to the program that is currently delivered on the Pullman campus.

Political science focuses on the uses and consequences of public authority in the allocation of societal resources. Faculty focus on problem-driven research that confronts both traditional and emerging challenges in the United States and throughout the world and specialize in American politics, institutions, and public law; global politics; public policy; political theory; political psychology; and American foreign and security policy.

Students gain numerous skills through the Political Science degree program, including:

- Knowledge of public policies and their outcomes
- Knowledge of political institutions and processes
- Knowledge of political behavior, leadership, and decision making
- Strong research and analytical skills
- Logic, critical thinking, and problem solving skills
- Effective written and oral communication
- Cultural awareness and sensitivity
- Ability to work independently or as a team member

The attached proposal was reviewed and approved by the Faculty Senate on February 7, 2019. It was subsequently approved by the President under the authority delegated by the Board of Regents on January 27, 2017.

Proposal to Extend Political Science BA to Global Campus

Degree Title:	Bachelor of Arts, Political Science
Academic Program:	Political Science
Academic Plan:	Political Science
Number of Credits:	120
Department(s) or Program(s):	School of Politics, Philosophy, and Public Affairs
College(s):	College of Arts and Sciences
Campus(es):	Global
Method of Instructional Delivery:	Online

Contact Name:	Steven Stehr	Email Address:	stehr@wsu.edu
Contact Phone:	509-335-8929	*Proposed start date:	Fall 2018

*Proposed Start Date: Approval must be received from the Northwest Commission on Colleges and Universities before the program may be advertised or recruited for. Financial aid may not be available until the program has been approved by the Department of Education subsequent to NWCCU approval.

The names typed below certify that the relevant academic and campus officials have reviewed and approved this proposal:

Chair Name:		Date:	
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Everett Chancellor:		Date:	
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Spokane Chancellor:		Date:	
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Tri-Cities VCAA:		Date:	
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Vancouver VCAA:		Date:	
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Dean:	Daryll B. DeWald	Date:	September 28, 2017
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VP Global Campus:	David R. Cillay	Date:	September 28, 2017
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Comments:			
Provost Office Sign:		Date:	3/12/18

Comments:

For Registrar's Office Use Only:			
Current CIP Code:		New CIP Code:	
		Date:	

Revised: 7.27.17

Send completed form to: provost.deg.changes@wsu.edu

This template asks you to answer the array of questions about your proposed program that are important to your department, your college, the Faculty Senate, the State of Washington, accreditors and other external stakeholders.

By placing all proposals in a similar format, this template provides a common standard for comparison, ensuring that all potential programs can be evaluated in an equitable fashion. It can be used to determine whether or not a program is feasible within the university's academic and financial situation, and if it will have the resources to further the University's objective of providing high quality education and scholarship.

This template is also a framework to think about the viability of your ideas. It can thus be a tool for strengthening both your proposal and the resulting program itself, since a program that is starved for either students or resources from its inception is not likely to become a high quality program.

Here are some of the things to consider as you complete the template:

What are the aspirations for the reputation of this program – local, regional, national? What will it take to make that a reality?

Who are you trying to attract with this new program? Will it bring new students to the university, better meet the needs of current students in the department, or draw students away from other departments?

How strong is the demand for education of this kind, and in what specific careers will someone who receives such an education find meaningful employment?

How many students do you need to attract to break even, and can both the market and WSU's capacity support this number?

Providing good answers to hard questions maximizes the likelihood that a new program will not just win acceptance by the Faculty Senate and administration, but will ultimately be successful in attracting students and placing graduates. The analyses in the Demand, Financial and Library workbooks will assist you in creating a persuasive proposal. The findings in each area, and their basis or justification, should be summarized in the proposal itself.

Proposal

Mission and Core Themes (Strategic Goals):

Provide a clear statement of the nature and purposes of the degree in the context of WSU's mission and core themes (strategic plan).

The purpose of the online Political Science major is to better serve "degree completers" (individuals who have completed some college courses at WSU or elsewhere, and now wish to return to school) as well as nontraditional students from diverse backgrounds. In addition, because implementing the Political Science major will involve increasing the variety of Political Science courses offered, the major will be useful not only for those students interested in majoring in Political Science, but also for students in other majors seeking electives and UCORE courses,

The proposed Political Science degree online is an extension of the School of Politics, Philosophy, and Public Affairs degree and is modeled identical to the program that is currently delivered on the Pullman campus.

Political science focuses on the uses and consequences of public authority in the allocation of societal resources. Faculty focus on problem-driven research that confronts both traditional and emerging challenges in the United States and throughout the world and specialize in American politics, institutions, and public law; global politics; public policy; political theory; political psychology; and American foreign and security policy.

Students gain numerous skills through the Political Science degree program, including:

- Knowledge of public policies and their outcomes
- Knowledge of political institutions and processes
- Knowledge of political behavior, leadership, and decision making
- Strong research and analytical skills
- Logic, critical thinking, and problem solving skills
- Effective written and oral communication
- Cultural awareness and sensitivity
- Ability to work independently or as a team member

Educational Offerings:

Describe the degree program, including the total number of credits required. Provide the four-year degree plan (undergraduate) or appropriate plan of study (graduate and professional). Please note that all courses for the degree must be approved before the degree will be reviewed by the Catalog Subcommittee.

Political science students acquire a knowledge of political institutions and processes, public policies, political behavior, and have strong research and analytical skills that may provide foundations for careers in government service, public policy, regional planning, law, and politics.

Political Science focuses on the uses and consequences of public authority in the allocation of societal resources. Faculty focus on problem-driven research that confronts both traditional and emerging challenges throughout the world.

The general option provides a varied and flexible program that includes American politics, comparative and international politics, policy and public administration, and a wide range of elective courses in political science.

See Exhibit A for four-year degree plan.

See Exhibit B for advising check sheet for the degree.

See Exhibit C for new course development and delivery schedule.

Provide descriptive information regarding (the) method(s) of instructional delivery (percent face-to-face, hybrid, distance, and/or competency-based).

This degree will be delivered 100% online, asynchronously via the Global Campus LMS infrastructure.

Assessment of Student Learning and Student Achievement

* For graduate programs, please contact the Graduate School before completing this section.

Please provide a list and description of expected student learning outcomes.

All learning outcomes have been discussed and approved by the full faculty. Learning outcomes are publicly available on the department's undergraduate webpage.

Program outcomes, learning outcomes and program assessment will be similar to what has been established by the program in Pullman, though minor adjustments may be needed to account for different student populations and course offerings (e.g., a course that generates assessment data may be offered less frequently online than in Pullman).

Student Learning Outcomes (SLOs):

- Identify important issues and challenges in political science and work to solve them;
- Recognize, construct, and evaluate arguments, and employ cogent arguments on relevant issues;
- Use evidence in the context of research and learn the methodologies of political science
- Recognize and respond to alternative, diverse viewpoints, and understand the role of values and normative reasoning in relevant contexts.

For undergraduate programs, provide the department's plan for assessing student learning outcomes. Describe briefly how information on student learning will be collected and incorporated into existing processes for evaluating student learning in the department. Please attach the plan and a curriculum matrix.

The assessment plan will be as similar as possible to the one adopted in Pullman, which is provided in Exhibit D.

The program coordinator will work directly with the assessment coordinator in the department to review all assessment criteria and ensure global campus courses and students are sampled and assessed in direct proportion to the total number of students and courses offered through the department. Additionally, the departmental assessment coordinator will ensure that sufficient direct measures are assessable through technology. The assessment coordinator recognizes the need to archive and maintain records of online program, student, and course assessment, and will identify appropriate methods to facilitate that archival process.

Please indicate as appropriate:

- Assessment of this program will be incorporated into the existing assessment plan for Pullman. Please attach a copy of the existing plan.
- A draft assessment plan is attached.
- A curriculum matrix is attached.

Planning:

Describe plans and include descriptions which provide evidence of:

1. The need for the change

There is substantial evidence of both a demand for a Political Science major among students and fair career prospects for Political Science majors. Offering an online major will allow Global Campus to tap into this potential market.

A recent market research study by EAB shows that Regional employer demand for bachelor's-level pre-law professionals grew 58% from the second half of 2013 to the first half of 2016. Students completing this degree would be positioned to apply to law school following graduation. In addition, political science students acquire a knowledge of political institutions and processes, public policies, political behavior, and have strong research and analytical skills that may provide foundations for careers in government service, public policy, regional planning, and politics.

In terms of regional competition for this degree program, only Oregon State University in the Pacific Northwest offers an online Political Science bachelor's degree, indicating there is likely market demand, and not saturation.

The development of the degree online should require minimal investment in new courses as a great number of political science courses needed for the major are already offered online. This does not include the ongoing cost of updating and redesigning courses as needed.

The full BA degree should attract additional students to the program and assist in recruiting efforts for Political Science majors across the state and region. We do not expect the online program to redirect students from our regional physical campuses; however, a number of the online social sciences majors may choose to transfer to a political science major once it is available.

The Global Campus and School of Politics, Philosophy, and Public Affairs predict that the number of students in the program once it reaches stasis will be roughly 25-30% of the number of Pullman students.

2. The student population to be served

Provide realistic justification for the projected FTE.

How can transfer students articulate smoothly into the program and complete it with approximately the same number of total credits as students who enter WSU as freshmen?

Please describe specific efforts planned to recruit and retain students who are persons of color, disabled, or whose gender is underrepresented in this discipline.

WSU Global Campus programs typically appeal to those students who might not be able to attend a four-year program on the Pullman campus, but still want an accredited degree offered by a Tier 1 Research University with an excellent reputation.

As described above, the Political Science major is particularly useful for “degree completers” – students who have completed one or two years of college and are returning to school in order to improve their career options. Because most Global Campus students enter the program having already completed some college courses, they are looking for majors that can be completed efficiently. The Political Science major meets that need.

Students who take advantage of the direct transfer agreement guidelines and articulation agreements will be able to transfer seamlessly from a two-year program without relocating to Eastern Washington. WSU Global Campus has been accommodating transfer students and former students who are at varying levels along the transfer continuum since its inception. The program is also designed to appeal to working professionals and adult learners who may already work in other fields but wish to refresh and update their skills.

Further, many of the students interested in the online program are likely to be first-generation college students, which will also contribute to diversity. Students who are place-bound for different reasons, including financial constraints, family situations, or disabilities would have the option of obtaining a WSU degree without moving to Pullman. The Global Campus serves rural and urban students alike, and promotes a diverse, inclusive, and community-based model that appeals to students from multiple underserved communities. By offering the program online, we expect to attract more a more diverse body than we do on the Pullman campus. Political Science also provides knowledge and skills for working with diverse others – increasingly important given demographic projections and globalization.

WSU Global Campus is focusing on digital marketing to generate awareness and promote all new degrees broadly across social media platforms and other digital access points. Specifically, the goal of the marketing effort is to meet target enrollment goals that enable the degree to reach a sustainable level of enrollments. Recruitment efforts for the online major will diverge substantially from those on the Pullman campus. We expect that these marketing efforts in conjunction with the characteristics of the major (allowing for timely completion, inherent interest, and career prospects) will result in a number of students choosing the Political Science major.

In addition, WSU Global Campus ensures that all courses and programs meet ADA requirements for access to individuals with disabilities.

3. Procedures used in arriving at the decision to change (e.g., consultation with advisory boards, input from industry or employers, commissioned studies, faculty task force, etc.).

Offering a Political Science degree online is part of fulfilling the WSU Land Grant Mission. Delivering the degree online, asynchronously, provides access to qualified place-bound and/or time-constrained individuals state-wide, nationally and internationally. Additionally, having this option available online (and hence the availability online of upper level courses including the degree Capstone course) will enable a growing number of students who initially take courses on the Pullman campus but who did not complete their degree for varying reasons to finish their degree in Political Science and successfully graduate from WSU.

The School of Politics, Philosophy, and Public Affairs has a long history of serving students at a distance, having provided online courses for over 20 years with success, as well as supporting a Political Science concentration for the online Social Sciences degree through the Global Campus.

The School of Politics, Philosophy, and Public Affairs worked closely with the Global Campus and engaged in market assessment and determine need for the degree, predict enrollment numbers, and Political Science is a popular degree program for individuals who are interested in working in social services, social justice, criminal justice/juvenile services, and administration/management, and is excellent preparation for graduate school in a number of areas of study (e.g., Political Science, public policy, public health, law).

Finally, the School of Politics, Philosophy, and Public Affairs already offers Political Science courses that serve the Bachelor of Arts in Social Sciences degree, and provide UCORE and elective courses to other majors. Therefore the shift to an online major can be achieved with relatively little new investment (one clinical professor line).

The Faculty of the School of Politics, Philosophy, and Public Affairs and the Dean of the College of Arts and Sciences agree that the degree can be supported for online delivery, and they are prepared to engage fully in the development and delivery of the online degree.

4. Organizational arrangements required within the institution to accommodate the change.

The Global Campus is prepared to fully support course development, student services, advising, recruiting, marketing, and faculty development within their existing infrastructure.

Likewise, the School of Politics, Philosophy, and Public Affairs is prepared to manage assessment, instruction, innovation, and coordination of the online degree in concert with their existing campus-based degree. The School of Politics, Philosophy, and Public Affairs is already offering a number of online courses during the academic year. The creation of an online major will therefore require only the addition of approximately three courses/semester as well as preparation of new courses to increase the diversity of course offerings.

5. Lay out a three-year timetable for implementation, including hiring plans, partnership contracts if needed, facilities modification, recruiting, and other elements of implementation. Provide dates for each step.	
2018-2019	Course development (see course development schedule, Exhibit C) Begin offering the online major Hire coordinator/instructors Marketing/recruitment
2019-2020	Hire temp instructors Continue marketing/recruitment Course update according to schedule
2020-2021	Monitor enrollment in individual courses; revise frequency of offerings as indicated Begin assessment Continue marketing Course update according to schedule
2021-2022	Monitor enrollment in individual courses; revise frequency of offerings as indicated Continue Marketing and assessment Evaluate program for faculty hires if enrollments are sufficient

Budget:

Attach the Financial Worksheet with five-year FTE, revenue and expenditure projections. Fully account for costs such as staff support, training, library, facilities and so on.

Please describe the funding picture narratively, including funding sources, department, college and/or campus commitments, investments already made, one-time costs, facilities costs (labs, classrooms, offices, telecom etc.) and library costs.

In order to successfully manage this program, as we project a large number of enrollments, the department is requesting the appointment of a Program Coordinator/Director. This reflects best practice and mimics the model in some of the colleges' best online programs. That individual will also teach courses in the program.

Additionally, 5 courses must be developed online to meet the requirements of the degree, and will cost \$4500 per course to develop.

The department will initially rely on part time instructors to teach 2-5 courses per semester online until such time as enrollment funding is sufficient to hire full time faculty.

Finally, due to an increase in the overall number of students enrolled in Political Science courses, we anticipate departmental administrators will have additional work allocated directly to the online program, which is reflected in the attached budget in the hiring of part time help.

The program will be state-supported, with all revenues enrollment-based. No additional fees are required.

Current Global Campus undergraduate tuition rates will apply.

The Dean of CAS is committed to funding the additional personnel required to launch the degree. (Exhibit E)

Student Services:

Describe the capacity of student support services to accommodate the change at this location. Include a description of admissions, financial aid, advising, library, tutoring and other services specific to this request.

The Global Campus provides comprehensive student services, often in collaboration and cooperation with the centralized units, to ensure student success. Included are dedicated recruiters and advisors, transfer credit evaluation, career counseling, financial aid, e-tutoring, student involvement, and tech support for online students. The Global Campus is also skilled in working with students to match their goals with the programs and services offered by WSU.

Additionally, WSU Global Campus personnel are the experts on adult and contemporary distance learners, and provide specialized services to meet the needs of these unique students.

WSU Global Campus creates opportunities for meaningful student engagement through unique student involvement activities offered virtually and face-to-face. The Global Campus encourages and mentors students into research opportunities and creates pathways for students to transition into graduate school.

Describe the implications of the change for services to the rest of the student body.

Adding online courses and creating access to a new degree program adds opportunity and options for student success, potential for better time-to-degree outcomes, and flexibility that accommodates students' needs.

We do anticipate that some Political Science Majors that are currently enrolled in the online Social Sciences degree may choose to switch to the Political Science degree. However, our numbers on the fiscal worksheet are indicating new enrollments, not transfers, which may be more.

Physical Facilities and Equipment:

Outline the provision/s made for physical facilities and equipment at the proposed location that will support the program and its projected growth. Include videoconferencing and other technologies that support course delivery as well as classrooms, labs, and office space.

None. All online courses are fully supported by AOI and the Global Campus through the Learning Management System.

Library and Information Resources:

Using the Library Analysis form, describe the availability and adequacy of library and information resources for this degree, degree level, and location. Note plans to address gaps.

Students have access to all required curriculum as determined by the faculty and no new resources are expected to be required through the library to support this degree.

Faculty:

List the educational and professional qualifications of the faculty relative to their individual teaching assignments.

List the anticipated sources or plans to secure qualified faculty and staff.

All faculty teaching online are held to the same qualifications as faculty on the Pullman campus. Deans and Directors are directly responsible for the hiring of all teaching faculty and ensure credentials are appropriate for the program, and will hire using normal hiring processes.

Impact on Other Locations/Programs:

Briefly describe any impacts on other WSU programs and locations, and how you came to these conclusions (who was consulted?). If there are potential adverse impacts, describe how these will be addressed. Consider such things as: reallocation of faculty time, reallocation of AMS courses, impact of blended courses, internal competition, "cannibalization" of other programs, curricular effects for other degrees, effects on recruitment markets for other campuses. Indicate how such problems will be addressed for each campus or department affected.

We anticipate very few impacts on other WSU programs or locations.

The School of Politics, Philosophy, and Public Affairs has faculty and a major in Pullman only. Accordingly, we (Pullman department chair, Pullman undergraduate studies chair, department faculty) discussed possible enrollment consequences for the Pullman campus. Because the primary market for the online major is placebound students, and because of the policy in place which disallows students on physical campuses to take Global Campus courses during Spring and Fall semesters, the online program is unlikely to attract large numbers of Pullman-based students during the academic year. We have found that during the summer, students are increasingly taking courses online rather than face-to-face. This trend has had impacts on all summer enrollments. Both campuses recognize that the addition of the online major increases the need for us to coordinate offerings across the Pullman and Global campuses, and we are putting in place procedures for doing so in a systematic way. We anticipate that the addition of the online major will allow us to use our resources more efficiently in order to serve students on the all campuses.

The departmental plan for this degree is to initially rely on current courses and faculty teaching online, and expand online course offerings strategically using clinical instructors and recent PhD graduates in the early phases of degree roll out. As enrollments increase, the department will transition to hiring clinical and then tenure-track faculty as budgets allow. Ultimately, upon reaching stasis, the student numbers should be sufficient to allow for additional permanent faculty in the department, and provide opportunities for graduate assistants to teach online.

What are the plans for continuing the program past 5 years if the goals for enrollment are not met, or other circumstances prevent the execution of the plan described here?

All new online degree programs will be evaluated continuously for enrollment and financial metrics. Under-performing degrees will be sunset once the college, department, and Global Campus have explored all reasonable efforts to increase enrollments and revenue through marketing, partnerships, and innovation. However, prior to sunsetting a degree, need for the courses that are provided online will also be analyzed to ensure little to no impact on other departments and programs that rely on those courses.

Any sunsetted degree will include an appropriate teach-out plan and students will be supported to graduation.

External Reviews

If this program is new to the Washington State University system, please provide the names and addresses of 2-3 external experts from similar institutions who could be contacted to provide reviews of this program.

Name	Contact Information (email, phone, address)
N/A	

Attachments:

- Financial Worksheet
- Four-Year Degree Plan (undergraduate); curriculum overview (graduate and professional)
- Curriculum Map (undergraduate)
- Assessment Plan
- Letters of financial commitment
- Contracts or MOUs if applicable

Send to: provost.deg.changes@wsu.edu

EXHIBIT A

Four Year Plan

Political Science – General Option (120 Hours)

36 credits in POL S are required, at least 15 of which must be earned at WSU.

First Year

<i>First Term</i>	<i>Hours</i>
Creative & Professional Arts [ARTS], Humanities [HUM], or Social Sciences [SSCI]	3
HISTORY 105 [ROOT]	3
Humanities [HUM]	3
POL S 101 [SSCI]	3
Electives	3
 <i>Second Term</i>	 <i>Hours</i>
Diversity [DIVR]	3
ENGLISH 101 [WRTG]	3
POL S 102	3
Quantitative Reasoning [QUAN]	3
Electives	3

Second Year

<i>First Term</i>	<i>Hours</i>
Biological Sciences [BSCI] with lab or SCIENCE 101 [SCI] ¹	4
Creative & Professional Arts [ARTS]	3
POL S 103	3
Foreign Language, if needed, and/or Electives ²	6
 <i>Second Term</i>	 <i>Hours</i>
Physical Sciences [PSCI] with lab or SCIENCE 102 [SCI] ¹	4
POL S 201	3
Foreign Language, if needed, and/or Electives ²	7
Complete Writing Portfolio	

Third Year

<i>First Term</i>	<i>Hours</i>
POL S Electives ³	9
Electives ⁴	6
 <i>Second Term</i>	 <i>Hours</i>
Communication [COMM] or Written Communication [WRTG]	3
POL S Electives ³	6
Electives ⁴	6

Fourth Year

<i>First Term</i>	<i>Hours</i>
POL S Elective ³	3
Electives ⁴	12
<i>Second Term</i>	<i>Hours</i>
Integrative Capstone [CAPS]	3
POL S Electives ³	6
Electives ⁴	6

Footnotes

- ¹ To meet University and College of Arts and Sciences requirements, students must take a [BSCI] course with lab and [PSCI] course with lab or SCIENCE 101 [SCI] and SCIENCE 102 [SCI]. SCIENCE 101 [SCI] is offered Fall semester and is a prerequisite for SCIENCE 102 [SCI]. SCIENCE 102 [SCI] is offered Spring semester.
- ² Two years of high school foreign language or at least two semesters of college-level foreign language are required by the College of Arts and Sciences for graduation.
- ³ POL S Electives: 24 credits required. Must include a minimum of 9 credits of 300-400 level coursework and 2 [M] courses.
- ⁴ Electives must include a sufficient number of 300-400-level electives to fulfill the University requirement of 40 credits of upper division coursework. A CPT S or STAT course is recommended but not required.

EXHIBIT B

Advising Worksheet

University Core Requirements (UCORE):

34 units minimum required, may take 3, 3-4 unit courses within the major

UCORE Roots of Contemporary Issues [ROOT] – 3 units required

3 ROOT HISTORY 105

UCORE Quantitative Reasoning [QUAN] – 3 units required

3 QUA
N

UCORE Communication [COMM] & Writing [WRTG] – 6 units required

3 WRT
G

Comm
or WRT
G

UCORE Inquiry in the Social Sciences [SSCI] – 3 units required

3 SSCI

UCORE Inquiry in the Creative & Professional Arts [ARTS] – 3 units required

3 ARTS

UCORE Inquiry in the Humanities [HUM] – 3 units required

3 HUM

***UCORE Biological Science [BSCI] – 3 units required**

BSCI

***UCORE Physical Science [PSCI] – 3 units required**

PSCI

***UCORE Science [BSCI] [PSCI] [SCI] – 7 or 8 units required including 1 lab**

*Total of 8 credits which includes 2 labs for CAS requirement

UCORE Diversity [DIVR] – 3 units required

3 DIVR

UCORE Integrative Capstone [CAPS] – 3 units required

3 CAPS

36 POLITICAL SCIENCE CREDITS REQUIRED

Political Science Introductory Requirements

3 POL_S 101

3 POL_S 102

3 POL_S 103

3 POL_S 201

Writing in the Major [M] (choose two)

3 POL_S 404, 405, 424, 430, 432, 438,
442, 446, 447, 450, 460, 472, 476

3 POL_S 404, 405, 412, 424, 432, 438,
442, 446, 447, 450, 460, 472, 476

Electives (18 credits) In addition to [M] course requirements

3

3

3

3

3

3

Total Credits

GPA

Grad Date

Transfer Credits

CAS Additional Requirements

Foreign Language: 2 yrs HS or 1 yr College

(Must be same language)

Total UD Credits

Writing Portfolio

EXHIBIT C**Course Development/Delivery Schedule**

Course	Title	Development Term	Delivery Term	Developer	Instructor
POLS 477	Political Violence	Summer 2017	Spring 2019	Ashly Townsen	Ashly Townsen
POLS 472	European Politics	Summer 2017	Fall 2018	Season Hoard	Staff
POLS 201	Political Research Methods	Summer 2017	Fall 2018	Michael Salamone	Staff
POLS 103	International Relations	Redeveloped— Summer 2017	Fall 2018	Ashly Townsen	Staff
POLS 427	United States Foreign Relations	Summer 2018	Spring 2019	Martha Cottam	Staff
POLS 317	Media and Politics	Summer 2018	Spring 2019	Staff	Staff
POLS 404	The Judicial Process	Summer 2018	Fall 2018	Staff	Staff
POLS 497	Political Science Internship	TBD	TBD	Richard Elgar	Richard Elgar

EXHIBIT D

School of Politics, Philosophy, and Public Affairs Assessment Plan 2016-17

The School of Politics, Philosophy and Public Affairs endeavors to involve the entire faculty of the school in the assessment process. The Undergraduate Studies Committee takes the lead. During the coming year the committee will report on assessment issues, procedures and data to the faculty and provide a timetable that will alert members of the school about important assessment-related tasks and the dates that they need to be performed.

This assessment plan consists of four parts:

- I. Student Learning Outcomes
- II. Alignment of Student Learning Outcomes with the Seven Goals of the Baccalaureate
- III. Direct and Indirect Measures of Assessment
- IV. Rubric for Assessing Student Performance in the Portfolios

I. Student Learning Outcomes

The School of Politics, Philosophy and Public Affairs has adopted the following student learning outcomes for both the B.A in Philosophy (General and Prelaw options) and the B.A. in Political Science (General, Prelaw, and Global Politics options). These goals are sensitive to the relevant disciplinary differences.

- A. Students will learn to identify important issues and challenges in their discipline (political science or philosophy), and how to work to solve them.
- B. Students will learn to recognize, construct, and evaluate arguments; and to employ cogent arguments on relevant issues in their discipline and more generally.
- C. Students will learn how to use evidence in the context of research generally and will learn the specific methods of their discipline (political science or philosophy).
- D. Students will learn how to recognize and respond to alternative, diverse viewpoints and to discuss normative and descriptive aspects of the issues, arguments, and/or contexts appropriately.

II. Alignment of Student Learning Outcomes with the Seven Goals of the Baccalaureate

The School of Politics, Philosophy and Public Affairs has aligned student learning outcomes with the University's seven goals of the Baccalaureate in the following ways:

Program's Student Learning Outcomes	Seven Goals of the Baccalaureate (Fall 2012)
All four student learning outcomes require the use and growth of critical and creative thinking; SLO-D specifically addresses ethical reasoning.	CRITICAL and CREATIVE THINKING. Graduates will use reason, evidence, and context to increase knowledge, to reason ethically, and to innovate in imaginative ways.
SLO-B is aligned with this goal through the study of logic as it is applied in philosophy and political science. SLO-C is aligned with this goal through the study of statistics as applied in political science.	QUANTITATIVE REASONING. Graduates will solve quantitative problems from a wide variety of authentic contexts and everyday life situations.
SLO-A is aligned with this goal through the identification of social scientific problems in political science and political philosophy. SLO-C is aligned through the study of social scientific methods in political science.	SCIENTIFIC LITERACY. Graduates will have a basic understanding of major scientific concepts and processes required for personal decision-making, participation in civic affairs, economic productivity and global stewardship.
SLO-C requires that students increase information literacy in order to use evidence properly and achieve best practices in the methods of political science and philosophy.	INFORMATION LITERACY. Graduates will effectively identify, locate, evaluate, use responsibly and share information for the problem at hand.
SLO-B addresses communication in the formulation and employment of arguments, and also in the larger rhetorical space of sharing meaning with all stakeholders in an issue.	COMMUNICATION. Graduates will write, speak and listen to achieve intended meaning and understanding among all participants.
SLO-D directly addresses the goal of diversity.	DIVERSITY. Graduates will understand, respect and interact constructively with others of similar and diverse cultures, values, and perspectives.
SLO-A addresses the need to address disciplinary challenges and to integrate solutions for the betterment of society.	DEPTH, BREADTH, AND INTEGRATION OF LEARNING. Graduates will develop depth, breadth, and integration of learning for the benefit of themselves, their communities, their employers, and for society at large.

III. Direct and Indirect Measures of Assessment

The School of Politics, Philosophy and Public Affairs will assess student learning by using the following direct and indirect measures:

Direct Measures	Brief description of measure, sampling strategy, and method of collection	Relates to which student learning outcome or assessment purpose; and/or to a WSU Big 7 or issue
Writing Assignments in [M] courses	At least one paper from every [M] course (Writing in the Major) is evaluated, scoring <u>every</u> student in the section according to a rubric for the PPPA learning goals (see attached).	The rubric assesses all four student learning outcomes.
Standardized assignments in POLS 201 (first cycle complete) and PHIL 201 (in development)	Research assignment in Political Research Methods (POLS 201) and writing assignment in PHIL 201 (Elementary Logic) to be assigned in every section. Random samples to be collected and scored by panel.	POLS 201 connected especially to PPPA goal C (research methods), also to PPPA goals A, B and D. PHIL 201 connected especially to PPPA goal B (argument analysis), also to PPPA goals A, C, and D. Both courses are connected to WSU Quantitative learning goal (via statistical reasoning in POLS and formal logic methods in PHIL)
Periodic review of Junior Writing Portfolio data	Data is received from WSU and reviewed at unit level, especially with respect to trends over longer periods.	Directly related to WSU learning goals of Communication, Info Literacy, and Critical/Creative Thinking. Also correlated with PPPA learning goals.
UNDER DEVELOPMENT: Capstone assignments courses in POLS and PHIL	Standard assignments, likely related to research projects, would be assessed. New CAPS courses in POLS and PHIL are offered beginning in 2016-17. Unit plans to develop assessment measures.	Special attention would be paid to PPPA goal C on disciplinary methodologies.

Indirect Measures	Brief description of measure, sampling strategy, and method of collection	Relates to which student learning outcome or assessment purpose; and/or to a WSU Big 7 or issue
Course evaluations	All PPPA courses are evaluated by students. Committee will examine benefits of annually reviewing data for overall trends.	Potentially to all learning goals.
UNDER DEVELOPMENT: Exit interviews	Planning to develop program-specific interview questions to add to planned CAS exit survey instrument for all graduating seniors.	Depends on survey instrument but likely to include all 4 PPPA goals as well as student satisfaction.
UNDER CONSIDERATION: Alumni survey	A brief online survey of alumni to assess satisfaction with degree program.	Depends on survey instrument but likely to include all 4 PPPA goals as well as student satisfaction.

IV. Rubric for Assessing written work in the [M] courses

GOAL A. Identifies the relevant issue, contextualizes it appropriately, and demonstrates understanding of how to work towards a solution.

NOT APPLICABLE	NA	Does Not Reach Goal	1	Reaches Goal	2	Exceeds Goal	3
This standard does not apply to this assignment		Does not identify or misapprehends salient issues; omits important context; does not weigh evidence; appears to neglect solutions to problems.		Recognizes salient issues; identifies appropriate aspects of context; weighs evidence correctly; displays awareness of possible solutions to problems.		Recognizes salient issues, even in complex cases; weighs evidence correctly; displays sophisticated awareness of possible solutions and clearly proposes them.	
INSUFFICIENT INFORMATION	NI						
There is not enough information to assess with respect to this standard.							

GOAL B: Identifies and evaluates arguments of others as needed, and clearly expresses cogent arguments of their own appropriately for this assignment.

NOT APPLICABLE	NA	Does Not Reach Goal	1	Reaches Goal	2	Exceeds Goal	3
This standard does not apply to this assignment		Does not recognize or misapprehends typical arguments and/or their structures; does not evaluate arguments correctly; appears to neglect appropriate contextual features of arguments; arguments of their own (if any) have major flaws.		Recognizes typical arguments and their structures; evaluates typical arguments correctly; displays awareness of contextual features of arguments; produces arguments of their own that have only minor flaws.		Recognizes arguments and their structures, even in complex cases; evaluates complex arguments; displays sophisticated awareness of contextual features of arguments; produces cogent arguments of their.	
INSUFFICIENT INFORMATION	NI						
There is not enough information to assess with respect to this standard.							

GOAL C: Applies political science and/or philosophical methods appropriately, including the use of evidence in the context of research where applicable.

NOT APPLICABLE	NA	Does Not Reach Goal	1	Reaches Goal	2	Exceeds Goal	3
This standard does not apply to this assignment		Fails to identify relevant key sources; perhaps cites outside sources, but does not display effective use of literature searches; uses online sources indiscriminately; tends to merely report on what sources have said rather than engaging material		Displays substantial engagement with relevant literature likely found through literature searches; uses some appropriate online sources but also questionable ones; uses correct citation style; goes beyond mere reporting on sources and		Displays sophisticated use of literature searches; uses online sources discriminatingly; displays source citation appropriate to standard style(s); engages sources creatively and applies standard research techniques correctively and perhaps inventively.	
INSUFFICIENT INFORMATION	NI						
There is not enough information to assess with respect to this standard.							

	and applying research techniques.	applies standard research techniques to ideas discussed.	
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GOAL D: Recognizes, distinguishes, and discusses normative and descriptive aspects of the issues, arguments, and/or contexts appropriately.

NOT APPLICABLE	NA	Does Not Reach Goal	1	Reaches Goal	2	Exceeds Goal	3
This standard does not apply to this assignment		Ignores or fails to recognize salient normative features; misapplies normative concepts; does not display satisfactory understanding of diverse perspectives.		Displays awareness of salient normative features; does not misapply normative concepts and does apply them where applicable; displays some understanding of diverse perspectives.		Displays sophisticated understanding of normative features; displays nuanced understanding normative concepts where applicable; displays sophisticated understanding of diverse perspectives.	
INSUFFICIENT INFORMATION	NI						
There is not enough information to assess with respect to this standard.							

V. Timeline for Assessment in 2016-17

Summer 2016	Fall 2016	Spring 2017	Summer 2017
Data from 2015-16 [M] courses organized and analyzed for assessment.	Submit UCORE proposals to FacSen.	[M] course instructors meet to establish inter-rater reliability using rubric. [M] course writing assignments scored on rubric and submitted to Undergrad Studies.	Data from 2015-16 [M] courses organized and analyzed for assessment.
Data from POLS 201 and PHIL 201 analyzed.	Submit proposals for additional [M] courses to FacSen.	Implement PHIL 201 standardized assignment	Data from POLS 201 and PHIL 201 analyzed.
Assessment report for 2015-16 completed and uploaded to Sharepoint site.	[M] course instructors meet to establish inter-rater reliability using rubric. [M] course writing assignments scored on rubric and submitted to Undergrad Studies.	Exit survey for graduating seniors implemented	Assessment report for 2016-17 completed and uploaded to Sharepoint site.
PHIL 201 instructors work on trial standardized assignment for some sections	POLS 201 faculty meet and work on standardized assignments. Implement trial run of PHIL 201 assignment	Develop exit survey questions for graduating seniors (possibly propose as new degree requirement)	Additional UCORE course proposals developed.

Proposals developed for additional [M] courses.	Submit proposals for additional [M] courses to FacSen.	Undergrad Studies Comm. develops enhanced curriculum maps and brings to whole faculty.	
Additional UCORE course proposals developed, including CAPS	Teaching evaluation data from 2015-16 analyzed for assessment purposes.	Teaching evaluation data from 2015-16 analyzed for assessment purposes.	
	Develop enhanced curriculum maps (SLO emphasis maps)	Develop enhanced curriculum maps (SLO emphasis maps)	

EXHIBIT E
Letter of Financial Support from Dean of CAS



College of
Arts and Sciences

MEMORANDUM

TO: Steven Stehr, Chair
School of Politics, Philosophy, and Public Affairs

Cc: Nancy Lira, Area Finance Officer
College of Arts and Sciences

FROM: Larry Hufford, Interim Dean *Larry Hufford*
College of Arts and Sciences

DATE: January 11, 2018

SUBJECT: Support for Political Science Bachelor of Arts degree through Global Campus

I offer my strong support for the proposal submitted by the School of Politics, Philosophy, and Public Affairs to launch online the Political Science Bachelor of Arts degree through the Global Campus.

The College of Arts and Sciences is committed to provide funding that will support oversight of the online program, development of new and updated courses, and the teaching of online courses for the major in Political Science. Financial commitments from the college will include the following:

- Up to \$78,800 in ongoing or new funds annually, beginning in year one, for three years to support appointment of instructors to teach courses for the online major. This amount will increase if warranted by enrollment and course numbers offered on the Pullman campus.
- Up to \$4500/course for the development of courses, including design and implementation, that will support the online major. We currently provide these funds through application to the College on a course-by-course basis.

All new online degree programs will be evaluated annually for effectiveness in meeting learning outcomes and for achieving sustainable enrollments. At the end of three years, we will review with the School of Politics, Philosophy, and Public Affairs and Global Campus the success of the online major in meeting learning and enrollment goals to evaluate renewal of our commitment to the salary of the clinical assistant professor.

I thank you and the faculty of the School of Politics, Philosophy, and Public Affairs for your commitment to providing educational opportunities that meet the needs of diverse students, especially for students who may not be able to access one of our physical campuses.

PO Box 642630, Pullman, WA 99164-2630
509-335-4581 | Fax: 509-335-8986 | cas@wsu.edu | cas.wsu.edu

Use Table 1 to report enrollment projections

Students	Year 1	Year 2	Year 3	Year 4	Year 5	Year N*
Headcount	25	50	75	100	125	125
AAFTE	15	30	45	60	75	75

**Note on Year "N": Please replace the letter "N" with the year in which you expect the program to reach full enrollment.*

Use the FTE Calculator below to convert Headcount to Annual Average FTE for each year represented.

FTE Calculator

Credit Hours	Fall	Spring	Total	
Per Student	Headcount	Headcount	Headcount	total Credits
20			0	0
19			0	0
18			0	0
17			0	0
16			0	0
15			0	0
14			0	0
13			0	0
12			0	0
11			0	0
10			0	0
9	125	125	250	2,250
8			0	0
7			0	0
6			0	0
5			0	0
4			0	0
3			0	0
2			0	0
Total	125	125	250	2,250
Divide by 2 to get annual average				2
Annual average credits				1125
Divide by 15 for undergrads or 10 for grad students. Enter 15 or 10 >				15
Annual average FTE				75

Use Table 2 to report program costs and revenues

**Bachelor of Science in Political Science
3/5/2018**

	1st FTE	2nd FTE	Nth* FTE	1st Academic Year	2nd Academic Year	Nth* Academic Year
Total Student HDC				25	50	125
Total Student AAFTE				15	30	75
†Enrollment values linked to Table 1†						
Personnel						
Faculty	‡Insert employee FTE by job title‡			‡Insert annual salaries by job title‡		
Asst. Prof	25%	25%	75%	13,750	13,750	41,250
Instructor	100%	100%	100%	18,800	18,800	18,800
Instructor	100%	100%	100%	18,800	18,800	18,800
Professor (Stehr)	10%	10%	10%	7,500	7,500	7,500
Program Coordinator/Instructor	100%	100%	100%	-	55,000	55,000
<Insert Job Title>	0.00	0.00	0.00	-	-	-
Subtotal	3.35	3.35	3.85	58,850	113,850	141,350
Exempt						
Academic Coordinator Sr	10%	10%	10%	4,600	4,600	4,600
<Insert Job Title>	0.00	0.00	0.00	-	-	-
Subtotal	0.10	0.10	0.10	4,600	4,600	4,600
Classified						
Fiscal Specialist 2	5%	5%	5%	2,785	2,785	2,785
<Insert Job Title>	0.00	0.00	0.00	-	-	-
Subtotal	0.05	0.05	0.05	2,785	2,785	2,785
Graduate						
TA	0%	0%	0%	-	-	-
TA	0%	0%	0%	-	-	-
Subtotal	0.00	0.00	0.00	-	-	-
Total Personnel	3.50	3.50	4.00	66,235	121,235	148,735
Benefits						
				‡Insert benefits based on current benefit rates‡		
Faculty				16,890	32,675	40,567
Exempt				1,940	1,940	1,940
Classified				1,300	1,300	1,300
Graduate				-	-	-
Total Benefits				20,131	35,916	43,808
Link to current benefits model rates						
Goods and Services				9,000	9,000	3,000
Travel				-	-	-
Equipment (laptops, cameras, software)				2,000	2,000	2,000
Total Direct Costs				97,365	168,150	197,543
Total Indirect Costs	35%			47,581	85,696	104,754
Total Costs				144,947	253,847	302,297
One-Time Costs (course dev)				9,000	9,000	3,000
Recurring Costs				135,947	244,847	299,297
Total Costs				144,947	253,847	302,297
				9,000	9,000	3,000
				135,947	244,847	299,297
				144,947	253,847	302,297
				9,663	8,462	4,031
				6,491	5,605	2,634
Revenue						
Internal Departmental /Area Reallocation				44,865	63,150.24	(64,957.26)
Enrollment Funding				52,500	105,000	262,500
New State Funds				-	-	-
WSU Allocation (Institutional reallocation)				-	-	-
Indirect Allocation (Central reallocation for support services)				47,581	85,696	104,754
Other <Insert Description>				-	-	-
Total Revenue				144,947	253,847	302,297
				TRUE	TRUE	TRUE
†Total costs must equal total revenue†						

*Note on Year "N": Please replace the letter "N" with the year in which you expect the program to reach full enrollment.

Course	UCORE	Summer	Fall	Spring	Summer	Fall	Spring	Summer	Fall	Spring
101										
102										
103		Redsign								
201		Dev (Salomone/Townsen)								
300										
305										
314										
316										
317										
340										
400										
402										
405	M									
410										
418										
430	CAPS/M									
436										
445										
446										
472		Dev								
477	CAPS/M	Dev (Townsen)								
497										

MEMORANDUM

TO: Steven Stehr, Chair
School of Politics, Philosophy, and Public Affairs

Cc: Nancy Lira, Area Finance Officer
College of Arts and Sciences

FROM: Larry Hufford, Interim Dean
College of Arts and Sciences

DATE: January 2, 2018

SUBJECT: Support for Political Science Bachelor of Arts degree through Global Campus

I offer my strong support for the proposal submitted by the School of Politics, Philosophy, and Public Affairs to launch online the Political Science Bachelor of Arts degree through the Global Campus.

The College of Arts and Sciences is committed to provide funding that will support oversight of the online program, development of new and updated courses, and the teaching of online courses for the major in Political Science. Financial commitments from the college will include the following:

- Up to \$78,800 in ongoing or new funds annually, beginning in year one, for three years to support appointment of instructors to teach courses for the online major. This amount will increase if warranted by enrollment and course numbers offered on the Pullman campus.
- Up to \$4500/course for the development of courses, including design and implementation, that will support the online major. We currently provide these funds through application to the College on a course-by-course basis.

All new online degree programs will be evaluated annually for effectiveness in meeting learning outcomes and for achieving sustainable enrollments. At the end of three years, we will review with the School of Politics, Philosophy, and Public Affairs and Global Campus the success of the online major in meeting learning and enrollment goals to evaluate renewal of our commitment to the salary of the clinical assistant professor.

I thank you and the faculty of the School of Politics, Philosophy, and Public Affairs for your commitment to providing educational opportunities that meet the needs of diverse students, especially for students who may not be able to access one of our physical campuses.

TO: Kelly Newell, Director, Program and Partner Development
FROM: Kim Andersen, Chair, Faculty Senate Library Committee
Jay Starratt, Dean of Libraries
RE: Extension of Existing Degrees to Global Campus
DATE: January 25, 2018

Although there is a formal process for new programs and degrees that collects information about the potential impact on Libraries, among other campus resources, when a degree is being extended to Global Campus students, the impact will be minimal.

Over 90% of our materials are already purchased or licensed in digital formats, including journals, e-books, and educational films. Approximately 95% of those materials are already available for the entire WSU system. Adding 60-125 students in a select handful of majors will not impact our ability to deliver content to the students.

With these current projections, we should also be able to handle the increased need for our human resources, such as requests for consultations with librarians, increase in article and book delivery requests and such. It is important to note, though, that we are in a cycle of cancelling resources and reducing materials each year to meet the inflationary costs of the journal packages, so long-term sustainable solutions are needed and are under discussion and development, and major program expansions could impact budgets and contracts more adversely.

The Faculty Senate Library Committee and the Libraries Administration is comfortable in supporting the proposal for Global Campus to extend into history, political science, English, sociology and biology, as outlined in your January 3, 2018 memo.

Please let us know if you need additional information from us.



WASHINGTON STATE UNIVERSITY

WSU Research Update



Dr. Christopher J. Keane
Vice President for Research
Professor of Physics

Presented to WSU Board of Regents
Research and Academic Affairs Committee
March 7, 2019





Agenda

- Centers, Institutes, and Laboratories Task Force report
- Drive to 25 R&D expenditure update
- PNNL/WSU collaboration update
- Proposals and awards update
- WSU research in the news



Centers, Institutes, and Laboratories (CILs) Task Force: Charter

- Review the existing CILs guidelines, including definitions/categories
- Review the processes for the establishment/approval of new CILs and review of CILs
- Make recommendations for updating the guidelines and processes, including review criteria and metrics
- Prepare a report with recommendations to the Provost, the VP for Research, and the Faculty Senate for their consideration

Current approved Centers, Institutes, and Laboratories (57)

Alexandra Navrotsky Institute for Experimental Thermodynamics (2017)	Intensive American Language Center (1984)
Arboretum & Wildlife Conservation Center (2015)	International Business Institute (1997)
Biomolecular X-Rays Crystallography Center (2003)	Laboratory for Atmospheric Research (1983)
Center for Arts and Humanities (2018)	Laboratory for Biotechnology & Bioanalysis (2015)
Center for Behavioral Business Research (2010)	Laboratory of Astrobiological Investigations & Space Mission Planning (2015)
Center for Digital Scholarship & Curation (2014)	Learning & Performance Research Center (2009)
Center for Entrepreneurial Studies (1997)	Marriott Foundation Hospitality Teaching Center (2011)
Center for Environmental Research, Education & Outreach (2006)	Metropolitan Center for Applied Research & Extension (2015)
Center for Institutional Research Computing (2016)	Monoclonal Antibody Service Center (1981)
Center for Interdisciplinary Statistical Education & Research (2016)	Murrow Center for Media & Health Promotion (2010)
Center for Materials Research (1993)	Nuclear Radiation Center (1977)
Center for Non-Thermal Processing of Food (1997)	Pacific Northwest Mestizo & Indigenous Center for Research & Outreach (2012)
Center for Precision & Automated Agricultural Systems (2000)	Sleep & Performance Research Center (2008)
Center for Reproductive Biology (1997)	Smart Environments Research Center (2014)
Center for Sustaining Agriculture and Natural Resources (2015)	Social & Economic Science Research Center (1970)
Center for the Study of Animal Well-Being (1993)	Sports Science Laboratory (2015)
Center for Transformational Learning & Leadership (2014)	Thomas S. Foley Institute for Public Policy & Service (2003)
Clean Plant Center Northwest (2015)	Translational Addiction Research Center (2011)
Energy Systems Innovation Center (2012)	University Center for Innovation & Value Creation (2015)
Food & Environmental Quality Laboratory (2015)	Veterinary Clinical Pharmacology Laboratory (2015)
Franceschi Electron Microscopy & Image Center (1977)	Washington Center for Muscle Biology (2011)
Freight Policy Transportation Institute (2015)	Washington State Institute for Criminal Justice (2010)
Health Equity Research Center (2017)	Water Research Center (1965)
Hoops Institute of Taxation Research & Policy (2010)	Western Center for Risk Management Education (2015)
IMPACT Center (1983)	Wildlife Habitat-Nutrition Laboratory (2015)
Institute for Senior Living (2017)	WSU-PNNL: Advance Grid Institute (2018)
Institute of Biological Chemistry (1980)	WSU-PNNL: Bioproducts Institute (2018)
Institute of Nuclear Science & Technology (2016)	WSU-PNNL: Nuclear Science and Technology Institute (2018)
Institute of Shock Physics (1997)	



Centers, Institutes, and Laboratories (CILs) Task Force: Members

- Joint effort of the Faculty Senate and Office of Research, Co-chaired by:
 - Co-chairs of the Research and Arts Committee of the Faculty Senate, **Tammy Barry** (College of Arts & Sciences) and **Babu John Mariadoss** (Carson College of Business)
 - Assistant Vice President of Research for CILs and Research/Instrumentation Cores, **Andrea Lazarus** (College of Pharmacy)
- Other Members:
 - Donald Bender** (Voiland College of Engineering and Architecture)
 - Linda Eddy** (College of Nursing, Vancouver)
 - Jonah Firestone** (College of Education)
 - Brian French** (College of Education)
 - Laura Lavine** (College of Agricultural, Human, and Natural Resource Sciences)
 - Michael McDonell** (Elson S. Floyd College of Medicine)
 - Jon Oatley** (College of Veterinary Medicine)
 - Jeff Savage** (College of Arts and Sciences)
 - Steve Simasko** (College of Veterinary Medicine)
 - Hans van Dongen** (Elson S. Floyd College of Medicine)
 - Michael Wolcott** (Voiland College of Engineering and Architecture)



CILS Task Force: Major recommendations

- Shift the role of the Faculty Senate from determination to administration
 - Oversight authority transferred to unit with fiscal responsibility
- “Laboratory” designation removed (i.e. left to VPR or Deans); designation of Center or Institute based on based on mission and level of institutional commitment
- Registry of Centers and Institutes (“C/Is”) to be created
- New “collaborative” category created: No forms required; can be entered in registry quickly; facilitates research nimbleness and collaboration
- Streamline application, review, and review/renewal process
- Shorten time for approval for new C/Is from ~ 1 year to 8 weeks- includes delegation of approval for new C/Is from Regents to President Schulz or designee (future action item at this Regents meeting)



Proposed changes reduce the time for establishing new Centers and Institutes from 1 year to 8 weeks

Current Process (about one year for final approval)



Proposed Process (about eight weeks for final approval)



WSU Proposal, Award, and Expenditure Trends

Proposals

	FY17	FY18	Avg. Annual Growth % (4 year avg.)	FY18 To Date (as of 2/27/18)	FY19 To Date (as of 2/27/19)
Proposal Amounts	\$1,000,949,686	\$906,519,599	1.27%	\$561,129,984	\$593,963,399
Proposal Counts	2,876	2,736	-0.66%	1,686	1,527

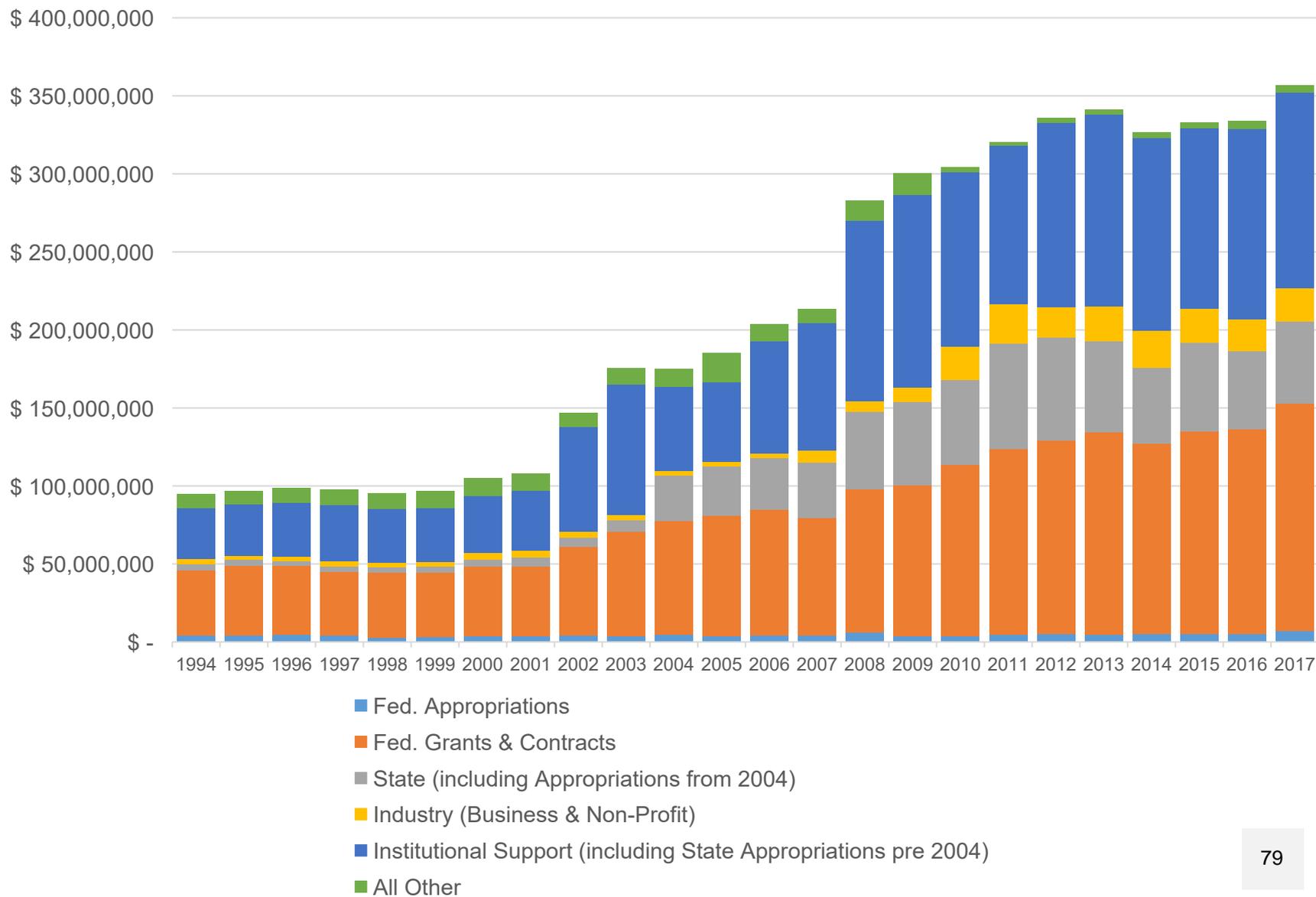
Awards

	FY17	FY18	Avg. Annual Growth % (4 year avg.)	FY18 To Date (as of 2/27/18)	FY19 To Date (as of 2/27/19)
Award Amounts	\$207,976,503	\$224,858,996	1.49%	\$149,593,846	\$158,527,625
Award Counts	1,795	1,691	-0.57%	1,003	989

Expenditures

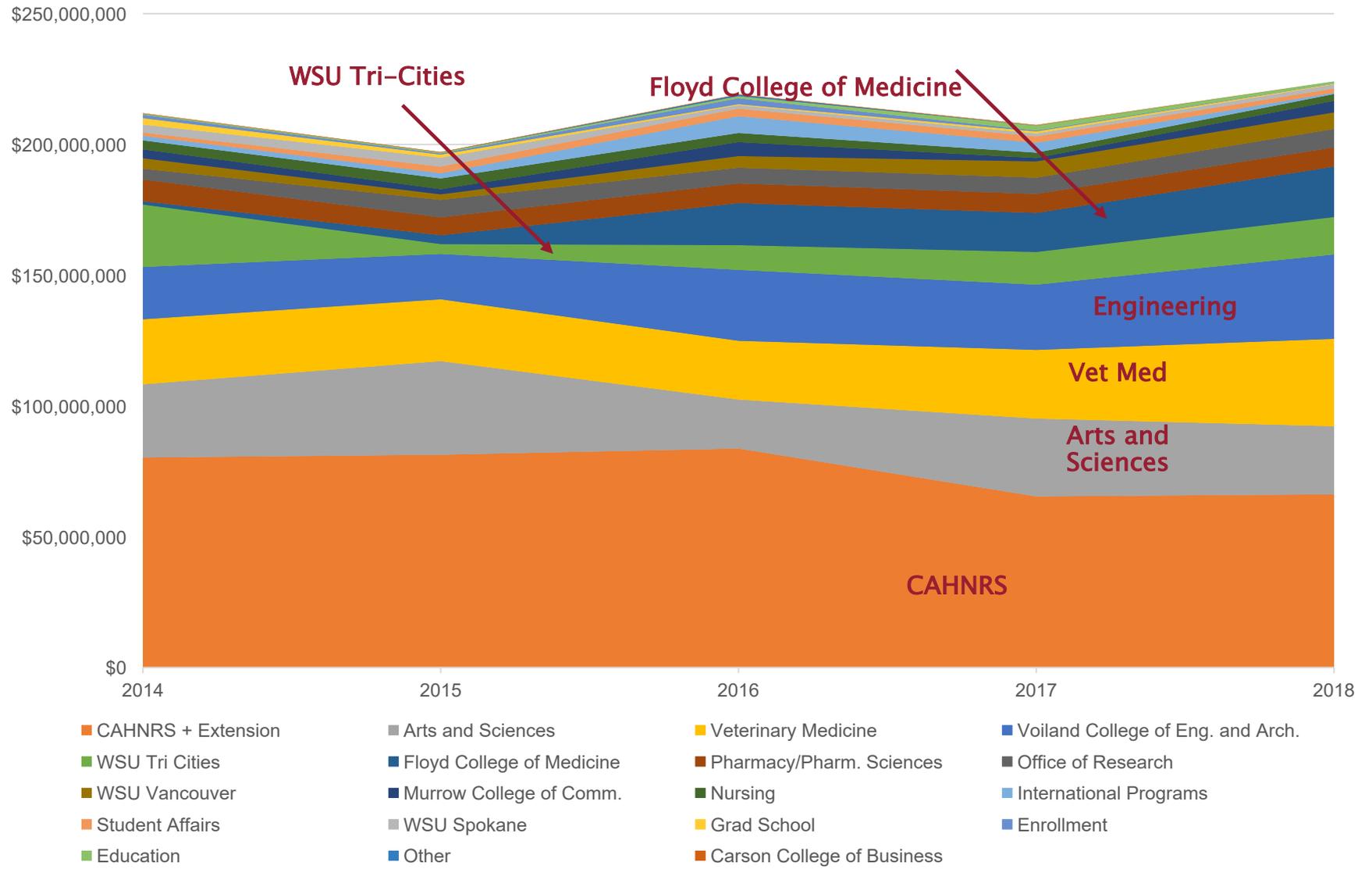
	FY16	FY17	Avg. Annual Growth % (4 year avg.)
<u>Total</u> NSF HERD R&D Expenditures	\$334,082,000	\$356,901,000	1.14%
<u>Federal</u> NSF HERD R&D Expenditures	\$136,646,000	\$152,843,000	3.28%

WSU NSF HERD R&D Expenditure Trends





FY2014-2018 Awards by College/Area



FY2019 award funding is up by approximately 10% compared to FY2018.

WSU-PNNL Partnership- recent activities



The WSU-PNNL Institutes

- Nuclear Science and Technology Institute
 - Dr. James Boncella named as Director
 - Institute selected as nonproliferation R&D Center (along with 11 other universities)
- Advanced Grid Institute Director – search continues
- BioProducts Institute Director
 - PNNL Co-Director nominated
 - WSU Co-Director – notice of vacancy written

Distinguished Graduate Research Program (students)

- Process launched for 3rd Cohort
- Revised guidelines to align with Graduate School milestones
- Revised submission process to facilitate tracking

Joint Appointments (Faculty)

- Already 5 new appointments in 2019

Exploring New Collaborations

- Quantum Computing, Microbiome, Catalysis



WSU recent major awards

Title	PI	Agency	Amount
Regulatory Role of Tandem Tryptophan Codons in Chlamydial Persistence	Rey Carabeo	NIH	\$2.41M
Eliminating human rabies: impact of enhanced vaccination coverage	Felix Lankester	NIH	\$2.34M
The role of endocannabinoids in circadian disruption induced metabolic dysregulation	Ilia Karatsoreos	NIH	\$1.97M
MAOA and AR Reciprocal Crosstalk in Prostate Cancer	Boyang Wu	NIH	\$1.75M
Optimizing the Heisenberg Vortex Tube for Hydrogen Cooling	Jacob Leachman	DOE-EERE	\$1.65M
Building a better lentil from the ground up	Rebecca McGee	USDA-NIFA	\$1.06M



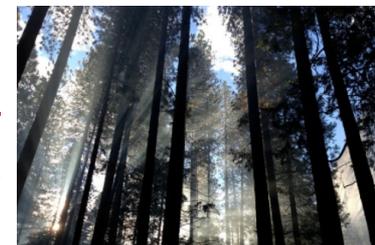
WSU research in the news

- Guy Palmer Receives Excellence in Research Award



- WSU Smart Home Tests First Elder Care Robot

- Reverse engineering reveals pine tree's chemical production — worth billions



- Experience Space Station Research in High-Res Video

- Six Feet Under: Deep Soil Can Hold Much of the Earth's Carbon



Agenda
Institutional Infrastructure Committee
Thursday, March 7, 2019
1:15 p.m. – 2:15 p.m.

Location: WSU Everett, Room 212

Committee Members: Brett Blankenship (Chair), Ted Baseler, and Scott Carson

Future Action Items

Section

- | | | |
|----|---|-----|
| 1. | Proposed Extension of IREACH Lease Agreement in the Metro Park West Building – Seattle (<i>Pearson/Goodell</i>) | I-1 |
| 2. | Richland 24.29 Acres – Sale of Real Property (<i>Pearson/Goodell</i>) | I-2 |

FUTURE ACTION ITEM #1

Initiative for Research and Education to Advance Community Health (IREACH),
Extension of Office Lease
(Stacy Pearson/Ryan Goodell)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: IREACH Seattle, Extension of Existing Office Lease

PROPOSED: That the WSU Board of Regents authorize a five (5) year extension of IREACH's existing Office Lease in Seattle, WA, and delegate authority to the President or his designee to enter into any and all documents necessary to complete the extension of IREACH's Office Lease.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

**SUPPORTING
INFORMATION:**

IREACH is currently leasing approximately 8,700 sq. ft. of office space in the Metropolitan Park West building located at 1100 Olive Way, Seattle, WA. The Office Lease is set to expire on July 31, 2019, and IREACH would like to extend the term of the Office Lease for an additional five (5) years. Final negotiations with the Landlord are ongoing, but the total amount of rent to be paid by IREACH over the additional five-year term will be approximately \$2,100,000.

The Real Estate Office did evaluate the potential of relocating IREACH into a new location in the Seattle area, but all such locations had a similar rent structure, and would have required a longer-term commitment from IREACH (7-10 years at a minimum). IREACH would also incur moving expenses and the interruption of its operation if it were to relocate into a different office building. In order to maintain flexibility for the future, IREACH prefers to remain in its existing location for an additional five (5) years.

FUTURE ACTION ITEM #2

Richland 24.79 Acres
Sale of Real Property
(Stacy Pearson/Sandra Haynes/Ryan Goodell)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Sale of Real Property located in Richland WA

PROPOSED: That the WSU Board of Regents authorize the sale of a parcel of vacant land in Richland, Washington totaling 24.79 acres, identified as Benton County Parcel No. 1-2608-200-0001-004 (the “Property”), and delegate authority to the President or his designee to select the best offer and to enter into any and all documents necessary to complete this sale.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

**SUPPORTING
INFORMATION:**

The Property was conveyed to the University by the City of Richland (the “City”) in October 1993 with the intent to encourage growth of the Tri-Cities Campus. An illustration of the Property is attached in Exhibit “A”. The Quit Claim Deed (the “Deed”) provided that the Property was being conveyed to the University as part of the college campus and to be used for educational, scientific and research purposes related thereto. The Deed also contained a reversionary condition that provided that if the Property was ever transferred or sold to a private entity, without the City’s prior written consent, the Property would revert back to the City.

The Property is located off of George Washington Way, approximately one (1) mile to the southwest of the University’s Tri-Cities Campus. An illustration of the Property in relation to the Tri-Cities Campus is attached in Exhibit “B”. The Property is zoned Commercial – Limited Business (C-LB), and is surrounded by apartments, three commercial buildings and single family residences. Given the Property’s separation from the Tri-Cities Campus, and its location within a mixed commercial and residential neighborhood, the Property is not well suited for the future growth and development of the Tri-Cities Campus. The Tri-Cities Campus supports the sale of the Property, and will have the opportunity to use the net proceeds from the sale of the Property for future improvements to and development of its Campus, as provided below.

The Real Estate Office has made a formal request of the City to provide its written consent to move forward with the sale of the Property, and expects to receive such consent in March 2019. In keeping with the City's conveyance of the Property to the University, the City's consent will provide that the net proceeds from the sale of the Property will be used for improvements to and/or development of the University's Tri-Cities Campus.

The Real Estate Office obtained an appraisal on the Property on February 4, 2019, which appraised the Property at \$2,160,000. It is our intent to list the Property for sale in the spring of 2019 in order to maximize market exposure during the spring and early summer.

Exhibit "A"

**Illustration of Property
(Richland 24.79 Acres - Outlined in Red)**

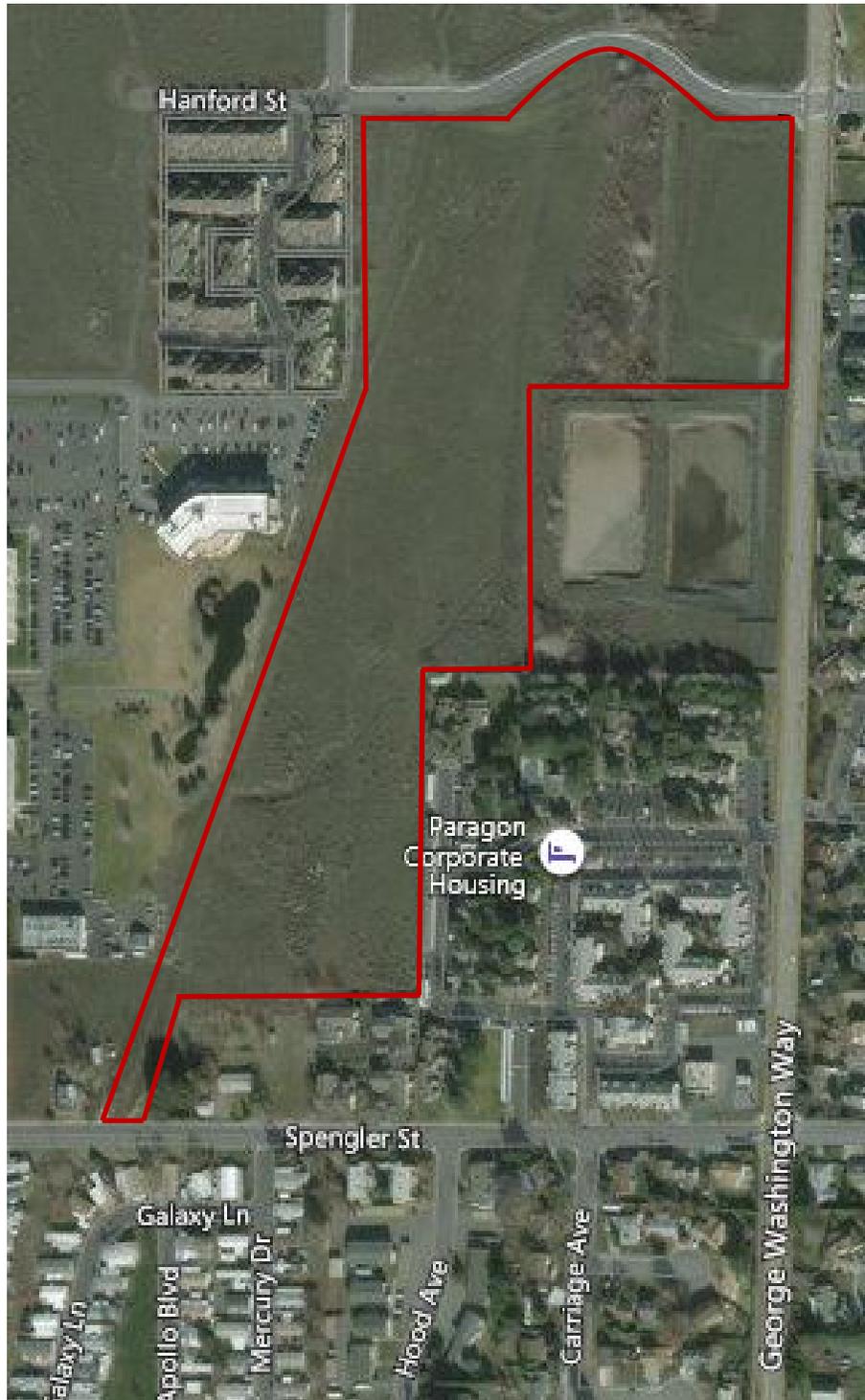


Exhibit "B"

Illustration of Property in relation to WSU Tri-Cities Campus





Agenda
Student Affairs and Student Life Committee
Thursday, March 7, 2019
1:15 p.m. – 2:15 p.m.

Location: WSU Everett, Room 412

Committee Members: Lura Powell (Chair), Marty Dickinson, Jordan Frost

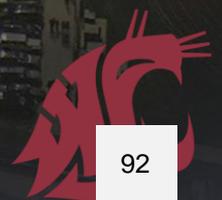
Information Items

Section

- | | | |
|----|--|-----|
| 1. | Game Day for Mental Health – Spring Game Initiatives (<i>Chun</i>) | S-1 |
| 2. | #oneWSU High Impact Practices (<i>Gonzales</i>) | S-2 |

2019 CRIMSON & GRAY GAME

#GameDayForMentalHealth



THURSDAY APRIL 17-18

COUGS FIRST!



FRIDAY APRIL 19

COUGSFIRST!

QB CLASSIC

BEHIND HAPPY FACES

FRIDAY APRIL 19



- Time: 6:00 PM
- Location: Chinook
- Student-Athlete Advisory Committee and approximately 60 Pullman High School Students training
- The program utilizes short, highly creative, engaging videos to expose students to the knowledge necessary for understanding mental health in their lives.

BEHIND HAPPY FACES



SATURDAY APRIL 20

- ASWSU Cougar Courage 5K
- Ticket Prices:
 - \$5 ticket
 - \$10 premium seating
- 100% of proceeds will be donated to ASWSU Cougar Health Fund
- Autograph session post game w/ coaches and student-athletes

CRIMSON & GRAY GAME

An aerial, high-angle photograph of a large football stadium at night. The stadium is filled with a dense crowd of spectators. The field is illuminated, showing yard lines and the number 10. The words "WASHINGTON STATE" and "COUGARS" are visible on the field. A large, white, stylized text "QUESTIONS?" is overlaid across the center of the image. The stadium's architecture and surrounding area are visible in the background.

QUESTIONS?

#OneWSU High Impact Practices

Washington State University

Board of Regents

Student Affairs & Student Life Committee

March 2019



TRI-CITIES

Running Start Program

Provides access to research university credit for high school students in the Mid-Columbia region, improves recruitment visibility at local high schools, and facilitates improvements to persistence and graduation rates from local students bound to enroll at WSU.

Program Overview

- available to high school students in 10 school districts in the region
- students must have a 3.50 High School GPA
- ~140 students per semester average
- 50% of participants matriculate to WSU
 - 55% to Tri-Cities Campus
 - 45% to Pullman Campus

High Impact Practices

- dedicated academic advisor
- peer mentoring
- parent and family nights
- access to all Tri-Cities student services



Everett

Guided Journey (2+2 and beyond)

Enhances transfer transition for students from underrepresented groups in the pursuit of STEM, Communications, Data Analytics and Business disciplines.

Program Overview

- partnership between Everett Public Schools, Everett CC, and WSU
- open to all prospective transfer students
- strategic advising from Junior year in high school
- integration with Guided Pathways
- 32% multi-cultural, 44% first gen, 5.2% international, 3% veteran
- 91.1% of students graduate from WSU Everett

High Impact Practices

- scholarships
- networking, field-trips, workshops
- internship placement



GLOBAL

Intentional Learning Ecosystem

WSU Global Campus provides an integrated, personalized approach to the student learning experience that recognizes our unique adult population.

Program Overview

- collaboration between academic and student support teams
- courses designed to facilitate connection
- student services strategies keep students on track to graduate

High Impact Practices

- faculty presence and engagement
- collaborative group projects
- tech tools that promote collaboration: voice thread, LMS, virtual mentors
- reducing cost of education – OERs
- targeted data driven outreach and recovery efforts
- student educational goal – motivation anchor
- student involvement and leadership
- research and creative activities



SPOKANE

Violence Prevention Program

Encourages a comprehensive coordinated community approach that enhances victim safety, provides services for victims, and educational programming for students, faculty, and staff. The program supports activities that develop and strengthen trauma-informed victim services and strategies to prevent, investigate, respond to sexual assault, domestic violence, dating violence and stalking.

Program Overview

- collaboration with Spokane Police
- online training – initiating this fall
- sexual assault, domestic and dating violence, stalking programs
- on-campus victim services

High Impact Practices

- Coordinated Community Response Team
- bystander training
- faculty and staff training



VANCOUVER

LEAPS PROGRAM

Learn, Explore, Achieve, & Promote Success is a program designed to help first-year students transition to college.

Program Overview

- opt-in early intervention program
- 350 students since program began in 2010–2011
- 9-year average shows a 6 percentage point difference in first-to-second year retention greater than peers that met the same criteria that did not participate.

High Impact Practices

- a student success course (UNIV 104) taught by their LEAPS advisor
- peer mentors
- career and major exploration workshops
- priority registration for their first year
- social activities to promote involvement and leadership



PULLMAN

Student Advisory Boards

Student representatives serve with administrators to ensure that student interests guide the department's operational framework and allow for year to year continuity in accomplishing long-range goals.

Program Overview

- examples: Compton Union (CUB), Elson S. Floyd Cultural Center, Housing and Dining Services, Student Health Advisory Committee, University Recreation/Chinook Student Center
- voting seats filled by application process or by appointment
- undergraduate and graduate student seats
- recurring meetings, operational guidelines

High Impact Practices

- student leadership of boards
- understanding of resource allocation & management, fiscal analysis
- community based decision-making



Questions?



Agenda
Finance and Compliance Committee
Thursday, March 7, 2019
2:30 p.m. – 4:00 p.m.

Location: WSU Everett, Room 101

Committee: Committee of the whole – Ted Baseler (Chair)

Information Items

Section

- | | | |
|----|--|-----|
| 1. | Internal Audit Update (<i>Lopez</i>) | F-1 |
| 2. | WSU 2018 Financial Statement Audit Exit (<i>Pearson/State Auditor’s Office</i>) | F-2 |
| 3. | WSU Comprehensive Annual Financial Report, Trends, and Debt Report (<i>Pearson/Bettendorf</i>) | F-3 |
| 4. | Update on Athletics FY2019 Budget (<i>Pearson/Chun</i>) | F-4 |

Future Action Items

- | | | |
|----|---|------|
| 1. | Academic Year 2019-2020 Tuition Rates (<i>Pearson</i>) | F-5 |
| 2. | Services and Activities Fee Rate Changes for Academic Year 2019-2020 (<i>Pearson</i>) | F-6 |
| 3. | Services and Activities Fees Committee Allocations for Summer 2019 and Academic Year 2019-2020 (<i>Pearson</i>) | F-7 |
| 4. | WSU Pullman, Undergraduate Technology Fee Committee Allocations for Fiscal Year 2020 (<i>Pearson</i>) | F-8 |
| 5. | WSU Vancouver, Undergraduate Technology Fee Committee Allocations for Fiscal Year 2020 (<i>Pearson</i>) | F-9 |
| 6. | WSU Spokane, Proposed Changes to WSU Health Sciences Spokane Parking System Rates (<i>Pearson/DeWald</i>) | F-10 |
| 7. | Proposed Changes to Summer Session Tuition Policy (<i>Pearson</i>) | F-11 |

Action Items

1. Meyer's Point Conservation Easement (*Pearson*) F-12
2. FY2020 Housing and Dining Rates (*Gonzales/Boston*) F-13

Office of Internal Audit
Fiscal Year 2019 – Quarter 2 Status Report
July 1, 2018 through December 31, 2018

Internal Audit engages in three primary activities – assurance audits, advisory services and investigations. The focus of our efforts is to assist management in the proper discharge of their duties by providing evaluation and feedback of internal control systems and operations.

This quarterly report includes update on the status of the current fiscal year audit plan and reports issued in the period. Current staffing includes CAE, Audit Manager, Sr. IT Auditor and three field auditors (one position is currently vacant since July – recruiting to begin in January).

FY 2019 Audit Activity			
<i>From FY 2019 Plan</i>	<i>Status</i>	<i>Completion of FY 2019 Audit Plan</i>	
Continuous Audit – PCard	<i>E</i>	C – Completed	0%
Continuous Audit – Travel	<i>E</i>	E – Engaged	80%
Continuous Audit – Gen Expense	<i>E</i>	N – Not yet Engaged	20%
Continuous Audit – Payroll	<i>E</i>		
Time and Leave Reporting	<i>N</i>	Investigations – completed to report	4
Global Animal Health – Fiscal	<i>E</i>	Investigations – pending	4
Work Study	<i>N</i>	Investigations – closed in prelim	0
Disposal of Electronic Media	<i>E</i>	<i>FY 2019 Investigations</i>	8
CSC 9/11 – Secure Config. Of Network, Ports	<i>E</i>		
CSC 15 – Wireless Access Points	<i>E</i>	<i>Internal Advisories</i>	90

At report date, several audits and investigations from prior year audit plans are in report stage or near completion. These will be included in future update reports as they are issued.

Major project for fiscal year included development of Mandatory Ethics Training – completion remains on schedule.

External Audit activities (not including various federal program audits occurring through year):

Auditor	Scope	Status
WA Ethics Board	Investigation – WSU Referral	Engaged
WA Ethics Board	Investigation – SAO Referral	Engaged
State Auditor (SAO)	FY 2018 Financial Statement – contract	close 2/19
CliftonLarsonAllen	FY 2018 Auxiliary Financial Statement – contract	close 1/19

The following opinion methodology is applied to assurance audits:

Satisfactory	Control Environment (CE) is adequate
Some Improvement Needed	CE is adequate but some exceptions noted
Major Improvement Needed	CE not adequate and significant exceptions noted

Completed Reports Summary

C 18-01, Continuous Audit of Purchasing Cards

Summary

Purchasing cards are included in the Internal Audit continuous audit program each fiscal year. Purchasing cards as a method of procurement is inherently risky due to the transaction initiation, approval and review occur at the unit level. We perform analysis on transactions as they occur through the fiscal year and identify selections for test to support, as a result of pre-defined queries. At the end of the fiscal year, the University expended \$45.5 million through use of the purchasing cards. We ran transactions through our queries and performed tests to support and review of departmental controls for 45 Purchasing Cards across 36 units. No significant issues were noted – internal controls, including policy and procedure, oversight and monitoring, over purchasing cards continues to be strong. Recommendations are made to the unit level at the time of test. Two recommendations were communicated to central management as opportunities to further strengthen program administration. Conclusion – **some improvement needed.**

C 18-02 and C 18-05, Continuous Audit of Cash and Petty Cash

Summary

Cash receipts and petty cash were included in the fiscal year continuous audit program. Tests were performed throughout the year on cash funds and petty cash accounts selected due to high risk factors such as no audit review for a few years, high receipt activity, or no receipt activity. At fiscal year end, the University reported 50 till cash fund locations and 25 petty cash funds. There are many more locations that perform cash receipting that do not maintain a till cash fund – these locations are identified for test as a result of periodic analysis of cash or check receipts deposited with the Cashier's Office. Tests to support in the current year included seven till cash funds and three petty cash funds. While we did not find evidence of fraud in the tests performed, we noted several opportunities for both unit and central management to improve oversight and monitoring. Recommendations were made to units at conclusion of tests and to central management at year end. Conclusion – **some improvement needed.**

C 18-04, Continuous Audit of Fuel Cards

Summary

In the fiscal year of continuous audit, the University reported expense of \$217,041 via use of fuel cards held and managed by cardholders at the unit level. The fuel cards were selected as part of the year's continuous audit program due to the payment method and purpose being inherently risky. We found major improvements were needed in both unit and central management internal control, policy, oversight and monitoring. Recommendations were communicated to unit level at conclusion of tests and to central management at year end. Conclusion – **major improvement needed.**

Investigation Activity Summary

Internal Audit performs investigations of suspected employee misconduct including fraud, waste or abuse of University resources or position.

During the reporting period we closed two investigations initiated in Fiscal Year 2018 and four engaged in the Fiscal Year 2019. At end of reporting period we have two cases open from Fiscal Year 2018 and four in Fiscal Year 2019, to date.

Summary:

- I 18-01 - referral from management: fiscal irregularities noted at a School. Concluded significant abuse of time and leave accruals by two employees. Both are no longer employed at the School.
- I 18-18 - complaint: program sponsored by federal funds noted to have activities not align with grant terms and funding. Working with sponsor, identified no fraudulent or malicious intent but communication requirements not met, a compliance issue. Corrected.
- I 19-02 - referral from management: College senior administrator claiming work time when working remotely and on personal time. Deferred to management for correction.
- I 19-04 - referral from management: two employees at a unit noted to misuse travel charge card by not paying outstanding amounts. For one employee, noted use of card included for personal purposes. Deferred to management for correction.
- I 19-05 - referral from management: an employee at unit misusing University network, on personal device, for inappropriate activity. Deferred to management for correction.
- I 19-06 - referral from management: an employee at unit noted to misuse travel charge card by not paying outstanding amounts. Deferred to management for correction.

November 7, 2018

Stacy Pearson, Vice President for Finance and Administration
French Ad 442
Pullman, Washington 99164-1045

Dear Vice President Pearson:

Following is the final report for our audit of Purchasing Cards as part of the FY 2018 Continuous Audit program.

This report serves as a summary of procedures performed throughout the year including overall issues identified.

For Purchasing Card transactions tested during the fiscal year, we provided written results directly to the cardholder, card reconciler, approving official and Area Finance Office.

Accounts Payable and General Accounting staff were very helpful throughout the audit. We appreciate the cooperation and assistance provided by your staff during this review. Please let me know if we can be of further service.

Sincerely,



Heather Lopez
Chief Audit Executive, Internal Audit

cc: Dr. Kirk Schulz, President
Danielle Hess, Division, AAG
Matt Skinner, Associate Vice President Financial Services, Internal Control Officer
Manali Bettendorf, Controller/Director of Business Services
Jeff Senkevich, Purchasing Card Manager/Accounts Payable

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EXECUTIVE SUMMARY

The audit of Purchasing Cards (PCards) was included in the Fiscal Year 2018 Audit Plan as part of the Office of Internal Audit's Continuous Audit Program. Each year, audit areas/functions identified as inherently high risk due to decentralization are selected for continuous audit. In addition to PCards, the Fiscal Year 2018 Continuous Audit Program included travel expenses, fuel cards, cash receipting and petty cash.

Our audit objective was to evaluate whether internal controls as developed, approved and implemented provide reasonable assurance that PCard purchases are allowable, approved and properly supported.

During Fiscal Year 2018, the University expended \$45,565,965 through use of 1,260 active purchasing cards. Testing included review of supporting records for 45 PCards across 36 units. Test selections were made based on analysis of all PCard transactions as processed during and throughout the year. We focused selection queries on purchases or transaction types deemed inherently high risk, including: conference registrations, PayPal transactions, and transactions with high-dollar and even-dollar amounts.

Conclusion

Overall, internal controls appear to be adequate to ensure purchases are allowable, approved and properly supported. In general, some improvement is needed in overall program administration.

Accounts Payable maintains policies and procedures related to the Purchasing Card Program. They provide ongoing training to new and experienced cardholders, reconcilers and approving officials. In addition, they regularly review PCard transactions prior to processing and posting to unit accounts.

Departments are generally observing University purchasing card policies and procedures. Exceptions noted at the department level were relatively minor and communicated to management where testing was performed. Where applicable, results were shared with central units to ensure appropriate resolution. Observed exceptions included: unallowable purchases, missing original supporting documentation, cardholder same as approving official, etc. Continuous improvement is needed at the department level and is facilitated through ongoing training opportunities provided by Accounts Payable.

BACKGROUND

The WSU Purchasing Card Program provides the convenience of credit card purchasing for department-level purchases. The University holds a contract with JP Morgan Chase as the issuing bank of purchasing cards. The PCard is the preferred method of payment for WSU as it has been determined to be the most secure, transparent and cost effective.

The PCard Program is administered centrally by Accounts Payable, with day-to-day operations managed at the department level by cardholders, card reconcilers and approving officials. Cards are issued to individual users for purchases made on behalf of University departments. Applications for PCards are processed through Accounts Payable and sent to the issuing bank for account set up and card issue. PCard accounts and transactions are managed via JP Morgan Chase’s online PaymentNet system. Once transactions have been reviewed at the department level in PaymentNet, the related charges are reviewed centrally and are then posted against designated accounts within the University’s financial system.

TABLE 1. *Five-year comparison of PCard transactions*

Fiscal Year	FY 18	FY 17	FY 16	FY 15	FY 14
Cardholders	1,131	1,165	1,156	1,148	1,079
Cards	1,260	1,391	1,324	1,350	1,230
Transactions	149,007	150,673	151,762	148,066	141,155
Total transaction amount	\$45,565,965	\$46,379,231	\$45,629,055	\$44,275,733	\$41,797,676
Average transaction amount	\$305.80	\$307.81	\$300.66	\$299.03	\$296.11
Average transactions per cardholder	132	129	131	129	131

SCOPE and AUDIT METHODOLOGY

The audit scope included review of decentralized purchasing card transactions. Tests were performed on transactions occurring during Fiscal Year 2018. Audit fieldwork took place between September 1, 2017 and June 30, 2018.

For continuous audits, data is pulled on an ongoing basis throughout the fiscal period and compared to data from prior fiscal years and within the same fiscal period. The data is analyzed for high-risk transactions and tests on selected transactions are performed at the department level as needed throughout the year. At the conclusion of tests, memos with observations and recommendations are sent to responsible employees and the Area Finance Officer. When issues are noted related to University policy or procedure that may have a significant or systemic impact, a memo is sent to Accounts Payable or other relevant central office for resolution.

High-risk transaction testing included review of the following:

- Conference registrations – 25 transactions tested to supporting PCard and travel documentation to ensure registrations charged to department PCards were not also reimbursed to employees on Travel Expense Vouchers (TEVs). We also reviewed related travel expenditures to ensure conference registrants attended scheduled conferences.
- Transactions with amounts over \$3,500 (would require exception or higher card limit) – ten transactions reviewed to supporting documentation and authorizations.
- Transactions with even-dollar amounts over \$1,000 were reviewed to ensure charges were allowable, approved and properly supported. We specifically focused on PCard purchases processed via PayPal as they are inherently higher risk due to the nature of the vendor.

During testing, we also evaluated central processes related to the Purchasing Card Program as all transactions flow through a central review process prior to posting in the University accounting system.

AUDIT OBSERVATIONS

We reviewed 45 PCard transactions with total charges of \$258,400. Transactions were judgmentally selected from multiple departments and various locations. Individual test results were provided to cardholders, card reconcilers, approving officials and Area Finance Officers. Results included in this report are based on our review and summary of the issues identified throughout the year.

During our review, we worked closely with the purchasing card manager to evaluate processes and controls in place at the central and department levels for effectiveness. During this process, we noted opportunities for improvement with overall program operations.

Issue 1: Resources Dedicated to Purchasing Card Program are Below Industry Average

During Fiscal Year 2018, the University expended over \$45 million through PCard purchases attributed to more than 149,000 individual transactions on approximately 1,200 purchasing cards. All transactions flowed through Accounts Payable (A/P) for review and payment to JP Morgan Chase. PaymentNet, the JP Morgan Chase interface, has built-in queries to identify duplicate, unallowable or split transactions. In the past, A/P staff then followed up on transactions flagged by the program to determine if the transaction(s) violated University policy. In the fiscal period of review, the built-in queries were not utilized. An alternate review method was used through the home-grown program, Doggier. All transactions are downloaded on a daily basis through Doggier, and through filters in the program, transactions are identified for additional review based on specific characteristics including key words, object/subobject coding and vendor. Transactions flagged in Doggier are reviewed by an A/P fiscal technician. Follow-up procedures, including contacting the originating department for information, are performed as necessary.

The PCard Program is currently managed by one employee who also oversees the University fuel card program. The program manager is responsible for communicating with the issuing bank, maintaining and updating University PCard policies, providing PCard training to cardholders, reconcilers and approving officials, issuing new cards, closing cards and resolving fraudulent charge issues. In Fiscal Year 2018, there were a total of 1,131 cardholders with 1,260 purchasing cards – 227 new cards were opened in Fiscal Year 2018 and approximately 189 cards were closed.

The program started at WSU in 1999. Since its inception, the program has grown steadily each year and the University has continued to encourage departments to use PCards as the primary purchasing method. By Fiscal Year 2007, the program had expenditures over \$16 million with nearly 68,000 transactions. By Fiscal Year 2018, expenditures exceeded \$45.5 million with over 149,000 transactions. From the beginning of the program to the present date, the

program has been managed by one to two employees with responsibilities in addition to the PCard Program.

During the course of this audit, we reviewed the *2016 Global Salary Survey of Commercial Card Professionals: Roles, Staffing & Compensation*, performed by the National Association of Purchasing Card Professionals (NAPCP). The survey specifically addressed the number of full time equivalent (FTE) employees in Purchasing Card Program Manager (PM) and Program Assistant (PA) roles. From the survey data, we have summarized the following:

- Programs with 1,000 to 1,999 cardholders had an average of 2.4 PM/PA FTEs
- For programs with 1,000 to 1,999 cardholders, the lowest PM/PA FTE was 0.8 while the highest was 5.0
- For organizations with 1,000 or more cardholders, only 13% of organizations surveyed with 1,000 or more cardholders had 1.0 PM/PA FTE or less

Based on our review of the survey data, we noted the number of FTEs currently assigned to the PCard Program is below industry average. From our review of central operations, we noted several control activities were not consistently performed due to limited staffing. In the PaymentNet system, exceptions granted to departments were not filed, exception approvals were not uploaded, and other control capabilities were not fully utilized.

In addition, we noted that JP Morgan Chase changed their statement format during audit fieldwork. The current statement format does not provide as much relevant information compared to the previous version. Program staff has not had sufficient time to work with JP Morgan Chase to address such issues.

We recommend management perform a holistic self-assessment of the Purchasing Card Program to ensure that it is managed with adequate resources to provide maximum benefit to the University.

Issue 2: Unallowable Transactions Processed Through Accounts Payable

We observed a number of transactions that were either unallowable or should have had additional levels of review prior to being processed by Accounts Payable.

Exceptions included:

- lodging expenses
- purchases that should have been on a contract
- potential sponsorships/donations
- lack of support for approved exception

We presented a sample of eleven transactions with exceptions to A/P to determine if they had received additional review and noted that only one transaction had received the expected additional review. Unallowable/questionable transactions are visible to the Accounts Payable department before payment is issued to JP Morgan Chase and transactions are posted to the University system.

Further, we observed exceptions at the department level over which central purchasing card administrators do not have visibility, including:

- expenditure approved before receipt of goods
- cardholder signing as the approving official on the monthly reconciliation report
- monthly reconciliation report not reviewed/signed by reconciler or approving official
- original receipt not present
- request to serve food approved after event
- overpayment of deposit

These exceptions are included in this report for reference only. Based on our walkthrough of the review processes performed by the new fiscal analyst within A/P, processes appear strong and thorough. Transactions reviewed during our scope period pre-dated the fiscal analyst therefore it is impossible to determine if these would have been identified under current processes.

BASIS OF REVIEW

CRITERIA

During the course of our review we referred to the following rules, regulations and/or policies:

- **BPPM 70.08** Purchasing Cards

AUDIT STANDARDS

Our office follows the guidelines as promulgated by the Institute of Internal Auditors' "International Standards for the Professional Practice of internal Auditing" (IIA Standards), in carrying out the planning and engagement of audit activity. The IIA Standards required we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. Accordingly, we included such tests of the records and other procedures as we considered necessary in the circumstances.

The WSU Office of Internal Audit is not in full conformance with the IIA Standards in that a quality peer review has not yet been performed.

AUDIT TEAM INFORMATION

Internal auditors assigned to the audit include:

Lead Auditor	Lenka Perkins
Staff Auditor	Joan Wilmotte

Audit supervised by Heather Lopez.

For questions regarding this project, contact Heather Lopez, Chief Audit Executive:

Email: hlopez@wsu.edu
Phone: (509) 335-2001
Website: <http://www.internalaudit.wsu.edu>

January 15, 2019

Stacy Pearson
Vice President for Finance & Administration, Chief Financial Officer
French Ad 442
Pullman, Washington 99164-1045

Dear Vice President Pearson:

Following is the final report to communicate results of two audit areas that were included in the FY 2018 Continuous Audit program: Cash (C 18-02) and Petty Cash (C 18-05).

For both audit areas, tests were performed at various times during the fiscal year and results were provided via memo directly to the respective account custodians, unit management and Area Finance Officers. Also, we held a meeting with central management to discuss some of the concerns we were finding in decentralized tests and with regard to the central oversight and administrative functions.

This report provides a summary of significant or recurring issues noted during unit testing and offers opportunities for improvement to central monitoring and administrative activities that will better assist units in their custodial and stewardship responsibilities.

We appreciate the cooperation and assistance provided by your staff during this review. Please let me know if we can be of further service.

Sincerely,



Heather Lopez
Chief Audit Executive, Internal Audit

cc: Dr. Kirk Schulz, President
Danielle Hess, Division Chief, AAG
Matt Skinner, Associate Vice President Financial Services/Internal Control Officer
Manali Bettendorf, Controller/Director of Business Services

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EXECUTIVE SUMMARY

As part of our FY 2018 continuous audit program, we audited till cash funds at seven locations and petty cash funds at three locations. While till cash and petty cash funds are similar in that they are both maintained and used by departments for a specific purpose—the primary purpose of each fund type differs. Till cash is used to make change for departmental sales; petty cash is intended to be used for small miscellaneous or emergency purchases. Therefore, till cash is generally used to facilitate revenue producing activities, whereas petty cash is used to support expenditure incurring activities.

Although the risks associated with both types of funds are similar, the controls and processes to safeguard each are different; each fund type is governed by separate policies and procedures within the University's Business Policies and Procedures Manual (BPPM). At each location visited, we performed tests to verify that the controls in place over till and/or petty cash were adequate to properly safeguard University assets and that processes were in line with University policies.

Our audit objective was to evaluate whether internal controls as developed, approved and implemented provide reasonable assurance to address the following:

- University monies are safeguarded appropriately
- All sales and expenditures are recorded accurately and processed timely
- Adequate segregation of duties exists to properly administer funds

Conclusion

Overall, we concluded internal controls were adequate to ensure objectives are met; however, some improvement is needed.

In general, many of the controls necessary to effectively safeguard funds are the responsibility of the department and the assigned fund custodian. Throughout the audit, we issued recommendations to each of the individual departments visited.

Through the course of the audit we also observed issues that have manifested in more than one location but hold common root causes: primarily lack of monitoring and noncompliance stemming from lack of awareness or training. Both are areas where improvements at the central level can positively impact controls at the unit level. Observations and recommendations in these are noted within this report.

BACKGROUND

Till cash funds provide departments and service centers with cash for making change in across-the-counter financial transactions. Such funds are used exclusively for transactions involving official University business. Till cash funds are not used to purchase goods or services. As of June 30, 2018, the University reported \$101,558 in till funds at 50 locations.

Petty cash funds are revolving accounts whereby funds are used to make miscellaneous small or emergency purchases, then periodically expensed and replenished. Petty cash funds may include cash held on site with custodian or the funds may be held in a checking account with the register, checks and statements held and managed by the custodian. As of June 30, 2018, the University reported \$138,360 in petty cash funds at 25 locations.

Both fund types are managed via the Controller's Office and are drawn against the General Ledger. When funds are requested by a unit, they must first be approved through the Controller. Departments can increase or decrease their fund balance as needed. General Accounting maintains record of all fund balances, additions and reductions in Reconciliation Reports for till and petty cash funds and ties these to the General Ledger on a monthly basis. Accounts Payable processes petty cash replenishment requests and posts the corresponding expense(s) to the departments designated account(s).

The Controller's Office is responsible for helping units establish their fund, tracking and reconciling funds against the General Ledger, and maintaining and updating related University policies; fund custodians at the department level are responsible for safeguarding the funds, utilizing the funds within the parameters of University policies, and ensuring adequate controls are implemented including appropriate segregation of duties.

The risks associated with petty cash and till cash are difficult to measure in terms of potential fiscal impact to the University. This is because the financial risk is correlated with the volume of sales and/or expenditures of each individual department regardless of the amount of the initial till fund or petty cash fund checked out from the Controller's Office.

SCOPE and AUDIT METHODOLOGY

The audit scope included till and petty cash funds University-wide. Tests were performed on transactions occurring during FY 2018. Audit fieldwork took place between July 1, 2017 and June 30, 2018.

We obtained the Controller’s Office Monthly Reconciliation Reports for both petty and till cash funds for all months in the scope period and made judgmental selections of locations to audit throughout the fiscal year. Criteria taken into consideration included dollar value of fund, number of funds per custodian, length of time from most recent audit, etc. During on-site testing, we performed a walkthrough of departmental processes and controls related to the funds and tested for cash balances, records management and overall compliance with University policies related to petty and till cash funds.

Subsequent to testing we sent memos with our observations and recommendations to each unit including the till fund custodian, their supervisor and the Area Finance Officer. We did not request a response or corrective action plan from management but some locations did respond with planned future actions.

AUDIT OBSERVATIONS AND RECOMMENDATIONS

A. Decentralized Testing – Surprise Cash Counts and Reviews of Petty Cash

We performed surprise cash counts at seven locations and reviewed petty cash funds at three locations. Locations and tests as follows:

- Department of Horticulture (till)
- WSU Planetarium (till)
- Vet Clinic (till)
- Technical Services (till)
- Extension Publications (till)
- Performing Arts Coliseum (till and petty cash)
- Cougar Health Services Pharmacy (till and petty cash)
- Humanities Department (petty cash)

The results of tests were communicated to management of the respective unit and included the issues that were observed, the associated risks and recommendations for correction or improvement.

Though many of the issues noted below are one-off occurrences, they are included here for informational purposes, and to provide a sense of scope of decentralized concerns:

- Fund custodian not updated with Controller's Office (3-till cash, 2-petty cash)
- Lack of segregation of duties: multiple cashiers in one drawer
- D-receipts not managed properly:
 - D-receipt custodian has possession of D-receipt inventory control sheets (lack of segregation of duties)
 - D-receipts not being tracked
 - D-receipts not being assigned in check-out log
- Deposits not prepared and processed correctly:
 - donated funds deposited as sales
 - overage deposited as proceeds from sales
 - sales tax not reported/remitted on all taxable transactions
- Alternate receipts used without prior approval
- Check(s) not restrictively endorsed
- Deposits not made timely
- Deposit activity not reconciled to Balances to ensure accurate posting
- Till funds not returned timely
- Funds missing/already deposited for transaction that appeared on Z-tape
- No one at department has had cash handling training

- Credit card refund voucher not being completed
- Building unlocked giving access to all facilities without supervision

In addition, at two locations unit management could not justify why the fund existed – we recommended the units reevaluate business needs and close promptly and properly if no need in order to reduce risks posed by holding cash onsite.

Further, unique issues were presented at two of the petty cash locations in that 1) the petty cash funds appeared to be used as an advance to provide incentive payments to participants on non-sponsored funds, 2) once the funds were disbursed to participants, the unit did not replenish the funds by submitting receipts which resulted in the expenses not getting posted to the accounts and the fund balance not being replenished at the unit level, and 3) because the funds were not replenished and the unit had a continued need, the units requested (and received) additional draws against the General Ledger – resulting in the General Ledger showing more funds outstanding and held by unit than the unit still held.

At another petty cash location, the unit attempted to close out the petty cash fund but did so incorrectly by depositing the petty cash funds as sales.

Finally, with regard to receipting instruments we noted some units are using alternate receipts that have not been approved – the units were advised to work with the Controller’s Office to review the alternate receipts and approve for use. Other units are using the University’s approved D-receipt, as issued by the Cashier’s Office, however, they were not using the receipts in sequential order making it more difficult, at a unit level, to account for completeness of receipts.

While the aforementioned issues were all observed at the unit level and both petty cash and till cash are significantly decentralized activities, we believe there is some commonality to many of the noted concerns that could be addressed through stronger central administration, including training and awareness, monitoring and reconciliation.

B. Central Oversight and Administration

As a result of unit testing and based on conversations with central management we have highlighted audit observations and offer recommendations for improved central controls in the following areas:

1. **Fund Requests**
2. **Cash Advances**
3. **Account Monitoring**
4. **Cash Handling Training**

Details as follows:

1. Fund Requests

When a department wants to obtain petty cash or till cash funds, they must submit a memo to the Controller's Office requesting the funds. University policy (BPPM 30.50 for petty cash, BPPM 30.51 for till cash), requires the request include certain information such as name and account code, amount required, security procedures and physical location of the funds, name of the fund custodian, and approval signature from designated administrator (department chair or equivalent).

The following describes a situation noted at one petty cash location tested although a similar situation was observed at more than the one location:

- September 2015 Unit A requested \$540 for petty cash fund.
- Funds to be used as cash incentives for students completing survey.
- The monies supporting the fund were from non-sponsored accounts (so unable to use cash advance process per BPPM 40.21).
- September 2016 Unit A requested 'additional funds' – \$820 new total draw.
- January 2018 Unit A requested funds (no mention of the funds being in addition to funds held) – \$1,140 new total draw.
- Expenses from petty cash fund were allowable, supported and accounted for via receipts and logged information.
- When funds were spent down (given as incentive to students) Unit A did not submit the support to Accounts Payable to replenish the fund back to initial draw amount. Instead, in order to spend more, Unit A requested more in the 2016 and 2018 draws.

Impact:

- Expenditures were not properly expensed against the project account and in the right period.
- The amount outstanding per General Ledger did not tie to physical funds on hand at the unit level.

Contributing Causes:

- Unit requesting funds did not follow process for replenishing petty cash account – lack of knowledge of process, noncompliance.
- Funds were issued without confirming outstanding amounts – lack of monitoring.
- There is not a clear process for managing advances for incentive costs when not on sponsored accounts (BPPM 40.21 provides clear direction on requesting advances when monies are from sponsored accounts) – lack of policy. See Issue 2.

Recommended control improvements:

- When funds are requested unit should:
 - Ensure all information required per policy is provided in memo requesting funds.
 - Confirm in request memo known outstanding funds. Thus, request should include notation on whether funds are already held and in what amount.
 - Confirm in request memo when funds will be returned.
- Before providing funds, the Controller's Office should:
 - Confirm all information required per policy is provided in the requesting memo.
 - Develop a process or form to facilitate unit confirmations noted above.
 - Reconcile amounts the unit asserts as held to amounts in the central record.
 - Verify fund custodian on record is current.
 - Also, consider specific to petty cash: rather than just sending unit memo back to unit with noted account information, send reminders on proper process for managing funds including applicable policy, requirement for timely replenishment of disbursed funds and need to remit all back to Controller's Office when needs fulfilled.

2. Cash Advances

At the two departments that had requested additional petty cash funds, on top of outstanding funds, the purpose of funds was to pay students an incentive to complete surveys. The only way the departments could facilitate this activity was through use of petty cash funds although the current policy and intent of those funds is for small, miscellaneous or emergency purchases. Using funds to pay out incentives is more of a cash advance activity however, University policy (BPPM 40.21 Cash Advances) and applicable process permits cash advances only if funds are issued from accounts in Sponsored Programs (11-14) and program 10/fund 148 only. A policy or defined process does not exist for cash advances on non-Sponsored Program or non-research activity funds.

A simplified version of the general processes related to petty cash includes the following:

- Unit requests funds
- A check is cut to the unit
- Unit cashes check to have funds available
- Unit disburses cash and saves receipts
- Unit submits receipts with invoice voucher to have check cut from Accounts Payable to replenish fund to initial draw amount (check plus remaining cash = initial draw)
- Accounts Payable posts the expenses to designated account
- If unit still needs funds, check is cashed for funds on hand
- When unit no longer needs fund, the replenishment process is first followed, and then the check and remaining cash are remitted to the Cashier to clear out the General Ledger draw

This process ensures expenditures of petty cash funds are properly recorded and provides for replenishing the fund to have cash on hand for intended purpose.

Units that have use of funds for incentive purposes currently utilize the petty cash process as a form of cash advance but are not using the cash advance process described in BPPM 40.21 because that process is limited to sponsored account activity.

Impact:

- Petty cash fund process not being used as intended when units are using for non-sponsored cash advances, – noncompliance.
- Potential inefficiencies in processing and untimely posting of expenses.

Contributing Causes:

- Unit workaround due to policy restrictions.

We also found, during testing, an instance where a unit attempted to process properly but it is unclear where the execution failed. For this instance, the unit had requested replenishments for incentive payments as per usual, current process, and the expenses were properly posted. The first two years of the study where incentives were paid out followed the same process for incentive distribution, submitted log of names and signatures to central and then expenditures posted and fund replenished. In the third year however, although support was sent in to central in similar format there was change in personnel in central offices and it is unclear where the support was sent and who received it and where it was stopped – the only thing that is clear is the expenses did not get posted and the fund did not get replenished or closed.

Recommended control improvements:

- Controller's Office should evaluate use of petty cash funds as cash advance and provide direction and tools for alternate processing, including updating policies and procedures, as needed. At a minimum, if it is determined the use of petty cash funds for incentive payments is the best method then the related policy should be updated to provide better direction on how best to manage at the unit level.

3. Account Monitoring

Some till funds are checked out without a set return date as they are needed on an ongoing basis. Other till cash funds may be needed for a specific event and have a set return date that is documented in the Controller's Office Monthly Reconciliation Report. We performed cash counts on two funds that were still held at the unit though they were past their expected return date. Based on interviews with central management there is no formal process

established to follow up on funds that are not returned by their stated return date. Management states this is due to lack of resources.

Petty cash funds do not generally have a set return date, however, if they are checked out to be used more as a cash advance (for example, where the funds are used for a short time period to pay incentives to participants), they should also have a set return date which should be enforced.

BPPM 30.50 Petty Cash Funds notes the Controller's Office may recall a petty cash fund when no activity has occurred for a period of three months. There is not currently a process in place to monitor for activity, and no process to proactively close accounts.

For five funds tested (3 till cash and 2 petty cash), the fund custodian on the Monthly Reconciliation Report was not current. A review of fund request memos noted units were providing the name of custodian – and those were mostly current. The noncurrent custodians were related to those accounts that had no activity in the fiscal period, thus, no opportunity for the unit to positively confirm or change custodian via fund requests. Policy does require the unit to update the Controller's Office when there are changes to the fund custodian. We have found in at least two cases the unit was unaware of custodian roles or fund responsibility.

Impact:

- Funds held in decentralized locations creates greater exposure to theft or loss.

Contributing Causes:

- Units not monitoring roles and responsibilities and updating central on changes – compliance and accountability.
- Controller's Office not performing positive confirmation that funds exist at units – financial statement existence assertion, accountability.
- Follow up for accounts noted to expire is not performed.

Recommended control improvements:

- On a periodic basis, and no less than once per year the Controller's Office should send positive confirmations to all units holding petty cash and till cash funds, requiring the unit to confirm:
 - Amounts held
 - Location and physical security of funds
 - Who is the fund custodian
 - Are amounts still required

The information received back from the units should be confirmed to central record. Note: After sharing audit results with management during the course of the audit, the Controller's Office resumed sending out confirmations in May 2018 for outstanding petty and till cash funds. Prior to May 2018, this procedure was last performed in 2014. Our review of the September 2018 petty cash Monthly Reconciliation Report noted two fund custodians we know from testing are not current. Either the Controller's Office did not get responses back from these units so unable to update or the updates were not made. In either event, there should be follow through.

- On a monthly basis, as part of the reconciliation process the Controller's Office should be following up with units that noted funds would be returned in that month.

4. Cash Handling Training

Cash handling training is offered through the Controller's Office. It is recommended for those whose positions entail cash handling and includes information on the handling of cash, the receipt and deposit of money, and dealing with foreign currency. Additionally, handling a returned check, identifying the proper procedures for safeguarding and securing monies, reimbursing a petty cash fund, and processing a refund are explained. This training is currently offered several times each year in person on the Pullman Campus, or via video conference for other locations. The training is also pre-recorded and is available on-demand.

We noted that at some locations with cash operations, the employees handling cash, and sometimes their supervisors, have not participated in Cash Handling training. Currently there is no requirement to complete Cash Handling training prior to working with cash. If employees have not completed Cash Handling training they will be less likely to be familiar with University cash handling policies and practices; which in turn, could lead to inappropriate or incorrect handling of University monies.

Recommended control improvements:

- Cash Handling training should be a requirement for all fund custodians and should be a considered requirement for all employees expected to receipt, deposit, or reconcile University till or petty cash funds.

BASIS OF REVIEW

CRITERIA

During the course of our review we referred to the following rules, regulations and/or policies:

BPPM 30.15 Service Centers
BPPM 30.50 Petty Cash Funds
BPPM 30.51 Till Cash Funds
BPPM 30.52 WSU Receipts
BPPM 30.53 Cash Handling
BPPM 30.55 Refunds
BPPM 30.56 Accounts Receivable
BPPM 30.59 Cash Registers
BPPM 30.70 Gift Transmittal
BPPM 70.08 Purchasing Card

AUDIT STANDARDS

Our office follows the guidelines as promulgated by the Institute of Internal Auditors' "International Standards for the Professional Practice of internal Auditing" (IIA Standards), in carrying out the planning and engagement of audit activity. The IIA Standards required we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. Accordingly, we included such tests of the records and other procedures as we considered necessary in the circumstances.

The WSU Office of Internal Audit is not in full conformance with the IIA Standards in that a quality peer review has not yet been performed.

AUDIT TEAM INFORMATION

Internal auditors assigned to the audit include:

Lead Auditor	Lenka Perkins
Staff Auditor	Aaron Alonzo
Staff Auditor	Joan Wilmotte
Staff Auditor	Jaya Sivakumar

Audit supervised by Heather Lopez.

For questions regarding this project, contact Heather Lopez, Chief Audit Executive:

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Phone: (509) 335-2001
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February 6, 2019

Stacy Pearson
Vice President for Finance & Administration
French Ad 442
Pullman, Washington 99164-1045

Dear Vice President Pearson:

Following is the final report for our audit of Fuel Cards as part of the FY 2018 Continuous Audit Program.

This report serves as a summary of procedures performed throughout the year and includes overall issues identified.

We appreciate the cooperation and assistance provided by the Controller's Office as well as the Fuel Card Program Administrator during this review. Please let me know if we can be of further service.

Sincerely,



Heather Lopez
Chief Audit Executive, Internal Audit

cc: Dr. Kirk Schulz, President
Danielle Hess, Division Chief, AAG
Matt Skinner, Associate Vice President Financial Services, Internal Control Officer
Manali Bettendorf, Controller/Director of Business Services

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EXECUTIVE SUMMARY

The audit of Fuel Cards was included in the Fiscal Year 2018 Audit Plan as part of the Office of Internal Audit's Continuous Audit Program. Each year, audit areas/functions identified as inherently high risk, due to decentralization or other factors, are selected for analysis and tests of transactions occurring throughout the year. In addition to Fuel Cards, the Fiscal Year 2018 Continuous Audit Program included travel expenses, purchasing cards, cash receipting and petty cash.

Our audit objective was to evaluate whether internal controls as developed, approved and implemented provide reasonable assurance to address the following:

- Fuel expenses meet allowed use purposes, in accordance with University policy
- Monitoring is sufficient to safeguard University assets

The University posted fuel card expenses of \$217,041 and \$240,022 in each of Fiscal Year 2018 and Fiscal Year 2017.

Testing in the current year included analysis of transactions and assessment of administrative controls, policies, monitoring and reporting. Decentralized tests were limited to investigating anomalies identified in planning and tracing selected transactions to support.

Conclusion

Overall, we concluded internal controls were not adequate to ensure objectives are met and major improvements are needed. During planning, significant internal control weaknesses were identified with regard to policy and guidelines, monitoring at both the central and department level, and control of use at the department level. Results are summarized at Audit Observations and Recommendations under the following three topics:

- A. Central Administration of Fuel Card Program**
- B. Fuel Card Provider Contract**
- C. Department Responsibilities**

BACKGROUND

WSU's Fuel Card Program provides individuals and departments a convenient means to purchase fuel for WSU-owned vehicles when employees are in travel status. While the University already has a Purchasing Card Program, there are advantages to having a separate program for fuel cards. These include the ability to monitor gallons and grade of fuel purchased and to identify federal taxes paid on fuel charges, which are eligible for deduction.

In addition, the University owns and manages fuel pumps that supply fuel to WSU-owned vehicles. These fuel pumps are accessed via a separate card program and typically used for work vehicles on campus, whereas Vendor-issued fuel cards are used at approved commercial fueling stations nationwide and internationally. This audit focused exclusively on Vendor-issued fuel cards.

WSU's Fuel Card Program is administered centrally, similar to the Purchasing Card program. Departments submit an application to the Fuel Card Administration Team (FCA) in Accounts Payable for processing. The FCA processes the applications, distributes the Vendor-provided card(s) to the department, creates and maintains account information for each card, and provides general oversight and administration. Management of the physical fuel cards, monitoring, and reconciliation of use all occur at the department level. Accounts Payable is responsible for reviewing monthly invoices and making timely payments to the fuel card Vendor.

SCOPE and AUDIT METHODOLOGY

The audit scope included all (Comdata) fuel card transactions occurring during Calendar Year 2016, and Fiscal Years 2017 and 2018.

During the course of the audit, we interviewed personnel responsible for administering the Fuel Card Program and evaluated internal controls and operating procedures in effect at the time of the audit. Based on analytical procedures, we selected 12 fuel cards (with related transaction activity) for additional procedures, including tracing posted activity to support provided by card custodians.

AUDIT OBSERVATIONS AND RECOMMENDATIONS

The following are our observations from interviews, walkthroughs and tests.

A. Central Administration of Fuel Card Program

1. Policy Terms – Assignment of Department Oversight Responsibilities

Policy (BPPM 95.37) requires review and approval of monthly Comdata reconciliation reports by a department chair or director. This is unlike the purchasing card reconciliation process, where an approving official (an official with supervisory or managerial responsibility for accounting functions in a department) must review and approve monthly reconciliation reports. Further, the policy section on “Responsibilities” states department chair or director responsibility includes approval of applications and changes to card custodian but does not, in this section, reiterate this position’s responsibility to review and approve the monthly reconciliation report.

Of the 12 reconciliation reports provided by departments, only one was signed by the appropriate level of management. Eight were not signed at all; the other three were signed by personnel other than the department chair or director (including card custodian, AFO and budget manager on one).

Issue – Department review and approval responsibilities not consistently defined in policy.

Issue – Policy not complied with at department level.

Recommendation:

Consider appropriateness of department chair or director as the level of responsibility for review and approval at the department level – and ensure assignment is consistently defined in policy. Individuals assigned as approvers should hold positions with sufficient knowledge over operations and accounting of the department or at a minimum, the intended and actual uses of the assigned fuel cards.

2. Policy Terms – Unit Review Deadlines

Policy (BPPM 95.37) requires that the card custodian run the Comdata Reconciliation Report by the 5th day of each month. This report is to be reviewed with supporting receipts for completeness, accuracy, and reasonableness of charges. The reconciled report is then turned in to the department chair or director for review and approval, signed, and sent to the appropriate unit fiscal support. Accounts Payable pays all charges by the 15th day of the month.

Issue – The policy implies but does not specify that the review to support for reasonableness should be completed in the first 15 days of month to facilitate timely notice of irregularities.

Recommendation:

Consider specifically denoting in policy the timeframe for completion of unit reconciliation to receipts to better and more timely enable reporting of fraud charges or errors, before full payment is made to the Vendor.

3. Policy Error – Incorrect/Expired Information

BPPM 95.37 was revised in September 2017. This policy has a link for users to access additional information on the fuel card contract; the link takes the reader to the US Bank Voyager contract instead of the current Comdata contract. The University has not managed fuel cards under the US Bank contract since at least 2015.

Issue – Policy has incorrect/outdated information resulting in lack of guidance available to users.

Recommendation:

Management should take more care in editing and updating policies to ensure they include current links and data. Current policy should be updated.

4. Policy Term – Active Unused Cards

Current policy does not address management of active but unused fuel cards. Activated fuel cards must be properly safeguarded and card use monitored. Holding active fuel cards but not using them creates additional administrative burden associated with monitoring and increased exposure of potential loss or misuse.

In Calendar Year 2017, of the 551 total issued fuel cards, 156 (28%) were not used at all for the year.

Issue – Policy and process do not provide for managing active but unused cards.

Recommendation:

Consider adding policy provision that active cards not used in a one-year period will be closed and ensure processes enable implementation.

5. Policy Term – Ineffective Requirements Related to PIN and Odometer

Fuel cards are used at the pump with entry of a PIN (assigned by the card custodian from a pool of PINs provided by the FCA). Once the PIN has been entered, the fuel card user will be asked at the pump for either an ID number or odometer reading (up to six digits). The card custodian is responsible for determining which number will be required at the pump and providing the fuel card user with the appropriate information. If the odometer field is not completed or completed with incorrect information, the transaction is not affected.

Best practice would be to have an ID number assigned to individuals using “generic fuel cards” (cards used for multiple purposes, vehicles or equipment), which would facilitate accountability for purchases and tracking fuel usage. While vehicle odometer readings should be input for purchases made with “vehicle fuel cards” (cards assigned to one specific vehicle), which facilitates tracking fuel usage and enables review for reasonableness (odometer miles compared to gallons purchased). Current policy does not provide such direction. Instead, departments have the flexibility to use the field as they choose or not use the field at all.

For vehicle fuel cards, the vehicle’s actual odometer reading should always be entered at the pump. This is not currently stressed as a requirement within policy or in practice, centrally or at the department level. The department, through the card custodian, is responsible for monitoring and maintaining control over its assigned fuel cards, fuel card users, and card activity. Requiring use of an assigned ID number or vehicle odometer reading would facilitate more effective monitoring for accountability. Requiring use of an ID number or odometer is even more important given that card PINs are assigned from a departmental pool, as opposed to being card specific, and are not particularly helpful in providing accountability for use.

Issue – Policy language is ineffective if it does not provide for requirements, enforcement and consequences.

Recommendation:

Policy and practice should be evaluated for strength in controls and enforcement. Consider stronger policy to require odometer readings for vehicle cards and enforce unique ID numbers for generic cards – both to be assigned and tracked by the card custodian.

6. Oversight – Monitoring of Contract Deliverables

Within WSU's contract with Comdata, the University is entitled to receive incentive payments for Comdata purchases settled through the MasterCard network. When we inquired about these incentive payments during interviews with FCA, it was not clear who was responsible for tracking these incentive payments, where they were recorded, or if they were even received at all.

Issue – FCA and Accounts Payable staff responsible for the Fuel Card Program were not certain if WSU was receiving all benefits due under contract terms and were also uncertain regarding who monitored this activity or whether it was monitored at all.

Recommendation:

Ensure responsible individual(s) have a process in place to adequately track benefits and reconcile to contract terms.

7. Oversight – Use of Available Reports and Management of Data

According to terms of the Comdata contract, there are many exception reports available, and even more that can be requested, to facilitate better monitoring of card use and activity. It is not evident the available exception reports are being utilized to enhance central oversight or assist in departmental monitoring.

Policy provides some boundaries on fuel use that are measurable and can be isolated in exception reports. For example:

- Fuel cards may be used to purchase diesel or gasoline fuel – exception reports can identify if vehicles are using both fuel types, which would indicate using fuel card for other than the assigned vehicle.
- Policy holds restrictions on fuel grade type – exception reports can identify when fuel cards are purchasing a higher grade than allowed.
- Vehicles have tank capacities – exception reports are available to alert when tank capacity has been exceeded by vehicle type assigned to card, again, indicating fuel card is used for other than the assigned vehicle.

Review of data from available reports identified multiple purchases of high-grade unleaded fuel (unallowed unless there is written exception), and many times, for cards assigned to vehicles, more than one fuel type was used (e.g., both unleaded and diesel). Additionally, unreasonable gallon usage was noted (e.g., vehicle with 20-gallon capacity and 50-gallon fuel charge). This data is available in current reports; however, it is not evident anomalies are investigated by departments or that card custodians have access to

pull exception reports. Departments can run the reconciliation report but not necessarily the exception reports.

Usefulness of the exception reports is only as good as the data entered into the system; thus, the data for a particular vehicle assigned to a vehicle fuel card must be entered accurately, including the license plate number or other identifying information. For each vehicle fuel card, the associated vehicle's fuel type and tank capacity would be known, streamlining the reconciliation and review process.

Several instances of incomplete data were noted, including fuel cards assigned to vehicles that had been surplus. Assignment information was neither updated in the system nor provided to FCA for update processing.

If a card is assigned for generic use, usually for machinery or equipment, it is more difficult to pull detailed reports for identifying patterns of abuse. However, maintaining logs of card users and use would assist in monitoring efforts. Ultimately, card custodians should be familiar with the types of purchases individual cards are used for and whether fuel use noted at each month's reconciliation is appropriate and reasonable. Having ready access to reports that identify exceptions would facilitate this review responsibility.

Issue – Changes for use of fuel card are not being sent to FCA for update, or are sent to FCA but not updated. There were cards assigned to vehicles no longer owned by WSU – better coordination with Surplus and/or Risk Management may assist in more timely identification of expired data. Further, there were card custodians listed who had moved on to other roles or were no longer with the University.

Recommendation:

Reminders to card custodians should be sent to ensure all information in the fuel card tracking system is kept current – consider positive confirmation on an annual basis to confirm: need for fuel card; assignment as vehicle or generic, if vehicle, confirm vehicle still owned; confirmation of card custodian and contact information; and, confirmation of budget.

Issue – Card custodians are responsible for monitoring card usage and need to request Iconnect system access to run reports. It is not clear whether card custodians would be able to access exception reports. FCA is not pulling and reviewing available exception reports.

Recommendation:

Management should ensure data on currently issued fuel cards is accurately captured in the system to ensure useful data output. Procedures should be established to identify the best use of resources as far as monitoring, and processes for that monitoring established accordingly. If monitoring of exceptions is delegated to departments/card custodians, the responsible parties need to be proactively reminded of the responsibility, trained and processes implemented to support user access.

8. Training and Guidance

During tests of transactions, it became evident that training on use of cards and the card custodian role (at the department level) was needed to ensure better understanding of responsibilities.

Issue – Lack of training on proper use of fuel cards, and appropriate monitoring of use and use of the Vendor’s system, contributes to noncompliance and poor accountability.

Recommendation:

To facilitate monitoring and managing fuel cards and use, management should develop, at a minimum, specific guidelines and a handbook for card custodians.

B. Fuel Card Provider Contract

As allowed through Washington State’s Interlocal Cooperative Act, the University participated in another state agency’s contract for Fleet Fuel and Maintenance Card Program Services. Within the terms of the agreement between the Vendor, Comdata, Inc., and WSU (contract #C22576), the Vendor provides fuel credit cards to purchase fuel and related services for the University’s fleet. Services to be provided by the Vendor include issuance of cards, exception monitoring, fuel discounts, access to online review and monitoring, and various reporting options. The Mansfield Energy Corporation manages the billing process for Comdata transactions. The current agreement expires March 31, 2020.

Based on interviews and review of supporting records, several limitations or concerns associated with this Vendor contract and/or services were noted as follows:

1. Contract Terms – Coverage for Fraudulent Transactions

Some terms of the contract are ambiguous and the citation of contract terms by the Vendor may be in conflict or applied incorrectly. Terms in question:

(8) Disputed Items. Customer must notify Comdata in writing of any disputed item on Customer's billing statement within sixty (60) days from the date of the billing statement, or it will be deemed undisputed and accepted by Customer...

(9) Account Access. (a) *Access*. Customer's representative shall access the Account only as required to administer Customer's Card program and for no other purpose. (b) *Unauthorized Access to Account*. Customer agrees to notify Comdata immediately of any unauthorized use of, or access to, the Account or any passwords or other security codes or procedures used to access the Account or Comdata's system. Customer acknowledges and agrees that it is liable for unauthorized or fraudulent use of the Account until it has notified Comdata of such unauthorized access or use. (c) *Lost or Stolen Cards*. Customer will not be liable for unauthorized charges on a Card that occur after Customer notifies Comdata of the loss or theft of such Card.

Exhibit A. Transaction Dispute Resolution: Washington State University may dispute unauthorized charges to the Vendor via email, by telephone, or by fax. Upon notification of suspected unauthorized charges, the Vendor will hold those charges in suspense...Vendor shall describe...liability for unauthorized use of fuel cards.

When fraudulent charges were identified on two cards, the cardholder submitted an online dispute form. This action should trigger (8) as the submission of dispute occurred within 60 days from the date of the billing statement. However, the claim was denied by the Vendor, citing section (9)(b). This appears to be an incorrect application of contract terms. Section (9)(b) is specific to unauthorized or fraudulent use of an account; an account is defined at (9)(a) within the definition of access. Fraudulent charges have been disputed via the same process more than once with the same response from the Vendor.

Issue – Potentially incorrect interpretation of contract terms on part of the Vendor. Contract terms are ambiguous and need clarity – no definition for 'immediately' and subsection on lost or fraudulent cards is within Section defining Account.

Recommendation:
See (3) below.

2. Contracted Services – Unexplained Discrepancies in Supporting Records

When supporting records (receipts and Vendor statements) were requested from departments, the following discrepancies were noted in some transactions and units were unable to provide explanation:

- The subtotals and total on a monthly reconciliation report did not tie out to the detailed transactions.
- One receipt (a reprint) showed detail of fuel type and gallons, while the reconciliation report did not provide such detail and only gave total dollar amount.
- Two different receipts identified fuel type as diesel while the reconciliation reports noted unleaded.
- On one of the receipts with variance in fuel type, odometer detail was on the receipt but not on the reconciliation report, though the report provides a field for this data.

Discrepancies from detail support to Vendor statements may be related to the availability of data pulled from the Vendor's agents. However, we noted two receipts from the same location differed in the level of detail on the receipts and the details that transferred to the report. We are unsure what the Vendor requires from its agents/stations, or how it monitors and holds them accountable for accuracy and consistency.

Further, discrepancy was found in the reprinted receipts. Current policy provides that the Vendor's Iconnect website can be used to reprint lost or missing receipts. However, the Iconnect receipts do not provide sufficient data to enable identification of what was purchased. Specifically, the receipts only provide dollar amounts and do not include details; valid fuel purchases cannot be distinguished from unallowable purchases.

When departments are performing the monthly reconciliation, it is expected that support is traced to the report, and report totals are recalculated. If discrepancies are found, the department should investigate. If not resolved, departments should be able to reach out to FCA for assistance in resolution. For instances noted, the departments had not noted discrepancy and there was no indication of notice to FCA.

Issue – It is not apparent departments have contacted FCA about discrepancies in support records or that FCA has reached out to the Vendor for resolution.

Recommendation:

See (3) below.

3. Customer Service is Lacking

According to interviews with FCA, there is a long history of poor customer service received from the Vendor. Specific to fraud example at (1) above, the Vendor response was not timely and did not address issues. The Vendor cited section (9)(b and c) in reason for not crediting reported fraud, essentially stating the customer should have reported the fraud immediately. According to the contract, section (8), the customer should have 60 days to dispute charges. The FCA disputed the impracticality of ‘immediately’ reporting fraud or unauthorized use. The Vendor responded by stating cardholders should be checking transactions on a weekly basis. This was cited by FCA as not practical when a great number of cards are not used on a regular basis, potentially for months. Another example shared by FCA was the Vendor’s unsolicited blocking of a particular fuel card. FCA contacted the Vendor to determine the reason for the block. The customer service representative acknowledged blocking the card but could not remember why.

Issue – While it is evident FCA reached out to Vendor customer service on noted issues, Vendor response to concerns does not appear positive or in line with contract expectations.

Recommendation:

The current Vendor contract expires March 2020. As like services go out to bid, central administration should take care to evaluate customer service ratings and responsiveness. Further, there should be careful review of contract terms to remove ambiguity. For instance, on current contract, if possible, Section c of (9) should be relocated to Section (8) Disputed Items for greater clarity and consistent interpretation, and, ‘immediately’ should be defined.

C. Department Responsibilities

Card users, card custodians and department chairs/directors hold significant responsibility for managing fuel cards and ensuring their use for appropriate and allowable purposes. The bulk of that responsibility is with the card custodian. With that responsibility, card custodians should be provided or have access to the tools to facilitate monitoring. We tested 12 fuel cards, identified as a result of analysis and queries targeting high-risk transactions.

For one unit, WSU Prosser – IAREC, we found significant exceptions warranting a memo to the unit and college AFO. Conditions included:

- 40 active fuel cards – several with no activity in a full year.

- Questionable transactions for two cards assigned to vehicles including: more than one fuel type used; higher grade than allowed fuel type used; greater than maximum fuel capacity for vehicle assigned to card; card custodian did not assign an ID number or enforce entering actual odometer reading at the fuel pump – card user assigned own numbering; card custodian listed was incorrect – even after department requested FCA update; and, for one, the vehicle had been surplused at least two years before audit but unit did not notify FCA, and continued to have activity on the card.
- Inability for card custodian and fiscal support to identify location and users of all fuel cards – no log maintained.
- Use of fuel pumps for University vehicles – no log maintained.

We recommended the unit close all fuel cards, resubmit applications with greater review of need and assigned responsibility, and maintain a log of all assignments for accountability and ease of reconciliation. A process to ensure card users and Pls authorize and approve fuel card charges against respective budgets should also be implemented.

We found similar concerns for transactions tested at other locations, including:

- For vehicle–assigned fuel cards, the odometer field is not always effectively used, as evident with entries such as ‘1234’ or ‘9999’ for mileage.
- It is also not evident, when odometer readings are properly posted, that units are monitoring/reconciling fuel purchases against mileage for reasonableness.
- Various departments expressed concern that WSU does not offer fuel card custodian training or educational resources to support fuel card custodians. This concern was also cited by FCA. At several departments, the card custodian was unfamiliar with the fuel purchase process; e.g., they were unsure if PINs, odometer readings or ID numbers were required, etc.
- Some departments had purchased parts or repairs without the approval of Motor Pool. Per BPPM 95.35, all major repairs over \$200 must be approved by Motor Pool. If such repairs are not approved, there is an increased risk of loss due to overpaying for a repair or paying for an unnecessary repair.
- Not all card custodians had access to Iconnect, thus they were unable to print out missing, lost or illegible receipts (as required per BPPM 95.37). Access to the system must be requested through the fuel card administrator.

BASIS OF REVIEW

Criteria

During the course of our review we referred to the following rules, regulations and/or policies:

BPPM 95.37 – Fuel Credit Cards

BPPM 95.35 – Motor Pool

Audit Standards

Our office follows the guidelines as promulgated by the Institute of Internal Auditors’ “International Standards for the Professional Practice of internal Auditing” (IIA Standards), in carrying out the planning and engagement of audit activity. The IIA Standards required we plan and perform the audit to obtain sufficient and appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. Accordingly, we included such tests of the records and other procedures as we considered necessary in the circumstances.

The WSU Office of Internal Audit is not in full conformance with the IIA Standards in that a quality peer review has not yet been performed.

Audit Team Information

Internal auditors assigned to the audit include:

Lead Auditor	Lenka Perkins
Staff Auditor	Aaron Alonzo

Audit supervised by Heather Lopez.

For questions regarding this project, contact Heather Lopez, Chief Audit Executive:

Email: hlopez@wsu.edu
Phone: (509) 335-2001
Website: <http://www.internalaudit.wsu.edu>

INFORMATION ITEM #2
WSU 2018 Financial Statement Audit Exit
(Pearson/State Auditor's Office)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU 2018 Financial Statement Audit Exit

SUBMITTED BY: Stacy Pearson, Vice President, Finance & Administration
Manali Bettendorf, Controller

BACKGROUND
INFORMATION: See Attachment A



Office of the Washington State Auditor

Pat McCarthy

Exit Conference: Washington State University

The Office of the Washington State Auditor's vision is increased trust in government. Our mission is to provide citizens with independence and transparent examinations of how state and local governments use public funds, and develop strategies that make government more efficient and effective.

The purpose of this meeting is to share the results of your audit and our draft reporting. We value and appreciate your participation.

Audit Reports

We will publish the following reports:

- Financial statement audit for July 1, 2016 through June 30, 2018 - see draft report.
- Comprehensive Annual Financial Report opinion letter – see letter.

Audit Highlights

- We would like to thank the Financial Reporting Manager and University staff for making every effort to provide us with requested documents timely.
- University staff was professional and efficient to work with during our audit.

Recommendations not included in the Audit Reports

Management Letters

Management letters communicate control deficiencies, non-compliance or abuse with a less-than-material effect on the financial statements or other items significant to our audit objectives. Management letters are referenced, but not included, in the audit report. We noted certain matters that we are communicating in a letter to management related to the preparation of the financial statements.

Communications required by audit standards

In relation to our financial statement audit report, we would like to bring to your attention:

- Uncorrected misstatements in the audited financial statements are listed below. We agree with management's representation that these misstatements are immaterial to the fair presentation of the financial statements.

Description	Statement / Schedule
Misclassification of net investment in capital assets (NICA) and restricted net position because the NICA calculation did not exclude unspent bond proceeds as required by GAAP. Unspent bond proceeds are not capital-related as the funds have not been spent on capital assets. This resulted in an understatement of net investment in capital assets and overstatement of restricted net position by \$3,416,562. No net effect.	Statement of Net Position
Misclassification of assets held in trust for other agencies within University asset balances, overstating University asset balances and understating assets held in trust for agencies by \$22,499,041. No net effect.	Statement of Net Position
The University overstated its pension liability by including the pension liability for another government entity. The amount overstated cannot be readily determined but is presumed to be insignificant. (overstatement)	Statement of Net Position

- There were no material misstatements in the financial statements corrected by management during the audit.

Work of Other Auditors

A financial statement audit was performed by KPMG of the WSU Foundation and by CliftonLarsonAllen of the WSU Auxiliary Funds (Housing and Dining System and Intercollegiate Athletics) and the WSU Alumni Association. Professional audit standards require us to evaluate relevant work done by other auditors and communicate certain matters to the governing body.

- We performed procedures to ensure we could rely on the work of the external auditors and reference their audit in our audit report. These procedures included consideration of attendance at key meetings, evaluation of the firm’s last peer review report, review of the other auditor’s work, review of the other auditor’s results and communications with the other auditor.
- We did not become aware of any instance in which the work of the other auditors gave rise to concern about the quality of their work.
- There were no limitations that restricted our analysis of the other audits.
- We did not become aware of any instance in which a material misstatement of the financial statements has or may have resulted from fraud or suspected fraud.

Finalizing Your Audit

Report Publication

Audit reports are published on our website and distributed via e-mail in an electronic .pdf file. We also offer a subscription service that allows you to be notified by email when audit reports are released or posted to our website. You can sign up for this convenient service at: <https://portal.sao.wa.gov/saoportal/Login.aspx>

Management Representation Letter

We have included a copy of representations received from management.

Audit Cost

At the entrance conference, we estimated the cost of the audit to be \$53,675, plus travel costs of up to \$8,000 and actual audit costs will approximate that amount.

Your Next Scheduled Audit

Your next audit is scheduled to be conducted in 2019 and will cover the following general areas:

- Financial Statement (including Comprehensive Annual Financial Report Opinion Letter)

Working Together to Improve Government

Audit Survey

When your report is released you will receive an audit survey from us. We value your opinions on our audit services and hope you provide feedback.

Questions?

Please contact us with any questions about information in this document or related audit reports.

Sadie Armijo, CFE, Director of State Audit, (360) 902-0362, Sadie.Armijo@sao.wa.gov

Troy Niemeyer, Assistant Director of State Audit, (360) 725-5363 Ext. 106 Troy.Niemeyer@sao.wa.gov

Kelly Collins, CPA, Director of Local Audit, (360) 902-0091, Kelly.Collins@sao.wa.gov

Brandi Pritchard, CFE, Assistant Director of Local Audit, (360) 489-4591, Brandi.Pritchard@sao.wa.gov

Alisha Shaw, Audit Manager, (509) 329-3701 Ext. 102, Alisha.Shaw@sao.wa.gov

Matt Thompson, Assistant Audit Manager, (509) 329-3701, Matthew.Thompson@sao.wa.gov

Andrew Chilton, Audit Lead, (509) 334-5825, Andrew.Chilton@sao.wa.gov



Office of the Washington State Auditor
Pat McCarthy

Financial Statements Audit Report
Washington State University

For the period July 1, 2016 through June 30, 2018

Published February 14, 2019

Report No. 1023275





**Office of the Washington State Auditor
Pat McCarthy**

February 14, 2019

Board of Regents
Washington State University
Pullman, Washington

Report on Financial Statements

Please find attached our report on the Washington State University's financial statements.

We are issuing this report in order to provide information on the University's financial condition.

Sincerely,

Pat McCarthy
State Auditor
Olympia, WA

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SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS

**Washington State University
July 1, 2016 through June 30, 2018**

This schedule presents the status of findings reported in prior audit periods.

Audit Period: July 1, 2016 through June 30, 2017	Report Ref. No.: 1020905	Finding Ref. No.: 2017-001
Finding Caption: The University did not have adequate internal controls in place for the fiscal year to ensure the accurate presentation of its permanent endowment fund additions, and investment and component unit footnotes.		
<p>Background:</p> <p>University management is responsible for designing and following internal controls that provide reasonable assurance regarding the reliability of financial reporting. These controls should ensure the University follows all generally accepted accounting principles (GAAP) and Governmental Accounting Standards Board (GASB) statements.</p> <p>During the fiscal year 2017 audit, we found the University did not have effective internal controls to implement new GASB standards and did not ensure proper reporting of financial statement balances and footnote disclosures required by existing GASB standards (GASB 31; 39 and 61).</p> <p>Our audit identified the following deficiencies in internal controls over financial reporting that, when taken together, represent a material weakness:</p> <ul style="list-style-type: none"> • The University did not have a process to ensure sufficient research was performed to correctly and timely implement new GASB standards. GASB Statement No. 72 – Fair Value Measurement and Application, which affects accounting and financial reporting for investments, was not properly implemented. • The University did not dedicate the necessary time and resources to properly report financial statement balances and footnote disclosures required by existing GASB standards, including: <ul style="list-style-type: none"> • Statement No. 39 – Determining Whether Certain Organizations Are Component Units – An Amendment Of GASB Statement No. 14 • Statement No. 31 – Accounting And Financial Reporting for Certain Investments And For External Investment Pools • Statement No. 61 – The Financial Reporting Entity: Omnibus-An Amendment of GASB Statements No. 14 and 34 		

- Although the University reviews the financial statements and required footnote disclosures, the review was not adequate to detect and correct errors before the audit.

Status of Corrective Action: (check one)

- Fully Corrected
 Partially Corrected
 Not Corrected
 Finding is considered no longer valid

The specific errors identified in the footnotes were adjusted prior to publishing of the financial statements. As of July 2018, the University has:

- *Conducted an effective financial statement review and analysis with management to ensure the statements and footnotes are accurate and complete.*
- *Developed an internal process to ensure sufficient research is performed to implement new GASB standards (GASB 75, 81, 85, 86 for the current year) using the SAO Checklist for Accounting Standards Changes.*
- *Invested in training and technical resources to ensure that:*
 - *All future changes to accounting guidance are researched and applied to financial statements and footnotes in a timely manner.*
 - *Assessment of changes to financial operations is appropriately assigned to responsible staff so that relevant accounting and auditing changes are promptly identified.*
 - *Staff involved in financial statement preparation attend relevant trainings and online webcasts related to governmental accounting standards and generally accepted accounting principles.*

The University has an established practice of performing secondary review of prepared financial statements and notes prior to submission for audit. However, this management control was not in place during the current audit due to staff turnover and shortages within the Business Services Team. As of January 2018, the University hired a new controller with the experience and credentials to provide appropriate oversight and review of all financial statement reporting activities.

**INDEPENDENT AUDITOR'S 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**

**Washington State University
July 1, 2016 through June 30, 2018**

Board of Regents
Washington State University
Pullman, Washington

We have audited, 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, the financial statements of the business-type activities and the aggregate discretely presented component units of the Washington State University, as of and for the years ended June 30, 2018 and 2017, and the related notes to the financial statements, which collectively comprise the University's basic financial statements, and have issued our report thereon dated February 6, 2019. As discussed in Note 1 to the financial statements, during the year ended June 30, 2018, the University implemented Governmental Accounting Standards Board Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*.

Our report includes a reference to other auditors who audited the financial statements of the Washington State University Foundation (the Foundation), Washington State University Intercollegiate Athletic Department (Athletics), Washington State University Housing and Dining System (Housing), and Washington State University Alumni Association (Alumni Association), as described in our report on the University's financial statements. This report includes our consideration of the results of the other auditor's testing of internal control over financial reporting and compliance and other matters are reported on separately by those other auditors. However, this report, insofar as it relates to the results of the other auditors, is based solely on the reports of the other auditors. The financial statements of the Foundation, Athletics, Housing, and Alumni Association were not audited in accordance with *Government Auditing Standards* and accordingly this report does not include reporting on internal control over financial reporting or instances of reportable noncompliance associated with the Foundation, Athletics, Housing, or Alumni Association.

The financial statements of the Washington State University, an agency of the state of Washington, are intended to present the financial position, and the changes in financial position, and where applicable, cash flows of only the respective portion of the activities of the state of Washington that is attributable to the transactions of the University and its aggregate discretely presented component units. They do not purport to, and do not, present fairly the financial position of the state of Washington as of June 30, 2018, and 2017 the changes in its financial position, or where applicable, its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

INTERNAL CONTROL OVER FINANCIAL REPORTING

In planning and performing our audits of the financial statements, we considered the University's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control. Accordingly, we do not express an opinion on the effectiveness of the University's internal control.

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 a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the University's financial statements will not be prevented, or detected and corrected on a timely basis. *A significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

In addition, we noted certain matters that we will report to the management of the University in a separate letter dated February 7, 2019.

COMPLIANCE AND OTHER MATTERS

As part of obtaining reasonable assurance about whether the University's financial statements are free from material misstatement, we performed tests of the University's 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*.

PURPOSE OF THIS REPORT

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the University's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the University's internal control and compliance. Accordingly, this communication is not suitable for any other purpose. However, this report is a matter of public record and its distribution is not limited. It also serves to disseminate information to the public as a reporting tool to help citizens assess government operations.



Pat McCarthy
State Auditor
Olympia, WA

February 6, 2019

INDEPENDENT AUDITOR'S REPORT ON FINANCIAL STATEMENTS

Washington State University July 1, 2016 through June 30, 2018

Board of Regents
Washington State University
Pullman, Washington

REPORT ON THE FINANCIAL STATEMENTS

We have audited the accompanying financial statements of the business-type activities and the aggregate discretely presented component units of the Washington State University, as of and for the years ended June 30, 2018 and 2017, and the related notes to the financial statements, which collectively comprise the University's basic financial statements as listed on page 13.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audits. We did not audit the financial statements of the Washington State University Foundation (the Foundation), which represents 100 percent of the assets, net position and revenues of the aggregate discretely presented component unit. We also did not audit the financial statements of the Washington State University Intercollegiate Athletics Department (Athletics), the Washington State University Housing and Dining System (Housing), or the Washington State University Alumni Association (Alumni Association), which in aggregate represent 15.3 percent, 1.9 percent, and 12.7 percent, respectively, of the assets, net position and revenues of the University business-type activities. Those statements were audited by other auditors, whose reports have been furnished to us, and our opinions, insofar as it relates to the amounts included for the Foundation, Athletics, Housing, and Alumni Association, is based solely on the reports of the other auditors.

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 from material misstatement. The financial statements of the Foundation, Athletics, Housing, and Alumni Association were not audited in accordance with *Government Auditing Standards*.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the University's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the University's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Opinion

In our opinion, based on our audit and the reports of the other auditors, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities and the aggregate discretely presented component units of the Washington State University, as of June 30, 2018 and 2017, and the respective changes in financial position and cash flows thereof for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Matters of Emphasis

As discussed in Note 1 to the financial statements, in 2018, the University adopted new accounting guidance, Governmental Accounting Standards Board Statement No. 75, *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*. Our opinion is not modified with respect to this matter.

As discussed in Note 1, the financial statements of the Washington State University, an agency of the state of Washington, are intended to present the financial position, and the changes in financial position, and where applicable, cash flows of only the respective portion of the activities of the state of Washington that is attributable to the transactions of the University and its aggregate discretely presented component units. They do not purport to, and do not, present fairly the financial position of the state of Washington as of June 30, 2018, and 2017 the changes in its financial position, or where applicable, its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America. Our opinion is not modified with respect to this matter.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis and required supplementary information listed on page 13 be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

OTHER REPORTING REQUIRED BY GOVERNMENT AUDITING STANDARDS

In accordance with *Government Auditing Standards*, we have also issued our report dated February 6, 2019 on our consideration of the University's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on internal control over financial reporting or on compliance. That report is an

integral part of an audit performed in accordance with *Government Auditing Standards* in considering the University's internal control over financial reporting and compliance.

A handwritten signature in black ink that reads "Pat McCarthy". The signature is written in a cursive, flowing style.

Pat McCarthy

State Auditor

Olympia, WA

February 6, 2019

ABOUT THE STATE AUDITOR'S OFFICE

The State Auditor's Office is established in the state's Constitution and is part of the executive branch of state government. The State Auditor is elected by the citizens of Washington and serves four-year terms.

We work with our audit clients and citizens to achieve our vision of government that works for citizens, by helping governments work better, cost less, deliver higher value, and earn greater public trust.

In fulfilling our mission to hold state and local governments accountable for the use of public resources, we also hold ourselves accountable by continually improving our audit quality and operational efficiency and developing highly engaged and committed employees.

As an elected agency, the State Auditor's Office has the independence necessary to objectively perform audits and investigations. Our audits are designed to comply with professional standards as well as to satisfy the requirements of federal, state, and local laws.

Our audits look at financial information and compliance with state, federal and local laws on the part of all local governments, including schools, and all state agencies, including institutions of higher education. In addition, we conduct performance audits of state agencies and local governments as well as [fraud](#), state [whistleblower](#) and [citizen hotline](#) investigations.

The results of our work are widely distributed through a variety of reports, which are available on our [website](#) and through our free, electronic [subscription](#) service.

We take our role as partners in accountability seriously, and provide training and technical assistance to governments, and have an extensive quality assurance program.

Contact information for the State Auditor's Office	
Public Records requests	PublicRecords@sao.wa.gov
Main telephone	(360) 902-0370
Toll-free Citizen Hotline	(866) 902-3900
Website	www.sao.wa.gov



**Office of the Washington State Auditor
Pat McCarthy**

February 7, 2019

Board of Regents
Washington State University
Pullman, Washington

Management Letter

This letter includes a summary of specific matters that we identified in planning and performing our financial audit of Washington State University from July 1, 2017 through June 30, 2018. We believe our recommendations will assist you in improving the University's internal controls in these areas.

We will review the status of these matters during our next audit. We have already discussed our comments with and made suggestions for improvements to University officials and personnel. If you have any further questions, please contact me at (509) 329-3701 ext. 102.

This letter is intended for the information and use of management and the governing body and is not suitable for any other purpose. However, this letter is a matter of public record and its distribution is not limited.

We would also like to take this opportunity to extend our appreciation to your staff for the cooperation and assistance given during the course of the audit.

Sincerely,

Alisha Shaw, Audit Manager
Attachment

Management Letter
Washington State University
July 1, 2017 through June 30, 2018

Financial statement preparation

University management is responsible for designing, implementing and maintaining internal controls to ensure financial statements are fairly presented in accordance with generally accepted accounting principles (GAAP). During the audit of fiscal year 2018, we noted deficiencies in internal controls over financial reporting. The University had procedures in place to perform a secondary review of the financial statements, notes and required supplementary information (RSI), but the review was not effective to detect and correct the following errors. The University:

- Overstated its pension liability by including the pension liability for another government entity. The University cannot readily determine the pension liability amount, but it is presumed to be insignificant. Management did not correct this error.
- Incorrectly classified assets held in trust for other agencies of \$22,499,041 within University asset balances on the Statement of Net Position. Management did not correct this error.
- Misclassified net investment in capital assets and restricted net position by \$14,781,335. Management did not correct \$3,416,562 of this error.
- Misclassified non-current long-term liabilities and pension and other post-employment benefit liabilities by \$1,788,972
- Misclassified pension and other post-employment benefit liabilities as one balance on the Statement of Net Position rather than separately
- Understated pension expense by \$1,783,313 in the notes to financial statements
- Understated deferred inflows for the Washington State University Retirement Plan by \$19,586,869 in the notes to financial statements
- Misclassified pension net difference between projected and actual experience and pension changes in assumptions by \$10,323,000 in the notes to financial statements
- Omitted required disclosures for the significant change in accounting principle, external investment pools and insurance coverage in the notes to financial statements

Except as noted above, the University corrected these errors. We identified other, less significant errors in the financial statements, notes and RSI, which management corrected.

We recommend the University:

- Follow its established procedures and perform an effective review to ensure the financial statements, notes and RSI are prepared in accordance with GAAP
- Perform a detailed review of financial statement balances to ensure amounts are classified correctly and reported in accordance with GAAP
- Review and use current accounting standards to ensure proper reporting of all required note disclosures

February 6, 2019

Washington State Auditor's Office
1610 NE Eastgate Blvd., Bldg. 2, Ste. 200
Pullman, WA 99163

To the Washington State Auditor's Office:

We are providing this letter in connection with your audit of Washington State University for the period from July 1, 2016 through June 30, 2018. Representations are in relation to matters existing during or subsequent to the audit period up to the date of this letter.

Certain representations in this letter are described as being limited to matters that are significant or material. Information is considered significant or material if it is probable that it would change or influence the judgment of a reasonable person.

We confirm, to the best of our knowledge and belief, having made appropriate inquiries to be able to provide our representations, the following representations made to you during your audit. If we subsequently discover information that would change our representations related to this period, we will notify you in a timely manner.

General Representations:

1. We have provided you with unrestricted access to people you wished to speak with and made available requested and relevant information of which we are aware, including:
 - a. Financial records and related data.
 - b. Minutes of the meetings of the governing body or summaries of actions of recent meetings for which minutes have not yet been prepared.
 - c. Other internal or external audits, examinations, investigations or studies that might concern the objectives of the audit and the corrective action taken to address significant findings and recommendations.
 - d. Communications from regulatory agencies, government representatives or others concerning possible material noncompliance, deficiencies in internal control or other matters that might concern the objectives of the audit.
 - e. Related party relationships and transactions.
 - f. Results of our internal assessment of business risks and risks related to financial reporting, compliance and fraud.
2. We acknowledge our responsibility for compliance with requirements related to confidentiality of certain information, and have notified you whenever records or data containing information subject to any confidentiality requirements were made available.

3. We acknowledge our responsibility for compliance with applicable laws, regulations, contracts and grant agreements.
4. We have identified and disclosed all laws, regulations, contracts and grant agreements that could have a direct and material effect on the determination of financial statement amounts, including legal and contractual provisions for reporting specific activities in separate funds.
5. We have complied with all material aspects of laws, regulations, contracts and grant agreements.
6. We acknowledge our responsibility for establishing and maintaining effective internal controls over compliance with applicable laws and regulations and safeguarding of public resources, including controls to prevent and detect fraud.
7. We have established adequate procedures and controls to safeguard public resources and ensure compliance with applicable laws and regulations.
8. Except as reported to you in accordance with RCW 43.09.185, we have no knowledge of any loss of public funds, illegal activity, loss of assets, or any allegations of fraud or suspected fraud involving management or employees.
9. In accordance with RCW 43.09.200, all material events and transactions have been properly recorded in the financial records, notwithstanding immaterial uncorrected items noted below.
10. We are responsible for, and have accurately prepared, the summary schedule of prior audit findings to include all findings, and we have provided you with all the information on the status of the follow-up on prior audit findings.

Additional representations related to the financial statements:

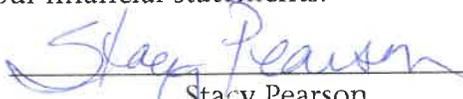
11. We acknowledge our responsibility for fair presentation of financial statements and believe financial statements are fairly presented in conformity with generally accepted accounting principles in the United States of America.
12. We acknowledge our responsibility for establishing and maintaining effective internal control over financial reporting.
13. The financial statements include financial information of the primary government and all component units, fiduciary and other activity required by generally accepted accounting principles to be included in the financial reporting entity.
14. The financial statements properly classify all funds and activities.
15. All funds that meet the quantitative criteria in GASB requirements or are otherwise particularly important to financial statement users, are presented as major funds.
16. Capital assets, including infrastructure and intangible assets, are properly capitalized, reported and depreciated as applicable.

17. We have no plans or intentions that may materially affect the reported value or classification of assets, liabilities or net position.
18. Revenues are appropriately classified by fund and account.
19. Expenses have been appropriately classified by fund and account, and allocations have been made on a reasonable basis.
20. Net position components (net investment in capital assets, restricted and unrestricted) are properly classified and, as applicable, approved.
21. Significant assumptions we used in making accounting estimates are reasonable.
22. The following have been properly classified, reported and disclosed in the financial statements, as applicable:
 - a. Interfund, internal, and intra-entity activity and balances.
 - b. Related-party transactions, including sales, purchases, loans, transfers, leasing arrangements, and guarantees, and amounts receivable from or payable to related parties.
 - c. Joint ventures and other related organizations.
 - d. Guarantees under which the government is contingently liable.
 - e. All events occurring subsequent to the fiscal year end through the date of this letter that would require adjustment to, or disclosure in, the financial statements.
 - f. Effects of all known actual or possible litigation, claims, assessments, violations of laws, regulations, contracts or grant agreements, and other loss contingencies.
23. We have accurately disclosed to you all known actual or possible pending or threatened litigation, claims or assessments whose effects should be considered when preparing the financial statements. We have also accurately disclosed to you the nature and extent of our consultation with outside attorneys concerning litigation, claims and assessments.
24. We acknowledge our responsibility for reporting supplementary information in accordance with applicable requirements and believe supplementary information is fairly presented, in both form and content in accordance with those requirements.
25. We have disclosed to you all significant changes to the methods of measurement and presentation of supplementary information, reasons for any changes and all significant assumptions or interpretations underlying the measurement or presentation.
26. We acknowledge our responsibility for the supplementary information required by generally accepted accounting principles in the United States (RSI) and believe RSI is measured and presented within prescribed guidelines.

- 27. We have disclosed to you all significant changes in the methods of measurement and presentation of RSI, reasons for any changes and all significant assumptions or interpretations underlying the measurement or presentation of the RSI.
- 28. We believe the effects of uncorrected financial statement misstatements summarized below are not material, both individually and in the aggregate, to each applicable opinion unit.

Description	Statement / Schedule
Misclassification of net investment in capital assets (NICA) and restricted net position because the NICA calculation did not exclude unspent bond proceeds as required by GAAP. Unspent bond proceeds are not capital-related as the funds have not been spent on capital assets. This resulted in an understatement of net investment in capital assets and overstatement of restricted net position by \$3,416,562. No net effect.	Statement of Net Position
Misclassification of assets held in trust for other agencies within University asset balances, overstating University asset balances and understating assets held in trust for agencies by \$22,499,041. No net effect.	Statement of Net Position
The University overstated its pension liability by including the pension liability for another government entity. The amount overstated cannot be readily determined but is presumed to be insignificant. (overstatement)	Statement of Net Position

- 29. We acknowledge our responsibility not to publish any document containing the audit report with any change in the financial statements, supplementary and other information referenced in the auditor’s report. We will contact the auditor if we have any needs for publishing the audit report with different content included.
- 30. We understand our federal tax responsibilities for any Unrelated Business Income (UBI) and have evaluated our operations to identify any such taxable income. We have completely and properly reported UBI to the Internal Revenue Service and on our financial statements.

 Stacy Pearson Vice President, Finance and Administration	 Matt Skinner, Associate Vice President for Finance
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 Manali Bettendorf
 Controller

INFORMATION ITEM #4

Update on Athletics FY 2019 Budget (Pearson/Chun)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Update on Athletics FY2019 Budget Progress

SUBMITTED BY: Stacy Pearson, VP Finance and Administration
Patrick Chun, Director of Athletics

BACKGROUND INFORMATION: In June 2018, the Washington State University Board of Regents approved the WSU Athletics FY2019 operating budget and a plan for reducing operating deficits in future fiscal years. The plan approval was also required by Substitute Senate Bill 6493, which requires certain actions of the boards of the state's colleges and universities, related to intercollegiate athletics programs.

The FY2019 Athletics budget was approved prior to the end of the 2018 fiscal year. At that time, Athletics estimated that FY2018 would end with a \$9.1 million operating deficit. After the fiscal year was closed out, the actual deficit was improved to \$8.66 million. Athletics also projected that the FY2019 operating deficit would improve by over \$2 million, ending the FY2019 fiscal year with an approximate \$6.7 million operating deficit. After the January 2019 budget review, the FY2019 operating deficit projection was updated and the operating deficit is now projected to be \$7.9 million. This is an increase of slightly over \$1.2 million from the original projection, but is still an improvement over the FY2018 operating deficit by \$750,000.

Cougar Athletics has experienced some of the great success this year with football winning 11 games for the first time in program history, volleyball reaching the Sweet 16 of the NCAA Championships and soccer returning to the NCAA Championship Second Round for the second-straight season to name just a few. WSU hosted ESPN College Gameday for the first time and the nation witnessed the pride and passion for what it means to be a Cougar, as well as unprecedented exposure nationally. The Cougar Athletic Fund and football program have experienced record levels of fundraising, program highs for student-athlete GPA achievement and taken great strides in hiring and retaining the best coaches possible to provide long-term stability for WSU student-athletes. The University takes great pride in what has been accomplished this year, and the bright future ahead.

However, the fiscal challenges continue and even though WSU Athletics endeavors to run the most efficient department among all the Power 5 schools, there is a projected increase of \$1.2 million to the deficit for the current fiscal year. The majority of this shortfall is due to the inclusion of a naming rights corporate sponsor and it is anticipated that the revenue for

that sponsorship will not be included in the current fiscal year. The Department is committed to securing this sponsorship in addition to other revenues, and managing expenses while continuing to provide the best possible experiences for our student-athletes.

A summary of projected expense and revenue impacts are shown below:

Naming Rights Partner Remains in Acquisition Phase	\$(1.00) M
Increases in Bowl game expenses, air charter	(.25)
Contract bonuses earned, unbudgeted	(.21)
Net salary adjustments	(.63)
Fines and settlements	(.06)
Net increase in CAF and other revenue	.85
Scholarship savings	.24
Misc. Adjustments	(.15)
 Projected Net Increase in Deficit	 \$(1.21) M

While some of the cumulative adjustments exceed \$250,000 from the approved initial FY2019 budget, no single expenditure increased by the \$250,000 threshold amount that would require Regent approval in advance per SSB 6493.

The FY2020 Athletics budget will be presented to the Regents for approval in June 2019. At that time, the FY2019 budget will be further updated, though it will be prior to fiscal year end given the timing of the meeting.

FUTURE ACTION ITEM #1

Academic Year 2019–2020 Tuition Rates (Stacy Pearson)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Academic Year 2019–2020 Tuition Rates

PROPOSED: That the Washington State University Board of Regents set tuition for the academic year 2019–2020.

SUBMITTED BY: Stacy Pearson, Vice President, Finance and Administration

SUPPORTING

INFORMATION: State law authorizes the governing boards of the four-year higher education institutions to establish tuition and fees for all student categories except resident undergraduates. Current legislation allows resident undergraduate tuition to increase by no more than the average annual percentage growth rate in the median hourly wage for Washington for the previous fourteen years. This index has been approximately 2% for the previous two years.

The WSU Board of Regents has the authority to change all non-resident undergraduate, resident and non-resident graduate, and resident and non-resident professional tuition and fees.

Tuition rates will be finalized for action at the May 2019 Board of Regents meeting, pending approval of the final legislative budget and evaluation of current non-resident undergraduate, graduate, and professional rates.

2018–2019 tuition rates are shown below as full-time, annual rates for reference:

2018–2019 Tuition Rates

Undergraduate Resident	\$9,720
Undergraduate Non-Resident	\$23,956
Undergraduate Resident Global Campus	\$9,720
Undergraduate Non-Resident Global Campus	\$10,874
Graduate Resident	\$11,224
Graduate Non-Resident	\$24,656
Graduate DDP Global Campus	\$11,224
Master of Nursing Resident	\$17,234
Master of Nursing Non-Resident	\$32,256
PharmD Resident	\$21,990
PharmD Non-Resident	\$38,644
ESF College of Medicine Resident	\$37,240
DVM Resident	\$24,994
DVM Non-Resident	\$60,550

FUTURE ACTION ITEM #2

Services and Activities Fee Rates for Academic Year 2019–2020 (Stacy Pearson)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Services and Activities (S&A) Fee Rate Changes for Academic Year 2019–2020

PROPOSED: That the Washington State University Board of Regents authorize rate changes in campus Services and Activities Fees (and S&A–like fees) for the academic year 2019–2020.

SUBMITTED BY: Stacy Pearson, Vice President, Finance and Administration

SUPPORTING

INFORMATION: By law, the Board of Regents may increase Services and Activities (S&A) Fees annually by amounts that shall not exceed four percent. There is no such control on rate decreases.

All WSU campuses have an S&A Fee committee that make a recommendation to the Board of Regents, through President Schulz, concerning the amount of any S&A fee rate change, as well as the allocations of S&A revenues to student groups. The campus committees may independently choose to recommend an increase/decrease in the S&A Fee rate, and the rate can vary among campuses. The committees are currently beginning their consideration processes. Rate recommendations will be finalized prior to the May 2019 Board of Regents meeting and will be an action item at that meeting.

Each campus retains 100% of its own S&A fees and is able to choose a rate increase or decrease for the campus. The S&A Fee committee on each campus is student led, with a majority of votes assigned to students from that campus. S&A fees are self-assessed and controlled locally.

Current annual rates are:

Everett	\$512
Global Campus	\$415
Pullman	\$537
Spokane	\$582
Tri-Cities	\$512
Vancouver	\$559

FUTURE ACTION ITEM #3

Services and Activities Fee Committee Allocations for Summer 2019
and Academic Year 2019–2020

(Stacy Pearson)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Services and Activities Fee Committee Allocations for summer 2019 and Academic Year 2019–2020

PROPOSED: That the Washington State University Board of Regents approve the allocation of Services & Activities Fees for summer 2019 and academic year 2019–2020, as recommended by the Services and Activities Fee committees representing each campus of Washington State University.

SUBMITTED BY: Stacy Pearson, Vice President, Finance and Administration

SUPPORTING

INFORMATION: Services and Activities (S&A) fees are used to fund student activities, programs and student buildings. S&A fees are charged to all students registering at any WSU campus, including the Global Campus.

Each campus retains 100% of its own S&A fees and is able to recommend a rate increase or decrease. The S&A fee committee on each campus is student led, with a majority of votes assigned to students from that campus. S&A fees are self-assessed and controlled locally.

The committees listed below are beginning their consideration processes. Their allocation recommendations will be submitted for approval to President Schulz and will be an action item at the May 2019 Board of Regents meeting. The

recommendations are developed following guidelines governing the establishment and funding of student programs set forth in RCW 28B.15.045.

Information about S&A Fees may be found at:

<https://studentfees.wsu.edu/home/>

- Services & Activities Fee Committee – Everett
- Services & Activities Fee Committee – Global Campus
- Services & Activities Fee Committee – Pullman
- Services & Activities Fee Committee – Spokane
- Services & Activities Fee Committee – Tri-Cities
- Services & Activities Fee Committee – Vancouver

FUTURE ACTION ITEM #4

WSU Pullman, Undergraduate Technology Fee Committee Allocations for Academic Year 2019–2020 (Stacy Pearson)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Pullman Student Technology Fee Committee Allocations for Academic Year 2019–2020.

PROPOSED: That the Washington State University Board of Regents approve the Academic Year 2019–2020 allocations from the Student Technology Fee Committee.

SUBMITTED BY: Stacy Pearson, Vice President, Finance and Administration

SUPPORTING

INFORMATION: During the 2015 Spring Semester, the ASWSU–Pullman Senate approved a \$20/semester student technology fee for undergraduate students, effective beginning with the 2015 Fall Semester. This fee is authorized by RCW 28B.15.051, which states that the revenue generated by the technology fee “shall be used exclusively for technology resources for general student use”. Fees of varying amounts are charged by the other research and regional universities in Washington. The WSU fee is the lowest among the group.

The Student Technology Fee Committee is in the process of reviewing funding requests from a variety of university groups for technology projects that will benefit WSU students. Allocation recommendations from the committee will be

forwarded to President Schulz for approval and will be an action item at the May 2019 Board of Regents meeting.

FUTURE ACTION ITEM #5

WSU Vancouver, Technology Fee Committee Allocations for Academic Year 2019–2020 (Stacy Pearson)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Vancouver Student Technology Fee Committee Allocations for Academic Year 2019–2020.

PROPOSED: That the Washington State University Board of Regents approve the Academic Year 2019–2020 allocations from the Student Technology Fee Committee

SUBMITTED BY: Stacy Pearson, Vice President, Finance and Administration

SUPPORTING

INFORMATION: During the 2017 Spring Semester, the ASWSU–Vancouver Senate approved a \$20/semester student technology fee for undergraduate and graduate students effective beginning with the Fall Semester 2017. This fee is authorized by RCW 28B.15.051, which states that the revenue generated by the technology fee “shall be used exclusively for technology resources for general student use”. Technology fees of varying amounts are charged by the other research and regional universities in Washington. Both the Pullman and Vancouver campuses have a \$20 technology fee, and the WSU fees are the lowest among the group.

The Student Technology Fee Committee is in the process of reviewing funding requests from a variety of university groups for technology projects which will benefit WSU students. Allocation recommendations from the committee will be

forwarded to President Schulz for approval and will be an action item at the May 2019 Board of Regents meeting.

FUTURE ACTION ITEM #6

Proposed changes to WSU Health Sciences Spokane Parking System Rates (Pearson/DeWald)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Proposed Changes to WSU Health Sciences Spokane Parking System Rates

PROPOSED: That the WSU Board of Regents adopt proposed changes to parking rates for fall 2019.

SUBMITTED BY: Daryll DeWald, Chancellor

SUPPORTING

INFORMATION: As the WSU Health Sciences Spokane campus has grown substantially over the last several years, available parking inventory has declined, and maintenance needs have increased. Additional forecasted campus growth will continue to exacerbate available campus parking inventory. Therefore, the campus is planning to propose increases to multiple parking rates for future approval.

The WSU Spokane campus established a Parking Advisory Board to provide an open, campus-wide process for the consideration of the parking system's improvements and ongoing maintenance and to propose changes to parking rates to fund these improvements. Proposed changes to parking rates will be presented to the Associated Students of WSU and various faculty and staff in order to facilitate open communication and "face-to-face" feedback. The Parking

Advisory Board will consider this feedback prior to making a final recommendation to the Chancellor.

The WSU Spokane administration plans to propose multi-year rate increases for all current term, daily, and hourly parking permits starting in fall 2019. The proposed rate increases are currently being reviewed by staff and will be presented to the WSU Health Sciences Spokane Parking Advisory Board.

These proposals are being developed to provide needed funding for major capital projects and maintenance including, but not limited to;

- 1) capital improvements for the Green 5 parking lot adding two new ingress and egress access points and partnering with Spokane Transit Authority (STA) to provide two new bus stations in the center of campus (stations are funded by STA),
- 2) capital improvements for the Green 5 parking lot adding new parking spaces to partially accommodate campus growth,
- 3) capital improvements for the Green 5 parking lot adding new pedestrian campus connectivity to the City of Spokane's University Gateway bridge for pedestrian and bicycle access and improved safety,
- 4) needed pavement preservation resurfacing and surface repair maintenance in almost all of the 11 parking lots on campus; extending each lot's base-surface life up to seven years,
- 5) ongoing annual parking lot maintenance,
- 6) three vehicle rental-fleet replacements used by internal customers,
- 7) replacement of 14 parking permit vending machines,
- 8) and base funding support to finance future growth-driven parking improvements.

The WSU Spokane campus administration has been fully engaged in the promotion and facilitation of alternative commute modes for the campus population, and employees who continue to choose parking remain eligible for savings from the Pre-Tax Parking Fee Deduction.

Current parking permit prices for 2018–2019 are as follows:

	ORANGE	GREEN
ANNUAL	\$471	\$343
SEMESTER	\$218	\$158
QUARTER	\$152	\$111
DAILY	\$6.00	\$4.00
STUDENT WEEKEND PERMIT	\$3.00 per day; \$5.00 both days	\$3.00 per day; \$5.00 both days

Parking rates were last increased on the Spokane campus in 2015. This last increase was part of a three year rate; a 10% rate increase in each respective year. In addition, parking zones were revised in both 2015 and 2016.

FUTURE ACTION ITEM #7

Proposed Changes to Summer Session Tuition Policy (Stacy Pearson)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Revisions to Executive Policy #10 – Summer Session Tuition Policy

PROPOSED: That the Washington State University Board of Regents approve revisions to Executive Policy #10 regarding *Summer Session Tuition and Services and Activities Fee Policy*.

SUBMITTED BY: Stacy Pearson, Vice President, Finance and Administration

SUPPORTING

INFORMATION: State law authorizes the governing boards of the four-year higher education institutions to establish tuition and fees for all students attending summer session.

This action will modify Executive Policy #10 to add the following clarifying language:

1. The maximum undergraduate and graduate per credit hour charge for summer session is based on the part-time rate for the Pullman campus.
2. The maximum per credit rate for professional programs is based on the part-time rate for the particular program.
3. The per credit hour rate is the same for all campuses.

The proportion of the per credit hour rate attributed to S&A fees may vary by campus.

Summer session 2019 rates by campus would be:

	UNDERGRADUATE		
	Tuition	S&A Fee	Summer Session per credit hour rate
Pullman	\$ 486	\$ 27	\$ 513
Spokane	\$ 484	\$ 29	\$ 513
Tri-Cities	\$ 487	\$ 26	\$ 513
Vancouver	\$ 485	\$ 28	\$ 513
Global	\$ 492	\$ 21	\$ 513
Everett	\$ 487	\$ 26	\$ 513
	GRADUATE		
	Tuition	S&A Fee	Summer Session per credit hour rate
Pullman	\$ 561	\$ 27	\$ 588
Spokane	\$ 559	\$ 29	\$ 588
Tri-Cities	\$ 562	\$ 26	\$ 588
Vancouver	\$ 560	\$ 28	\$ 588
Global	\$ 567	\$ 21	\$ 588
Everett	\$ 562	\$ 26	\$ 588

Beginning in FY2014 campuses adopted differential S&A fee rates, and in practice the proportion of summer tuition attributed to S&A fee has been based on each campuses' rate. This action codifies that practice in the summer session policy. Further, because of the differential S&A fee rates at the campuses, it was necessary to specify which campus the total summer tuition and S&A fee rate would be based on.

ATTACHMENT: 2020 Summer Rates Redline Document

Procedures and Forms Review Request

Office of Procedures, Records, and Forms
Washington State University
Pullman, WA 99164-1225
Telephone: 509-335-2005
FAX: 509-335-3969

INSTRUCTIONS:

Please review the attached and return to the Office of Procedures, Records, and Forms by the indicated "Respond" date.

REQUEST DATE January 23, 2019	RESPOND BY DATE February 6, 2019
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SECTION OR FORM NAME Summer Session Tuition and Services and Activities Fees Policy	EPM	NUMBER EP10	DRAFT 4
REVIEWER Leslie Thompson, David Cillay, Kelley Westhoff, Vicky Murray, Chris Hoyt	RESPONSIBLE OFFICIAL David Cillay		
INFORMATIONAL COPY	TYPE OF CHANGE Substantive Revision	RESPONSIBLE OFFICE Academic Outreach and Innovation	

DESCRIPTION
This revision updates the policy regarding rates set for Services and Activities Fees (S&A Fees) which accompany summer session tuition and fees.

Draft #4 includes changes from Leslie Thompson, David Cillay, Kelley Westhoff, and Chris Hoyt.

Note to all reviewers: This policy was originally approved by the Board of Regents (BOR) in Nov. 2012. If the changes to this policy must still be approved by the BOR, the Vice President for Academic Outreach and Innovation (AOI) must take these changes to the BOR once the internal administrative review (including by President's Cabinet) is completed. (BOR approvals require presentation as a future action item at one BOR meeting and as an action item at the following BOR meeting.)

Return comments or approval to Deb Bartlett, Procedures, Records, and Forms (PR&F).

PREVIOUS REVIEWERS		PREVIOUS REVIEWERS	
NAME	OFFICE	NAME	OFFICE
Ben Perkins	Summer Session	Eric Godfrey	Enrollment
Becky Bitter (deferred to Matt Zimmerman)	Registrar	David Cillay	AOI
Matt Zimmerman	Registrar	Leslie Thompson	AOI
Jason Trosine	WSUS Registrar	Kelley Westhoff	Budget Office
Marypat Dutton	WSUV Registrar		
Lynn Valenter	WSUV Finance & Ops		

REVIEWER'S COMMENTS
Per Craig Parks -- No Faculty Senate review needed.

The reviewer marks one of the boxes below and signs the form.

- I concur.
 I concur in general. See comments.
 I do not concur. See comments.
 I defer comments.

REVIEWER'S SIGNATURE/DATE

WASHINGTON STATE UNIVERSITY
EXECUTIVE POLICY MANUAL

Executive Policy #10

Revision Approved by Board of Regents, ~~November 16, 2012~~ <Date TBD>

DRAFT #4

Summer Session Tuition and Services and Activities Fees Policy

POLICY

Summer session tuition ~~and fees~~ and Services and Activities (S&A) Fees are based on the preceding academic year's part-time rates.

Summer Session Tuition and Fees

The summer session tuition and S&A fees per credit hour:

- ~~f~~For undergraduate students, ~~shall~~ must not exceed the part-time undergraduate rate for tuition plus S&A Fee during the previous academic year for the Pullman campus;
- ~~f~~For graduate students, ~~shall~~ must not exceed the part-time graduate rate for tuition plus S&A Fee during the previous academic year for the Pullman campus;
- ~~f~~For professional students, ~~shall~~ must not exceed the part-time professional rate for tuition plus S&A Fee during the previous academic year for the particular program.

Services and Activities Fees

~~The Services and Activities Fee portion is to be the same for all students and be equal to S&A Fee varies by campus but does not change the per credit tuition rate. All campuses must set the same tuition rate as outlined above for undergraduate, graduate, and professional students (based on the particular program), regardless of the S&A Fee rate approved for each campus, for part-time resident undergraduates during the previous academic year.~~

ACTION ITEM #1

Meyer's Point Conservation Easement (Stacy Pearson/Ryan Goodell)

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Meyer's Point Conservation Easement with Capitol Land Trust, a Washington non-profit corporation

PROPOSED: That the Board of Regents approve the negotiation of a Conservation Easement in favor of the Capitol Land Trust, a Washington non-profit corporation ("CLT"), on a portion of the Meyer's Point property, and further delegate authority to the President or his designee to enter into a resulting Deed of Conservation Easement with CLT in order to complete such transaction.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

BACKGROUND

INFORMATION: Dr. Edward Meyer gifted the 95-acre Meyer's Point property to Washington State University in 1990. In his bequest, he stated that the property should be used to promote environmental education, research and the arts. The Meyer's Point property has substantial natural resources, including extensive terrestrial, wetland and aquatic habitats. The property is utilized by diverse groups of people from within and outside of the University, which groups desire to expand their use of the property. As such, and pursuant to Dr. Meyer's bequest, the College of Arts and Sciences ("CAS") has developed a vision

to create an Environmental Field Station for teaching, outreach and research in the South Puget Sound. Development of the WSU Meyer's Point Environmental Field Station ("MPEFS") will allow the University to: enhance place-based environmental and cultural education through field studies; provide a facility for environmental research undertaken by WSU faculty, staff and students and others that address critical Puget Sound issues; provide programmatic outreach activities to the local communities; partner with K-12 schools and regional colleges and universities for better learning and stewardship of the environment; and elevate the University's profile and level of engagement with prospective students, alumni, donors and State legislators in the South Puget Sound area. An illustration of the Meyer's Point property is provided in Attachment "A".

In order to realize the potential of the MPEFS, additional infrastructure needs to be developed beyond the existing caretaker's house, garage, barn and office (storage) building. Some of these existing buildings can be upgraded to meet some of the infrastructure needs, although a new building is also necessary to provide laboratory space, classrooms and conference rooms, a lounge area, 2-4 small bedrooms and a communal kitchen. CAS has set aside approximately \$200,000 from its modest endowment for the maintenance of the property, which can be contributed to the cost of the new building, but the majority of the funding for the new building will have to come from other, external sources. CAS has recently established an External Advisory Board to advise and assist with fund-raising opportunities with private individuals, philanthropic foundations and state and federal agencies. Granting the Conservation Easement to CLT would likely also generate funding in excess of \$500,000, which would be paid by CLT to the University in exchange for the Conservation

Easement, and could be used toward the construction and/or maintenance of the new building.

Discussions with CLT have been ongoing since early 2018, and the terms of the Deed of Conservation Easement are currently being discussed and negotiated. Such terms include the amount of consideration to be paid by CLT, the size and location of the Conservation Easement on the property, the University's continued rights to access the property, its future development of the property and ongoing maintenance of the property. Of particular importance is the need for the University to retain the right to continue using the property for the following purposes:

1. Allow faculty, staff, students and partners to have access to the property to undertake research activities, teach classes and engage in outreach activities with the public.
2. Maintain and modernize the existing buildings on the property to support the research, teaching and outreach mission of MPEFS.
3. Retain the option to construct a new building on the property, mostly likely in the upland areas of the property, to serve the purposes identified above.
4. Construct a modest trail network to link the new building in the upland area to the lowland/wetlands to provide access to researchers and educators.
5. Use and steward the natural resources (trees, plants, animals, etc.) on the property in a manner consistent with WSU's mission.
6. Continue annual harvesting of the hayfield area.

As illustrated above, the proposed Conservation Easement will allow the University to elevate its promotion of environmental

education, research and the arts on the Meyer's Point property. The Conservation Easement will also ensure that the property, and the substantial natural resources that it boasts, will be preserved in perpetuity and in keeping with Dr. Meyer's bequest.

ATTACHMENT: Attachment A: Illustration of 95-Acre Meyer's Point Property

BOARD OF REGENTS

Meyer's Point Conservation Easement

Resolution #190308-598

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents authorize the negotiation of a Conservation Easement in favor of the Capitol Land Trust, a Washington non-profit corporation ("CLT"), on the Meyer's Point property and delegate authority to the President or his designee to enter into a resulting Deed of Conservation Easement with CLT in order to complete such transaction.

Dated this 8th day of March, 2019.

Chair, Board of Regents

Secretary, Board of Regents

Meyers Point, Olympia



ACTION ITEM #2

FY2020 Housing and Dining Rates (Mary Jo Gonzales/Terry Boston)

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: FY2020 Housing and Dining Rates

PROPOSED: That the Board of Regents approve an increase in the Housing and Dining Rates not to exceed the following percentage from the FY2019 Rates.

Residence Halls:

2.3% (\$259) of the total weighted average for room and board (weighted average of a double room and level 2 dining plan).

Apartments:

2.0% of the total weighted average for apartment rates.

SUBMITTED BY: Mary Jo Gonzales, Vice President for Student Affairs

**SUPPORTING
INFORMATION:**

The Housing and Dining System is a self-sustaining auxiliary unit that requires establishing room and board rates that are sufficient to meet bond covenants and support the University's strategic goals.

The Housing and Dining Advisory Board is comprised of student representatives from the Resident Hall Association (RHA), Associated Students of Washington State University (ASWSU), Graduate and Professional Students Association (GPSA), as well as representatives from the Budget Office, Finance & Administration, and Student Affairs.

The Housing and Dining Advisory Board met throughout the fall and part of spring semester to review current operations and discuss operational changes anticipated for next year. The Advisory Board toured various facilities within the system and provided notebooks containing detailed information with regard to budget, organizational charts, and system goals as they relate to the long-range housing plan. The rate

recommendations increases are based upon student input, economic projections and system demands. The recommended increases received unanimous support from the Advisory Board. Pending Regent's approval, the new rates will begin with the start of fall semester 2019.

The Advisory Board is comprised of seven student representatives* and six administrators as outlined below.

Representative:

Amir Gilmore *
Jessica Higginbotham*
Griffin Hogan*
Jenin Reyes*
Andrew Rink*
Savannah Rogers*
Marguerite Crokem*
Cyndi Arbour
Terry Boston
Sean Greene
Edwin Hamada
Mollie Holt
Kelly Westhoff

Area:

GPSA President
Apartment Coordinator
Assistant Hall Director
Resident Advisor
Resident Technology Advisor
ASWSU President
RHA Representative
Facilities Services
Administrative Services
Housing & Dining Services
Residence Life & Housing
AFO, Student Affairs
Budget Office

WSU Housing and Dining System

Resident Hall, Dining and Apartment Rate Proposal 2019-2020 Academic Year

Occupancy trends, Fall Census Day (10th day after classes start)

	<u>Residence Halls</u>	<u>Single Student Apartments</u>	<u>Family Apartments</u>
2015	5,400	829* 98%	875 97%
2016	5,191	829* 97%	867 97%
2017	5,372	891* 95%	865 97%
2018	5,818	914 97%	850 95%
2019 (projected)	5,789	914 97%	855 95%

*Chief Joseph units varied due to construction and renovation.

Revenue Assumptions

4,300 targeted freshmen class

Expense Assumptions

- 3.0% cost of living increase for employees per legislature approval
- 5.9% increase for temporary and student employees due to minimum wage increase
- 2.0% increase in food costs
- 2.0% net increase in employee benefits.
- 3.5% increase in utility costs
- 2.3% increase in perquisites
- 2.0% increase inflation on supplies and services

Target \$2.0 million for major repairs and equipment

Recommended Increases

Apartments

Single Student apartments	increase 2.0%
Family Housing	increase 2.0%

Residence Halls Room and Board

	<u>2018-19</u>	<u>2019-20</u>	<u>Increase</u>	<u>%Increase</u>
Weighted ave.				
residence hall double room	\$ 6,869	\$ 7,078	\$209	3.0%
Dining Plan, Level 2	4,248	4,298	50	1.2%
Total*	\$11,117	\$11,376	\$259	2.3%

*Total is the sum of weighted average double room and level 2 dining plan.

Agenda
Strategic and Operational Excellence Committee
Thursday, March 7, 2019
4:00 p.m. – 4:30 p.m.

Location: WSU Everett, Room 101

Committee: Committee of the whole – Scott Carson (Chair)

Information Item

Section

- | | | |
|----|---|------|
| 1. | Honorary Doctoral Degree (<i>Schulz/Hoyt</i>) | SO-1 |
|----|---|------|

Future Action Item

- | | | |
|----|---|------|
| 1. | Delegation of Authority to the President or Designee to Approve Centers and Institutes (<i>Keane</i>) | SO-2 |
|----|---|------|

INFORMATION ITEM #1

Honorary Doctoral Degree (Kirk Schulz/Chris Hoyt)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Honorary Doctoral Degree

SUBMITTED BY: Dr. Kirk Schulz, President

The Honorary Doctoral Degree Committee recently issued a call for nominations and will review and process nomination materials received in the coming weeks. If the Committee recommends a nominee(s), it will submit the nominee(s) for consideration by the Faculty Senate Steering Committee and the President. Thereafter, nominee(s) may be submitted to the Board of Regents for consideration at its May 3, 2019, meeting.

Background

The Honorary Doctoral Degree Committee administers the process by which nominations for honorary degrees are made and reviewed, and the Board of Regents is vested with the authority to confer honorary degrees.

The committee is composed of 12 members, 6 (including the chair) appointed by the president of the University, and 6 by the Faculty Senate Steering Committee. The provost, vice president for research, and chair of Faculty Senate serve as *ex officio* members of the committee.

Honorary degrees recognize those who have made profound and enduring contributions to scholarship, culture, and an improved quality of life to society at large. Among the past WSU recipients are: legendary journalist Edward R. Murrow; Pulitzer Prize-winning poet Carolyn Kizer; former Spelman College president and WSU faculty member Johnnetta Cole; and most recently, R. James Cook, former Chief Scientist, United States Department of Agriculture and WSU Professor Emeritus, Plant Pathology and Crop and Soil Sciences.

Considerations for the award include the following:

- Nominees are not informed that they are under consideration.
- Honorary degrees cannot “be conferred in consideration of the payment of money or the giving of property of whatsoever kind.” [RCW 28B.30.150 (15)].
- Nominee must not have a degree from Washington State University. [RCW 28B.30.150 (15)]
- Nominations must be in alignment with statutory criteria. [RCW 28B.30.150(15)]

FUTURE ACTION ITEM #1

Delegation of Authority to Approve Centers and Institutes (Chris Keane)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Delegation of Authority to the President or Designee to Approve Centers and Institutes

PROPOSED: That the Board of Regents delegate authority to the President or designee to establish or renew Centers and Institutes pursuant to the Centers, Institutes, and Laboratories Task Force recommendations.

SUBMITTED BY: Chris Keane, Vice President for Research

**SUPPORTING
INFORMATION:**

A Task Force was convened at the request of the Vice President for Research and the Faculty Senate in November 2017 to review policies and procedures associated with defining, creating, reviewing, and renewing centers, institutes, and laboratories at WSU. The final recommendations were approved at the Faculty Senate meeting on February 7th, including this proposed delegation.

Delegating final approval of Centers and Institutes to the University President will greatly reduce the time period from application to final approval of a new Centers or Institute, given the Board of Regents meets four times per year.

Final delegation of approval of new Centers and Institutes by the University President or designee is requested (reducing the application to approval timeline from about one year to around eight weeks).

Current Process (about one year for final approval)



Proposed Process (about eight weeks for final approval)



A more streamlined process to establish C/Is improves efficiency and diminishes barriers for innovation and entrepreneurship. Established oversight authority, standard metrics, and more routine monitoring

AGENDA

BOARD OF REGENTS MEETING
 Washington State University Everett
 Everett, Washington
 Friday, March 8, 2019 – 8:00 am

I.	OPENING	<u>Section</u>
	A. Report from the Chair of the Board of Regents	
	B. Report from the President	
	C. Report from the WSU Everett Chancellor	
II.	CONSENT AGENDA	
	A. Approval of Minutes – November 16, 2018 and January 25, 2019 Board of Regents Meetings	Minutes
III.	REPORTS FROM SHARED GOVERNANCE GROUPS	Reports
IV.	EXECUTIVE AND GOVERNANCE COMMITTEE REPORT	
	A. Action Item:	
	1. Bylaws Modification – Election of Officers – Board Chair Succession E-2	
V.	STUDENT AFFAIRS AND STUDENT LIFE COMMITTEE REPORT	
VI.	RESEARCH AND ACADEMIC AFFAIRS COMMITTEE REPORT	
VII.	INSTITUTIONAL INFRASTRUCTURE COMMITTEE REPORT	
VIII.	FINANCE AND COMPLIANCE COMMITTEE REPORT	
	A. Action Items:	
	1. Meyer’s Point Conservation Easement	F-12
	2. FY2020 Housing and Dining Rates	F-13
IX.	STRATEGIC AND OPERATIONAL EXCELLENCE COMMITTEE REPORT	
X.	OTHER BUSINESS	
XI.	PUBLIC COMMENT PERIOD	

XII. ADJOURN

MINUTES
Board of Regents
November 16, 2018

The Board of Regents of Washington State University (WSU or University) met pursuant to call in Open Meeting at 9:00 a.m. on Friday, November 16, 2018, at WSU Pullman, Compton Union Building, Room 204, Pullman, Washington.

Present: Regents Ted Baseler, Brett Blankenship, Scott Carson, Marty Dickinson, Jordan Frost, Lura Powell, Heather Redman, Lisa Schauer, and Mike Worthy; Faculty Representative Judith McDonald and President Kirk H. Schulz.

I. OPENING

A. Report from the Chair of the Board of Regents. Vice Chair Blankenship, standing in for Chair Ron Sims, welcomed everyone to the meeting. He extended a special welcome to newly-appointed Regent Lisa Schauer, who was appointed by Governor Jay Inslee on October 30. Vice Chair Blankenship said Regent Schauer is president of NorthPoint Consulting and has held several leadership roles in the Vancouver, Washington area.

Vice Chair Blankenship further reported the following activities Board members have participated in since the last regular meeting:

- October 9, Chair Ron Sims participated in the College Success Foundation – Empowering Youth Luncheon and Roundtable in Seattle.
- October 19, Regents Frost, Powell and Carson attended the WSU Foundation Recognition Gala. The annual event recognizes WSU alumni, friends and donors.
- October 22, Regent Redman participated in and was the keynote speaker at WSU’s first inaugural Entrepreneurial Faculty Ambassadors (EFA) retreat. The EFA, launched in 2016, was established to recognize and support outstanding accomplishments and initiatives in innovation and entrepreneurship at WSU.

In conclusion, Vice Chair Blankenship reminded the audience there would be a public comment period during the meeting. He said the public comment period would be after the regular agenda items and would be for up to ten minutes.

B. Report from the President of the University. President Schulz added welcoming remarks, including a special welcoming to Regent Lisa Schauer and provided the following updates:

- Recent major gifts and grants – Since August the University had received four private gifts of \$1,000,000 or more, totaling nearly \$6,000,000 and five grants of \$1,000,000 or more totaling nearly \$15,000,000. These gifts and grants continue to advance the Drive to 25 initiative.

- Awareness Building: ESPN College GameDay Impact - The recent GameDay visit to Pullman ultimately boosted the Drive to 25 with heightened visibility, which aids student recruitment, philanthropy, and awareness among academic peers. The GameDay visit is the type of event that dramatically raises WSU's profile nationally. The week of GameDay, total traffic to the main WSU website increased 13 percent with the biggest jump being on the main Admissions Office page, up over 23 percent for the week. Traffic increased a 115 percent on GameDay itself. Total live audience watching the GameDay show on ESPN and ESPNU equaled 1.8M, up 17 percent in viewers compared to the previous week's broadcast. GameDay photos on WSU Twitter, Facebook, and Instagram accounts received tens of thousands of views. A photo of the crowd at GameDay taken from the roof of the Vet Med building had the largest reach with almost a quarter of a million views.
- Progress in Campus Culture and Climate – Five working groups of more than 100 faculty, staff, and students systemwide have been meeting since last spring. Groups are working to create a more inclusive and welcoming community. Topics of focus are Executive Policy 15, cultural competency, campus cultural resource centers, diverse faculty and staff, and gender inclusive and trans support. Student leaders from ASWSU and GPSA are encouraged by the progress to date.

C. Commendation for Joan King. Vice Chair Blankenship read Board of Regents Resolution 181116-591 commending Associate Vice President and Chief University Budget Officer Joan King for her many years of dedicated service to WSU.

It was moved and seconded that the Board of Regents adopt resolution 181116-591. Carried. *(A copy may be requested from the President's Office)*

II. CONSENT AGENDA.

Vice Chair Blankenship reported there was one item on the Consent Agenda.

A) Approval of Minutes – September 21, 2018 Board of Regents Meetings

Vice Chair Blankenship asked if any Regent wished to remove the item on the Consent Agenda to be considered separately. Hearing no requests, it was moved and seconded that the Consent Agenda be approved. Carried.

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

IV. STUDENT AFFAIRS AND STUDENT LIFE COMMITTEE REPORT. Regent Powell reported the Committee heard an Athletics Update from Athletic Director Pat Chun and a presentation on Student Success from the Vice President for Student Affairs Mary Jo Gonzales.

V. RESEARCH AND ACADEMIC AFFAIRS COMMITTEE REPORT. Regent Worthy, standing in as Acting Chair for Regent Redman, reported the Committee heard presentations on two Information Items: Determinants of Student Success presented by Provost and Executive Vice President Dan Bernardo and an Office of Research Update presented by Vice President for Research Chris Keane. Regent Worthy further reported the Committee reviewed and discussed three Action Items and submitted the following for the Board's consideration:

Establish a Health Equity Research Center

It was moved and seconded that the Board of Regents establish the Health Equity Research Center as proposed. Carried. *(Exhibit B)*

Discontinue the Master of Business Administration at WSU Tri-Cities

It was moved and seconded that the Board of Regents discontinue the Master of Business Administration at WSU Tri-Cities as proposed. Carried. *(Exhibit C)*

Discontinue Bachelor of Science in Athletic Training

It was moved and seconded that the Board of Regents discontinue the Bachelor of Science in Athletic Training as proposed. Carried. *(Exhibit D)*

VI. INSTITUTIONAL INFRASTRUCTURE COMMITTEE REPORT. Regent Blankenship reported the Committee reviewed three Future Action Items: WSU Pullman, Baseball Clubhouse, Design and Construction; WSU Pullman, Baseball Stadium Renovation and Enhancement Project Financing Plan; and Meyer's Point Conservation Easement all of which were presented by Vice President for Finance and Administration Stacy Pearson.

VII. FINANCE AND COMPLIANCE COMMITTEE REPORT. Regent Basler reported that the following were presented at the Committee meeting: an Internal Audit update; the State Auditor's Office (SAO) FYs 2016-2017 Accountability Audit Exit Report; the SAO Entrance Conference for the FY 2018 financial statement audit; an Office of Equal Opportunity compliance update; the Change in Accounting Principal – OPEB (GASB 75); and an update on controls over financial reporting. Regent Basler further reported the Committee reviewed one Future Action Item: FY2020 Housing and Dining Rates and two Action Items. Regent Basler submitted the following for Board consideration:

Increase Market Demand for Cosmic Crisp®

It was moved and seconded that the Board of Regents postpone consideration of this item until a future Regents' meeting. Carried.

WSU Tri-Cities, Academic Building – Design and Pre-Construction Approval

It was moved and seconded that the Board of Regents adopt Resolution 181116-589 authorizing the WSU Tri-Cities, Academic Building to proceed to design and pre-construction using the Design-Build (DB) process pursuant to RCW 39.10, and further delegate authority to the President or his designee to select a Design-Build contractor and

enter into any and all contracts necessary to commence the design and pre-construction for the project, with costs not to exceed the budgeted amount of \$3,000,000 as proposed. Carried. *(Exhibit E)*

IX. STRATEGIC AND OPERATIONAL EXCELLENCE COMMITTEE REPORT. Regent Carson reported the Committee reviewed and discussed five Action Items and submitted the following for Board consideration:

Proposed Revisions to WAC 504-26 Standards of Conduct for Students

It was moved and seconded that the Board of Regents adopt revisions to WAC 504-26 Standards of Conduct for Students as proposed. Carried. *(Exhibit F)*

Proposed Revisions to WAC 504-04 Practice and Procedure

It was moved and seconded that the Board of Regents adopt revisions to WAC 504-04 Practice and Procedure as proposed. Carried. *(Exhibit G)*

Proposed Revisions to WAC 504-36-030 Spectator Events – Safety Rules – Public Records

It was moved and seconded that the Board of Regents adopt revisions to WAC 504-36-030, relating to spectator events safety rules as proposed. Carried. *(Exhibit H)*

2020 Board of Regents Meeting Schedule

It was moved and seconded that the Board of Regents approve the 2020 as proposed. Carried. *(Exhibit I)*

Regents Distinguished Alumnus/a Award

It was noted for the record the Board decided that this item would be presented as an Action Item rather than a Future Action Item, in accordance with Board of Regents Bylaw II.12.B.

It was moved and seconded that the Board of Regents grant the 2019 Regents Distinguished Alumnus Award to Candidate A. Carried. *(Exhibit J)*

X. OTHER BUSINESS. The Regents met in Executive Session on November 15, 2018, with legal counsel to discuss pending or potential litigation involving the University. Related to that discussion the following Action Items were presented for Board consideration:

Request for Defense

It was moved and seconded that the Board of Regents adopt Resolution 181116-592 approving the request for defense of a university employee. Carried. *(Exhibit K)*

Request for Defense

It was moved and seconded that the Board of Regents adopt Resolution 181116-593 approving the request for defense of a university employee. Carried. (*Exhibit L*)

XI. PUBLIC COMMENT PERIOD. No public comment.

XII. ADJOURNMENT. The meeting adjourned at 11:20 a.m.

Approved by the Board of Regents at its meeting held March 8, 2019, in Everett, Washington.

Chair, Board of Regents

Secretary, Board of Regents

WASHINGTON STATE UNIVERSITY  FOUNDATION

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Foundation Regents Report

SUBMITTED BY: Lisa Calvert, Vice President for Advancement
CEO, Washington State University Foundation

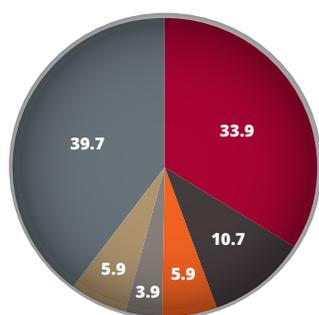
The Washington State University Foundation is pleased to report the following:

- To date during Fiscal Year 2019 (July 1, 2018—June 30, 2019) the WSU Foundation received \$26,781,435 in total fundraising commitments as of September 30, 2018. More information can be found on the Year-to-Date Progress Report that accompanies this report.
- As of August 31, 2018, the endowment market value was \$516,199,909, a high-water mark for the fund.
- WSU announced a few notable gifts in recent months, including:
 - Ken and Sue Christianson designated \$1 million to help build the WSU Honey Bee and Pollinator Research Facility on WSU's Pullman campus. The project is in the fundraising phase, with the goal to raise \$15 million to complete the planned 15,330 square foot center. Once constructed, the state-of-the-art facility will enable WSU's excellent pollinator research program to be on the leading edge of innovation and discovery in a field of study that affects everybody around the globe.
 - A \$2.2 million gift from the estate of Bernadine and James Seabrandt created the *Bernadine Fulfs Seabrandt Graduate Fellowship in Molecular Biosciences* at WSU's School of Molecular Biosciences. The fellowship will be awarded to graduate students who are focused on health research. Recipients also will gain research expertise that is interdisciplinary, and receive focused training in biochemistry, cell biology, genetics or microbiology.
- Alignment of best-in-industry organizational structure, systems, processes, staffing, and resources continues as WSU positions its fundraising operation for optimal, sustainable philanthropic growth. More than 60 advancement staff are actively participating in a number of strategic task forces, each created to tackle specific objectives aimed at improving WSU's fundraising operation.
- The WSU Foundation hosted more than 100 volunteers during its annual fall meeting in Pullman, October 17-19. The Foundation also honored 87 individuals and organizations for their generous philanthropic support for WSU students, research and programs during the 39th Annual Recognition Gala on October 19. During the Gala, the Foundation also presented two prestigious volunteer awards—the *William F. Brotherton Cougar Spirit Award* to Tom and Diana Prenguber, and the Foundation's highest volunteer honor, the *Weldon B. Gibson Distinguished Service Award*, to Mikal Thomsen.
- The next meetings of the WSU Foundation Trustees will be May 16-17, 2019, in Blaine, Washington. The Board of Directors will hold its retreat February 21-22, 2019 in Palm Desert, California, in conjunction with the WSU Alumni Association's Annual Cougars of the Desert events.

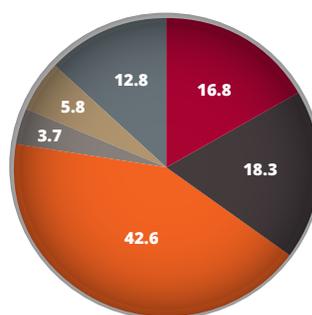
WASHINGTON STATE UNIVERSITY FOUNDATION
YEAR-TO-DATE PROGRESS REPORT
 July 1, 2018 - September 30, 2018

Fiscal Year-to-Date	9/30/2018	9/30/2017
Gift Totals	\$11,378,554	\$11,111,963
Private Grants	\$10,627,023	\$3,528,254
Sub Total, Gifts & Grants	\$22,005,577	\$14,640,218
Pledge Balance	\$777,421	\$2,226,410
Sub Total Gifts, Grants & Pledges	\$22,782,997	\$16,866,628
Revocable Gifts	\$3,998,438	\$1,393,000
Annual Fundraising Totals	\$26,781,435	\$18,259,628
Other Contributions	\$0	\$9,243,335
Annual Total	\$26,781,435	\$27,502,963

Note: These figures are unaudited



SEPTEMBER 2018



SEPTEMBER 2017

FISCAL YEAR CONTRIBUTIONS BY SOURCE
(AS A PERCENTAGE)



Month Ending	9/30/2018	9/30/2017
Gift Totals	\$3,594,772	\$4,632,782
Private Grants	\$2,620,311	\$931,222
Sub Total, Gifts & Grants	\$6,215,083	\$5,564,004
Pledge Balance	\$196,444	\$1,025,840
Sub Total Gifts, Grants & Pledges	\$6,411,527	\$6,589,844
Revocable Gifts	\$830,000	\$40,000
Other Contributions	\$0	\$6,000
Monthly Total	\$7,241,527	\$6,635,844

Endowment Summary	Two Months Ended 8/31/2018	Two Months Ended 8/31/2017
Endowment, Beginning 6/30	\$502,262,759	\$466,147,989
Gifts and Other Additions	3,009,485	\$3,132,760
Investment Gains (Losses)	10,931,234	\$10,751,695
Distributions to WSU Programs and Endowment Advc. Assessment	-3,569	-\$4,949
Endowment, Ending	516,199,909	\$480,027,495
Investment Return FY-To-Date (July 1-June 30)	2.20%	2.20%
1-year Return	7.90%	12.50%
3-year Return	7.90%	0.07%
5-year Return	7.40%	7.90%
10-year Return	5.50%	4.50%

KEY STATISTICS	9/30/2018	9/30/2017
Alumni of Record Available for solicitation	191,441	186,232
Alumni Participation Rate	2.7%	2.8%
Total Number of FY Donors	14,481	13,736
Total FY Gifts, Grants, Pledges, Revocable Commitments	22,094	21,415

Date: November 16, 2018

To: Members of the Board of Regents
Subject: Faculty Senate Report
Submitted by: Jeannette Mageo, Chair and Greg Crouch, Chair Elect of the Faculty Senate

1. WSU Faculty Senate Executive Committee will participate in an October teleconference as well as attend the PAC-12 Academic Leadership Coalition conference in January 2019 on the campus of USC. The mission of the PAC-12 ALC is to improve the effectiveness and responsiveness of each member school's shared governance organization; and where commonalities occur, to facilitate academic and research cooperation that is jointly beneficial to participating institutions.
2. WSU faculty enjoy open communication with the president and the provost, often facilitated through the Faculty Senate. In addition, President Schulz agreed to have his office respond to all Faculty Senate constituent concerns logged through the new website portal. This fall, Faculty Senate Executive is initiating conversations with individual deans to develop a college-level shared governance model that we can refine and recommend for WSU-wide implementation.
3. Faculty Senate Steering Committee is composed of eleven Faculty Senate committee chairs/co-chairs as well as Faculty Senate Executive committee members. Committee chairs work with their committees to improve the structure of WSU faculty shared governance. Two recent examples of such improvement include:
 - a. Research and Arts Committee, co-chaired by Tammy Barry and Babu John Mariadoss, reviews proposals for new centers, institutes, and laboratories (CILs) as well as five-year reviews of existing CILs. In addition, Professors Barry and John Mariadoss, along with Andrea Lazarus, WSU's AVP for Research, co-chair the CILs Task Force. This task force was convened in November 2017 at the request of the Vice President for Research and the Faculty Senate and charged with developing a comprehensive document, *Policies and Procedures to Establish, Review, and Renew Centers and Institutes*. This document is now in draft form and contains recommendations to improve existing CIL processes, as well as facilitate entrepreneurship, innovation, and collaboration while establishing improved oversight and accountability for CILs. Upon review by the WSU executive officers, the new policy draft will be sent to the University community for feedback via forums. Once complete, the final policy document will be sent to the Faculty Senate and Board of Regents for approval by the end of the 2018-19 academic year.
 - b. Budget Committee, chaired by Professor Greg Rose, has enhanced its processes to make the evaluation of budgets for new degrees, extension of degrees, and creation of CILs consistent, transparent, and repeatable. To do this, this committee has created template evaluation, review, and response documents so that communications with stakeholders is consistent and clear. These innovations have the additional benefit of providing updated proposals to other committees and the full senate, as well as providing a history of questions asked and answered.
4. Working in partnership with the provost's office, faculty senate instituted the Course Materials Value & Effectiveness Committee charged with identifying innovative ways of reducing student course expenses while maintaining high quality. Two ongoing programs include Open Educational Resources and First Day digital access. First Day access is now in the second phase of a pilot program and early estimates for fall 2018 student savings is approximately \$300,000.

November 16, 2018

TO: ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: ASWSU Report

SUBMITTED BY: Savannah Rogers, President

On behalf of the Associated Students of Washington State University, I would like to report the following:

- **WEBSITE UPDATE:** ASWSU went through a complete website update in May which was published in June. The new website includes updated information, photos of officers, and current projects. We are continuing to make sure the website is up to date throughout the year as this has been an issue in years past. You can see more at our website at aswsu.wsu.edu
- **GRANITE POINT CLEANUP:** Following the incident that occurred during the last week of the 2017-2018 school year at Granite Point (informally known as “the cliffs), where over 800 pounds of garbage were left, ASWSU helped coordinate a cleanup day in early May with the University of Idaho and University Recreation. Following our cleanup day, we worked with UREC to create messaging to keep “the cliffs” clean. This messaging was publicized during the summer and will be during the warmer months of spring. ASWSU also partnered with UREC to create programming events for students as well as greek chapters on how to keep nature areas clean. We are also currently working to create a video to be published in spring to teach students how to “pack out what you pack in.”
- **DECREASING UNIVERSITY EMAILS:** Vice President Tyler Parchem and I met with the Deans of each college on the WSU Pullman Campus. One large topic of discussion surrounded increasing the efficiency and effectiveness of emails from the university. While no specific streamlined solution came to fruition, each college, as well as WSU Marketing and UCOMM agree to do their best to limit the number of emails students receive.
- **GIVING TUESDAY:** We have partnered with the WSU Foundation for this years’ *Giving Tuesday*. The WSU Foundation is allowing ASWSU to run this event in partnership with them, with the philanthropy choice this year being the Cougar Health Fund. The Cougar Health Fund was created last spring by the Frost/Kalt administration. It is a student-led endowment fund with all money going toward student initiatives within the realm of sexual violence prevention and mental health resources. Our goal is to raise \$15,000 on this one day—November 27th.
- **S&A FEE:** This year, Vice President Parchem and I asked the committee to require each organization which received S&A funding in the spring, to return to the committee this fall to report on how the 2.5% cut each group received effected them. This is the first time S&A has asked organizations back in the fall. In the past, committee members had roughly 2 days to learn about and understand each organization asking for money. We believe this information being shared in fall rather than spring will be essential in not only our budget decisions in the spring, but also allows members of the committee, a majority of which are students, to understand each organization and their unique contributions to the WSU community well before decisions are made.

- **2 WEEKS OF PULLMAN:** 2 Weeks of Pullman: ASWSU re-vamped one of our previous events, 30 Days of Pullman, into 2 Weeks of Pullman. This 14-day long campaign was one to increase engagement in the community, while raising funds for the Cougar Health Fund. Participating businesses were promoting through ASWSU, and at the end of the two weeks, these businesses donated between 3 and 7 percent of their proceeds from those two weeks to the Cougar Health Fund. In total, we raised over \$2,000.
- **STUDENT INPUT PORTAL:** Over the summer, Vice President Parchem and I expressed concern to Vice President Gonzales over the minimal ways for students to be involved in university committees and task forces. From this, the Student Input Portal was created. This portal allows students to express interest in different university committees, task forces, organizations, and topics. On the website, current opportunities for involvement are listed such as the 5 Working Groups, advisory boards and committees such as the Student Media Board, and finally general ways to get involved such as through ASWSU or GPSA. More information can be found at; <https://studentaffairs.wsu.edu/your-input-matters/>
- **ASWSU & ATHLETICS:** I am proud to share that ASWSU's relationship with athletics is better than it has been in years. Vice President Parchem and I have a direct communication line to Athletic Director Pat Chun, Senior Associate Director of Athletics, Sport Administration, Bryan Blair, Senior Associate Director of Athletics, External Relations, Chris Park, and many more. I believe this is a direct reflection on AD Chun's leadership and the trajectory of WSU Athletics. I am excited for future partnerships between ASWSU and Athletics as we continue into the school year.
- **FUTURE INITIATIVES:**
 - **GRANT WRITING:** Currently, Vice President Parchem and I are looking at the option of writing a grant to support counseling services. We hope we would be able to write a grant possibly providing counselors with loan forgiveness for working at the university. We are continuing to explore ideas within this realm.
 - **RESOURCES ON COUGAR CARDS:** After attending conferences over the summer, we realized many universities have the national suicide hotline number, or a local hotline number listed on the back of their student cards. We are working with the Cougar Card Center and hoping to bring this idea to fruition on our campus with both regular Cougar Cards and Cougar Card Maxx cards.
 - **FINANCE FRIDAYS:** Our Chief of Staff and Finance, Debbie Majano, has partnered with our Director of Student Affairs, Matthew Winchell, and the ASWSU Senate's Finance Committee Chair, Hannah Martian, to create Finance Fridays—a weekly video series answering frequently asked questions about FAFSA, RSO Funding possibilities, and financial aid.

Overall, this is just a small snippet of our continual efforts to provide a transformational student experience to Cougs on the WSU Pullman Campus. We believe it is our duty to provide resources to and advocate on behalf of the students we represent. We would be more than happy to answer any questions by phone or email at (509) 335-9677 or aswsu.president@wsu.edu

November 16, 2018

TO: ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: GPSA Board of Regents Report

SUBMITTED BY: Amir Gilmore

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

GPSA's Visits To Prosser: This year, GPSA is making a concerted effort to expand our support beyond the Pullman campus. During the Fall 2018 semester, GPSA has taken two trips (one in August, one in October) to the Research and Extension Site in Prosser, WA. For the second trip, students from the Wenatchee and Mount Vernon sites met us at the Prosser site. GPSA has approximately 60 graduate students from the Horticulture department that are located at the Research and Extension Centers of: Prosser, Wenatchee, Puyallup, and Mount Vernon. Though they are technically Pullman fee-paying students, they lack access and amenities that Pullman centered students are provided. Some of the concerns that were raised were: (1) the availability and unaffordability of housing, (2) health insurance coverage, (3) childcare, and (4) their student wage vs the cost of living. GPSA will be working with President Schulz, Vice President of Student Affairs Mary Jo Gonzales, and CAHNRS Dean Andre-Denis Girard Wright to see what is possible to ensure that our students can continue to produce phenomenal research and have an excellent graduate student experience.

GPSA Chat & Chew With President Schulz: In efforts to better connect graduate and professional students to GPSA and the WSU administration, GPSA is kick-starting our "Chat & Chew" series. The series is designed to be a casual and low-risk way for graduate and professional students to interact with WSU administrators, but also GPSA representatives. GPSA wants to ensure that our constituents' voices are heard and we felt that this would be a great way to do so. For our first annual attend, we are inviting President Schulz to dine and chat with us. As this event carries forward with future GPSA administrations, we hope to invite various WSU administrators to get various perspectives about campus life.

GPSA Seed Grants [Update]: In our last report, GPSA mentioned the Senator Seed Grants and we would like to provide an update on that. The seed grants are \$1,000 grants that will allow senators in a college to provide more robust services for their constituents. College of Education senators will use their funds for a "Diversity and Equity Initiative" within the college. College of Communication senators will use their funds to offer a social science statistical methods workshop, a networking event, and invite a speaker to campus. CAHNRS senators will use the funds for social events for Pullman centered and Research and Extension CAHNRS students. Voiland College senators will also use their funds for social events as well. We look forward to hearing what the senators from the remaining colleges will do.

November 16, 2018

TO: ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Administrative Professional Advisory Council Report

SUBMITTED BY: Stephanie Rink, Chair

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

1. APAC launched the WSU Employee Presidential Scholarship in fall 2018 for applications with awards being offered for spring 2019 Global Campus credits. Scholarships will be awarded to cover three (3) credits for the spring semester, allowing employees to partake in online courses to advance their career and professional development.
2. APAC continues to work on the Professional Development Initiative. Our professional development committee is working diligently on our monthly professional development seminars bringing in WSU staff and/or faculty to offer these seminars and have been reviewing our constituent's survey responses to host speakers outside of WSU. The fall 2018 speaker will be Jake French, a motivational speaker who is the living example of what is possible when the right attitude, mindset, and strategies are in place. He will present in partnership with the Carson College of Business on *Leadership without Limits* and *Anyone can be a Leader; How to Gently Lead your Leadership*.
3. APAC will be hosting a Diversity Panel set for February 14, 2019 from 9am – 1pm which will include 7 panelists from several different universities and companies. This diversity panel will be able to address some of the questions that people want to learn about but are too afraid to ask.
4. APAC will host AP Forums on each campus this year accompanied by APAC's Executive Leadership and President Schulz. The first forum was held on September 13th on the Pullman campus followed by October 10th on the Vancouver campus, and October 11th on the Everett campus. These forums are intended as a way for APAC to openly communicate with our constituents on issues related to APs and for President Schulz to communicate on Presidential initiatives. Some questions to date have addressed salary comparison between Pullman and the Seattle and Portland metropolitan areas, direct appointments on the Vancouver and Everett campuses, and travel cost burdening WSU staff. The executive leadership and President Schulz are working on addressing these questions and will follow up with our constituents in the coming weeks.
5. APAC continues monthly council meetings where all APs are encouraged to attend and VPs and upper administration are asked to present on initiatives and updates throughout the year. APAC Executive Leadership will continue to meet with President Schulz monthly.

November 16, 2018

TO: ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Alumni Association Progress Report

SUBMITTED BY: Ashley MacMillan, WSUAA President 2018-19

Lisa Calvert, vice president for Advancement, asked the WSU Alumni Association to compare its performance against the performance of other alumni associations across the country. The statistical comparison will be a part of a larger study of the WSUAA that Vice President Calvert will implement.

The results of this comparison revealed the WSUAA's outstanding performance. Compared to the associations at WSU's peer institutions, the other Pac-12 universities, and the top-25 universities in the country, the WSUAA ranks at or above the top four in each of the categories below. All of these statistics were sourced from the most recent (2017) survey from the *Council of Alumni Association Executives*, which provides comprehensive stats on membership, finances, staffing, and other performance measures from the top 100+ alumni associations in North America. Here's where the WSU Alumni Association is ranked:

WSUAA Rankings Compared with Other Associations	WSU Peers*	Pac-12	Top 25
Alumni served per staff member	#1	#1	#3
Revenue generated per staff member	#1	#1	#3
Membership percent of alumni base	#1	#3	#4
Member-retention rate	#2	#1	#2
ROI on university support	#2	#1	#2

Vice President Calvert will share more on these statistics along with the results of her study with University leadership next year. The initial findings are very exciting.

The WSUAA – A Great University Deserves a Great Alumni Association

*WSU strategic-plan peers: Colorado State University, Iowa State University, Louisiana State University, Mississippi State University, North Carolina State University, Oregon State University, Purdue University, University of Georgia, University of Maryland, University of Missouri, University of Nebraska, University of Tennessee, and Virginia Tech University.

ACTION ITEM #1

Establish the Health Equity Research Center (Daniel J. Bernardo)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Establishment of the Health Equity Research Center

PROPOSED: That the Board of Regents establish the Health Equity Research Center.

SUBMITTED BY: Daniel J. Bernardo, Provost and Executive Vice President

SUPPORTING INFORMATION: The College of Arts and Sciences (CAS) proposes the creation of the Health Equity Research Center (HERC). HERC will be a research center with a significant outreach focus through the establishment of community partnerships to work toward the common goal of understanding how to eliminate health disparities.

The primary benefit of HERC is to bring together interdisciplinary teams to address major health equity issues through an interdisciplinary focus on the social determinants of health. The causes of health disparities must be addressed with the combined and integrated expertise of diverse individuals across multiple specialty fields. Interdisciplinary collaborations formed through HERC will make Washington State University more competitive for larger team-oriented grants. HERC will enable field research by facilitating researchers' access to relative health disparity populations and thereby aid these researchers in being more competitive for more grants. Given the field data collection aspect of many of these projects—facilitated by academic-community partnerships—there will be a feedback loop to community partners that can benefit their work throughout the region.

The complete proposal for the Health Equity Research Center is attached. This proposal was reviewed carefully and has support from the Provost's Office. This recommendation was passed by the Faculty Senate on April 12, 2018.

The College of Arts and Sciences proposes establishment of the Health Equity Research Center effective as soon as feasible.

ATTACHMENT: Attachment A – Proposal to the Faculty Senate to Establish the Health Equity Research Center.

PROPOSAL TO THE FACULTY SENATE
WASHINGTON STATE UNIVERSITY

To establish the

HEALTH EQUITY RESEARCH CENTER

Housed administratively in the
College of Arts and Sciences

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SECTION 1: General Information, Designation and Benefit

Name and Contact

Name of the unit; list the representative and/or author of the proposal who will serve as the point-of-contact during the review and approval process; and the preferred method of contact.

The proposed name of the unit is the **Health Equity Research Center (HERC)**. Dr. Paul Whitney will serve as the primary contact for this proposal, which is authored by Dr. Justin Denney, Dr. Pablo Monsivais, Dr. Tammy Barry, and Dr. Whitney. The preferred method of contact is to email Dr. Whitney at pwhitney@wsu.edu.

Rationale

Rationale for why the unit should be designated as a center, institute or laboratory. Indicate what type of CIL it will be: research, service, teaching or some combination of the three.

HERC initially began as the *Health Equity Research Collaborative*, which was awarded a Grand Challenge Strategic Reallocation grant in Fall 2016. As of November 2017, HERC has interim center status. Given its formation from one of WSU's reallocation grants, the interim center status was requested by both the Vice President for Research and the Provost, and was approved by the Research and Arts Committee. We are now submitting this proposal for full approval as a center.

HERC will be a **primary research center** with a significant outreach focus through the establishment of community partnerships to work toward the common goal of understanding how to eliminate health disparities.

HERC should be designated as a center, given it is an organized unit that coordinates an integrated, interdisciplinary approach to examining health disparities and involves a broad constituency within the University (cutting across many disciplines in several colleges as described below) as well as community partners throughout the state of Washington. HERC provides support to researchers and opportunities for them to connect with others toward achieving a set of common research goals.

Benefit

What benefit does the proposed CIL status confer to the unit (directly or indirectly) to the university? Is there an expected contribution to and impact on the instructional programs? If so please explain. What is the expected contribution to the university and other clients?

The primary benefit of HERC to the University (as well as the region and the research community at large) is to bring together interdisciplinary teams to address major health equity issues through an interdisciplinary focus on the social determinants of health. The causes of health disparities must be addressed with the combined and integrated expertise of diverse individuals across multiple specialty fields. Interdisciplinary collaborations formed through HERC will make the University more competitive for larger team-oriented grants. HERC will

enable field research by facilitating researchers' access to relative health disparity populations and thereby aid these researchers in being more competitive for more grants. Given the field data collection aspect of many of these projects—facilitated by academic-community partnerships—there will be a feedback loop to community partners that can benefit their work throughout the region.

At this point, there is no expectation of a direct impact on instructional programs in terms of curriculum. However, most faculty affiliated with HERC have graduate or advanced professional programs in their home academic departments. Participation in HERC will increase graduate/medical students' opportunities to work on interdisciplinary teams addressing issues surrounding health disparities, thus enhancing their graduate/medical research education. Likewise, HERC provides some funds for graduate student fellowships and research assistantships, which allow more focused work in health equity research by these students (an opportunity that is unique to HERC and not otherwise available at the University). Graduate/medical students are also invited to events, such as the Community Partnership Workshop, also described below. Thus, HERC does not plan direct course instruction or a change in curriculum for any specific program, but it does expand opportunities for graduate/medical students working with HERC affiliated faculty.

Because HERC is not creating a new program and because it draws on the expertise of faculty from *existing* academic units who are already conducting research, there is no expectation that HERC will require new Library resources.

Section 2: Infrastructure

Mission, Purpose, and Goals

Mission and Purpose

The mission and purpose of the proposed CIL

The Health Equity Research Center (HERC) will focus on research illuminating the social determinants of health disparities in order to understand and build resilience in vulnerable individuals and communities. A crucial problem at the intersection of two of the WSU grand challenges—advancing opportunity and equity and sustaining health—is the elimination of health disparities between groups differing in economic and social resources. At issue are basic principles of fairness and social justice and the need to address the impact and costs of high rates of chronic illness and mental disorders that disproportionately affect members of disadvantaged groups. Despite considerable attention to this problem in the U.S. population since the 1999 publication of Healthy People 2010, disadvantaged children and adults continue to experience persistent and serious health inequities. For example, infant mortality rates are twice as high in African American and Native American populations as in the white majority population. Communities of color, low-income communities, and tribal communities suffer from greater exposure to violence, trauma, and environmental toxins, and they experience disproportionately higher rates of obesity, cardiovascular disease, cancer, depression, anxiety, and drug and alcohol abuse. Additionally, rural populations disproportionately suffer from higher rates of obesity and, increasingly, substance abuse. They are less likely to report having a personal health care provider, and they are more likely to report an inability to seek medical care because of cost. The Washington Department of Health identifies seventy-seven percent of the state’s counties as rural, and many of those are also considered medically underserved. Residents of these rural counties represent nearly a quarter of the total population of the state. Furthermore, the demographic profiles of rural populations (including those in Washington) reveal considerable heterogeneity in the social and economic makeup of populations, contributing, to a largely unknown degree, to unique health disparities. Thus, the greater Washington region is primed for a focused research effort addressing health inequities.

Not surprisingly, an overarching goal of Healthy People 2020, the current 10-year blueprint for addressing the health of the nation, is “to achieve health equity and eliminate health disparities.” The breadth and persistence of this challenge demands a bold vision in response. Funded by a Grand Challenge Strategic Reallocation grant to an initial team from College of Arts and Sciences (CAS), Elson S. Floyd College of Medicine (ESFCoM), and College of Agricultural, Human, and Natural Resource Sciences (CAHNRS), we have been working toward the creation of a center of excellence that will conduct cutting-edge research on the determinants of health disparities across biological, behavioral, family, and community levels as well as create partnerships with communities and health systems in the design and evaluation of interventions that address health disparities in a culturally-sensitive and scalable manner. Previously operating as a collaborative of engaged researchers (and currently granted interim

center status), an important element of our center strategy will be to create an intellectual environment that supports the investigation of resilience factors that allow some individuals and communities to achieve good health despite significant adversity. Consistent with the National Institute of Medicine's roundtable reports on reducing health disparities, any such initiative must be interdisciplinary in nature.

We will not only conduct studies to identify determinants of risks to health in disadvantaged populations, but also target sources of resilience that some individuals and groups display by having better than expected health outcomes despite significantly disadvantaged circumstances. Understanding of resilience can then be used to guide the design of interventions.

The affiliated researchers of the proposed center have extensive experience in health disparities research at the global, national, and regional or local level. To accommodate broader missions of the University, the center will harness this experience to engage with large scale health disparities issues and focus some research efforts here at home in Washington state. In particular, many centers across the country focus on health equity in urban centers. Far fewer focus on rural areas. In many ways, the state of Washington presents the ideal setting in which to understand the implications of rural and urban spaces for health equity and resilience. Rural communities have worse health outcomes and less access to healthcare. As such, HERC will work with community partners to improve health equity in our region.

Goals

The unit's goals.

Within the broad mission of conducting research on health disparities, the Health Equity Research Center has several specific goals:

- (1) develop and foster an interdisciplinary research program focused on an understanding of the determinants of health disparities across biological, behavioral, family, and community levels as well as on resilience factors that allow some individuals and communities to achieve good health despite significant adversity;
- (2) build capacity for health equity research at WSU through new training opportunities that bridge traditional academic units and forge interdisciplinary approaches and methodologies;
- (3) create local and statewide partnerships with communities and health systems in the design and evaluation of interventions that promote resilience and reduce health disparities and in a generalizable and scalable manner.

Nature and Scope of Unit's Activities

The nature and scope of the unit's research, scholarly and/or creative activities. Explain how these activities correlate with the unit's goals.

The scope of research conducted by HERC will be focused on the social determinants of health at many levels, using an interdisciplinary approach. Studies will not only work to establish the

determinants of health disparities but also the nature of the relationships between these social determinants and health outcomes. That is, we want to better understand why some groups thrive and others do not, given similar risk factors. Our research is not only meant to *document* resilience but also to *understand* resilience. For example, we aim to understand the causal mechanisms between resilience factors and health outcomes. Based on these findings, intervention efforts can be guided by a strong theoretical understanding of resilience. In partnership with community health providers, HERC will help design and test interventions based on local community needs. In turn, outcomes of intervention studies will provide feedback to researchers working at a more basic or translational level regarding the efficacy of specific factors contributing to resilience, as suggested by our emerging theoretical understanding. A core tenet of HERC's philosophy is that the feedback loop from basic and translational research to intervention and back is critical to efforts to scale evidence based practice in addressing health disparities from a local level to a global level.

Goal 1: Research

Current affiliates of the collaborative have independent and established research programs aimed directly at the first overarching goal of the center, namely, understanding the multifaceted and intersectional determinants of health disparities as well as understanding resiliency. Our focus in this effort will be on the crucial roles that social and economic disadvantages, chronic stressors, and poor nutrition plays across multiple health problems—both physical and mental—in disadvantaged populations and across multiple units of analysis, including individual, family, and community. Importantly, stress and nutritional challenges have consistently been associated with poor health outcomes among historically underserved populations, especially insofar as they magnify risk factors and decrease both individual and communal resilience. Rarely, however, have these problems been addressed comprehensively across multiple dimensions. As an example of our initial work, HERC used funds from the Grand Challenge Strategic Reallocation grant to award seed grants to 10 teams initiating new interdisciplinary (and cross-college) research projects with strong potential for extramural funding. These seed grant projects included:

Table 1. HERC Seed Grant Projects

PI	Co-PIs	Title/Topic	Funding	Target for Full proposal
Barbosa-Leiker, Celestina Nursing	Shaw, Wilson, Dotson, Skaer, Blum, Layton, Gartstein	Pregnancy to Parenthood on Medication Assisted Treatment for Opioid Use	\$8,000	NIH R01
Burduli, Ekaterina ESFCoM	Dedra Buchwald; Clemma Muller; Colin Martin; Caroline Hollins Martin; Sterling McPherson	Birth Satisfaction of Minority Women in the United States	\$8,900	NIH Mentored Research Scientist Development Award (K01)

PI	Co-PIs	Title/Topic	Funding	Target for Full proposal
Elliot-Groves, Emma ESFCoM		Aquaponics Farming for Indigenous Mental Health	\$10,574	Robert Wood Johnson Foundation; NSF; NIH; USDA
Fyfe-Johnson, Amber ESFCoM	Anna Zamora- Kapoor	Health Outcomes in Outdoor Preschools: Innovations for Obesity Prevention	\$12,979	NIH Mentored Research Scientist (Development Award (K01); PAR-15- 346
Meehan, Courtney Anthropology	Michelle McGuire; Edward Hagen; Maria Gartstein	Childcare choices, microbiomes, and infant behavior - are they related?	\$20,000	Programmatic fits to both NIH and NSF
Monsivais, Pablo Nutrition & Exercise Physiology	Glen Duncan	Developing data on environmental drivers of behavioral risk and inequalities in health (support the creation of new geographic databases (GIS) for Spokane and Whitman Counties)	\$8,380	NIH; USDA; Robert Wood Johnson Foundation
Sinclair; Kai'mi ESFCoM	Anna Zamora- Kapoor; Bertha Lopez	A mixed methods approach to culturally tailoring a diabetes self-management education intervention for Hispanics in Washington	\$4,000	PA-17-021 Addressing Health disparities in NIDDK Diseases (R01)
Suchy-Dicey, Astrid ESFCoM		Resilience and substance use in American Indian elders: Data from the Strong Heart Study	\$10,000	Robert Wood Johnson Foundation
Wright, Bruce Psychology	Maureen Schmitter- Edgecombe; Diane Cook	The effects of a multimodal intervention to reduce cognitive decline in at risk rural healthy adults. Does APO E4 genotype matter?	\$5,775	NIH PAR 15-349; NIH PAR 15-350
Zamora-Kapoor, Anna Sociology/ ESFCoM	Amber Fyfe- Johnson; Dedra Buchwald; Ka'imi Sinclair	The role of birth facilities in breastfeeding initiation outcomes and its disparities: Evidence from American Indian, Alaska Native, and non-Hispanic White first- time mothers in Washington State	\$8,572	NIH Mentored Research Scientist Development Award (K01)

The faculty seed grants that have been awarded can be expected to produce 6-8 new major extramural proposals to the National Institutes of Health (NIH) and the Robert Wood Johnson Foundation (RWJF). Within this calendar year, we expect to see publications stimulated by HERC initiatives begin to be accepted for publication. Note that the timelines associated with community-based health disparities research is inevitably longer than many areas of basic

laboratory research. Over the next few years, we will be tracking the impact of HERC faculty publications (e.g., citations, quality of journals, press coverage). It should also be noted that HERC plans to continue to award seed grants in future years to further support interdisciplinary teams in novel work that should yield more competitive extramural proposals.

Goal 2: Capacity Building

With funds from the Grand Challenge Strategic Reallocation grant, we have already been successful in hiring key faculty to enhance WSU's expertise in social determinants of health, which supports our second primary goal. These faculty hires are listed in the table below.

Table 2. Faculty Hired from HERC Funds

Name	Affiliation	Rank	Area of Expertise	Start Date	How Supports Objectives
Pablo Monsivais	ESFCoM (Nutrition & Exercise Physiology)	Assoc Prof	Nutritional epidemiology	2/16/17	Dr. Monsivais studies social and behavioral determinants of diet and obesity in order to inform policies to reduce health inequalities.
Justin Denney	CAS (Sociology)	Assoc Prof	Health and Mortality Disparities; Family; Community;	8/16/17	Dr. Denney, the WJW Distinguished Prof., provides a key bridging research focus between translational studies of the social determinants of health and intervention studies designed to address health disparities
Robert Danielson	C of Ed (Ed Psych)	Asst Prof	Pedagogical practices and learning technologies;	7/24/17	Dr. Danielson provides expertise on pedagogy and learning strategies to improve health education.
Mina Park	Murrow	Instructor (will be Asst Prof in January)	Health communication research	8/16/17	Dr. Park will contribute health communication expertise and experience in working with disadvantaged communities to community intervention research.
Anna Zamora-Kapoor	CAS & ESFCoM	Asst Res Prof	Race, ethnicity, and social determinants of health	4/1/17	Dr. Zamora-Kapoor serves as Community Liaison for HERC and contributes community-based research with health disparity populations.

The funding awarded from the grand challenge grant will also allow for recruitment in Psychology to build expertise in the psychophysiology of stress.

As our second goal highlights, HERC will support multiple interdisciplinary investigations into health disparities and resilience. Just one example is a collaboration underway between one of our newest faculty hires, Justin Denney in Sociology, and WSU's Initiative for Research and Education to Advance Community Health (IREACH), led by Dedra Buchwald. The initiative proposes to build an Electronic Health Record (EHR) data and analysis system for WSU that will ultimately benefit the clinical training and community health research objectives of the ESFCoM as well as HERC affiliated researchers in CAS and CAHNRS. This system will be used as an effective tool to mitigate and address health inequities across the state of Washington. We will partner with the DARTNet Institute—a non-profit organization that supports practice-based networks in the use of existing and newly collected electronic health data to conduct research—to create a stable, systematic, and security compliant EHR database that positions WSU as a leader in rural and urban health equity research and practice. Multiple proposals are in development to support this system and its creation will put the center in a strong position for competitive proposals to use it from sources such as the NIH and the RWJF.

Also consistent with our capacity building goal, we have awarded one graduate student fellowship, which provides a one-year RA. The Anthropology student, Avery Lane, will use the fellowship to master molecular analysis of biological samples to complement cultural studies of disease risk in vulnerable populations. HERC plans to continue to award graduate student fellowships in future years.

Goal 3: Partnerships and Community Impact

Consistent with the third overarching goal, several of the interdisciplinary teams funded by the seed grant program are already building collaborative relationships with health districts in our state that serve health disparity populations. Examples of these projects include investigations into the unmet health needs of African Americans and Pacific Islanders in Kitsap and Whatcom Counties and identifying barriers to attaining quality health care in Eastern Washington. These pilot projects are designed to lead to major grants and publications directly related to HERC's mission and goals. Furthermore, in Spring 2017, we held the first Community Health Partnerships Workshop to bring together faculty from across the University (not only HERC affiliated faculty but any faculty member or graduate/medical student who has an interest in understanding the factors that promote health resilience and decrease health risks associated with social determinants was invited). The workshop aimed to facilitate partnership-building between the University and community-based organizations. Representatives from six relevant organizations (The Native Project; Spokane Regional Health District; Better Health Together; Yakima County Health District; Pullman Regional Hospital; Washington State Department of Health) presented ideas for research collaborations and extramurally funded projects that could significantly increase their abilities to fulfill their healthcare missions. Additional breakout sessions allowed participants to discuss specific ideas for projects. We created a faculty and community partnership seed grant program to establish collaborations with community

partners who work directly with health disparity populations including people who experience racial discrimination, the poor, and rural individuals with poor health care access. In early September we awarded funds to six teams each of which included at least one community partner and one WSU scholar. We have thus taken a critical step toward building a robust network of community partners that will greatly enhance WSU's capacity for community-based research funding. To build on our success with the first Community Health Partnerships Workshop, we will hold another workshop in the Spring 2018 semester to include reporting on progress of the community partnership seed grant funded projects and to engage new external agencies and faculty in extramural applications for community-based health equity research. We also plan to continue to offer future community partnership seed grants to build on these important relationships that are key to HERC's goals and that will position WSU for unique funding opportunities.

Review and Assessment Plan

Unit review and assessment plan for measuring and analyzing the unit's effectiveness in reaching its goals and fulfilling its functions (See Attachment A, CIL Review Guidelines).

All Grand Challenge Strategic Reallocation grant projects receive an annual review, including assessment by and meetings with an external review panel formed by the Office of Research. We have been assessed on fulfilling our hiring plans and, moving forward, on our grant and scholarly activity. HERC will also be tracking the number and depth of community partnerships we establish to promote health disparity research and interventions. As an example, our specific assessment plan/metrics include:

Goal 1: Research

- Number of total grants submitted*
- Number of external grants awarded (including federal agencies and foundations)*
- Total amount of grant funding received (in dollars)*
- Number of research projects completed*
 - Number of collaborative research projects completed**
- Number of total peer-reviewed publications*
 - Number of collaborative peer-reviewed publications**
- Number of total research conference presentations*
 - Number of collaborative research conference presentations**

* Limited to those that are directly related to the goals of HERC, have at least one author who is a HERC affiliated faculty member, and acknowledge HERC.

** Limited to those that are directly related to the goals of HERC, have at least two authors who are HERC affiliated faculty members and are from different academic departments, and acknowledge HERC. *Note in addition to measuring total projects/publications/presentations, collaborative projects will be considered as a specific subset, given HERC's primary mission of building interdisciplinary teams.*

Goal 2: Capacity Building

- Student fellowships awarded
- Faculty seed grants awarded
- Number of affiliated faculty actively involved in HERC (defined as submitting one scholarly product or grant proposal acknowledging HERC)
- Number of graduate/medical students actively involved in HERC (defined as working on HERC-related projects with at least one HERC affiliated faculty member on HERC related research)
- Staff FTEs assigned specifically to HERC (currently .5 FTE for Program Assistant and .10 for Grant and Contract Coordinator)

Goal 3: Partnerships and Community Impact

- Community partnership seed grants awarded
- Number of projects with community partners (defined as actively working with a HERC affiliated faculty member)
- Creation of HERC advisory board
- Number of individuals from community groups on the advisory board

Administration and MembershipSelection Criteria for Director

Selection criteria and method for appointing a director; specify the director's term of office and the benefit for the term's length.

Given his track record of leadership in building interdisciplinary teams, his research interests in health broadly defined, and his leadership in CAS as Senior Associate Dean for Research and Graduate Education (at the time), the CAS leadership initially tapped Dr. Paul Whitney to lead a team in writing a Grand Challenge Strategic Reallocation proposal addressing issues of health disparity. Once the funding was secured, Dr. Whitney was put into place as the Executive Director of the collaborative by the CAS leadership and Office of Research. It is expected that he would continue in this role during the transition to and first years of center status. Dr. Whitney's current role in the CAS Dean's office is Senior Associate Dean for Strategic Initiatives.

In general, the HERC Executive Director will be vetted by the CAS administration and Office of Research and will be appointed by the CAS Dean in consultation with the leadership of participating colleges. Candidates must demonstrate: (1) an interest and track record in research relevant to health equity; (2) experience working in or building interdisciplinary teams; and (3) administrative and budgetary management experience. Time reassignment as HERC Executive Director is currently negotiated with CAS as .20 time. The term for the HERC Executive Director will be 5 years and is renewable.

Organizational Chart

The proposed organizational chart. If applicable include unit support positions.

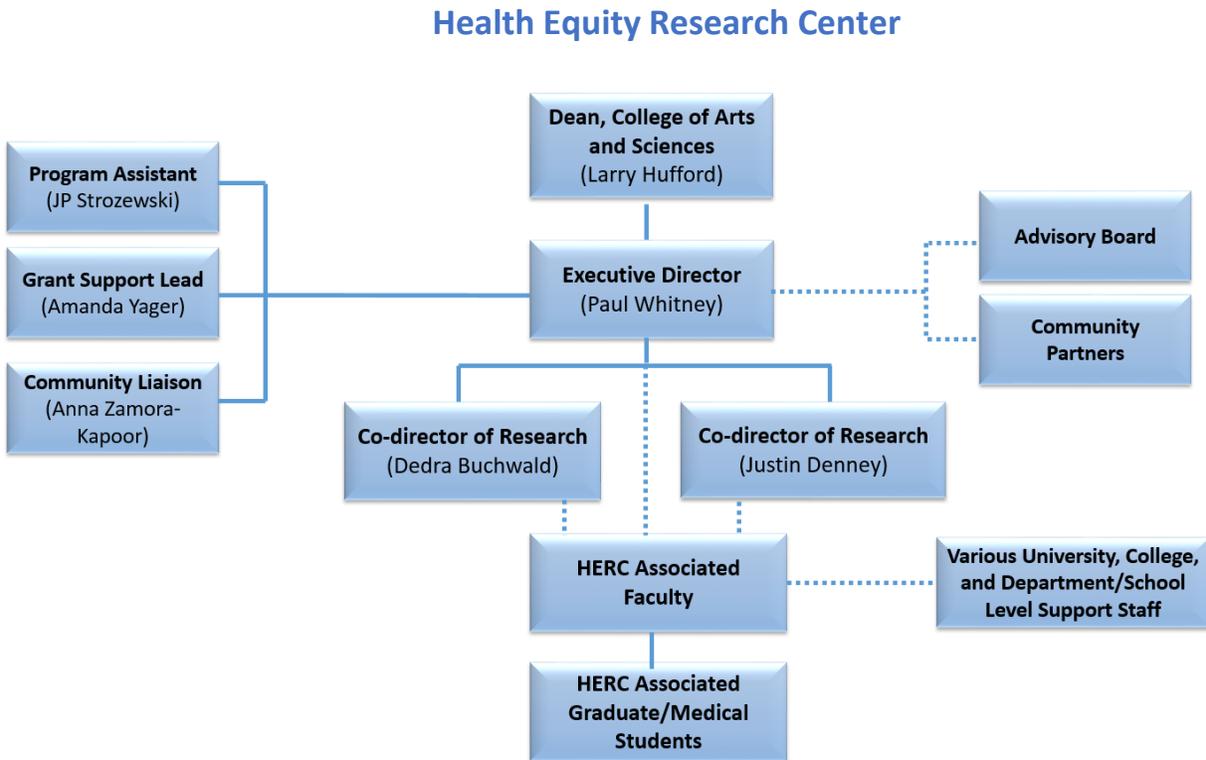


Figure 1. Health Equity Research Center Organizational Chart. Note that current individuals holding specific positions are indicated in parentheses.

As outlined above and consistent with our third overarching goal, establishment of community partnerships is key to HERC's mission; thus, they are included in our organizational chart. At the time of HERC's Year 1 report (i.e., for the Grand Challenge Strategic Reallocation grant), the external review board recommended the creation of an Advisory Board. Our team agrees with this recommendation and will be working toward this goal in the coming year. We have included the to-be-formed Advisory Board in our organizational chart accordingly and will report on progress regarding the establishment of this board in our review metrics.

Administratively Responsible College

The college/regional campus to be administratively responsible for the day-to-day fiscal and programmatic activities.

Although the center is interdisciplinary in nature and involves faculty from numerous colleges, the HERC Executive Director will answer primarily to the Dean of the College of Arts and Sciences (CAS). CAS will be responsible for the day-to-day fiscal and administrative activities specifically linked to HERC.

Key Faculty Members and Selection Criteria

List the participating key faculty members associated with the proposed CIL and include their vita. Describe the membership selection process noting any special criteria that determines membership.

Faculty members who have earned a Ph.D. in their respective field and who have a track record of conducting research in health disparities (based on publications or grants) are eligible to become HERC affiliated faculty. These faculty members must indicate a commitment to training graduate/medical students in interdisciplinary health equity research either in their home department, through HERC collaborations, or both. To become an affiliated faculty member in HERC, the interested faculty member should contact the Executive Director expressing interest and providing his or her curriculum vita. These requests will be reviewed and approved by the Executive Director and the two Co-directors of Research. A majority (at least 2 of 3 in favor) is required to approve the addition of the faculty member. Current faculty members are listed below and CVs for key faculty are included as an appendix to this application.

Table 3. Current HERC Affiliated Faculty Members

Name:	Position and Academic Unit
Barbosa-Leiker, Celestina	Associate Professor and Associate Dean For Research, Nursing, WSU – Spokane
Barry, Tammy	Associate Professor and Director of Clinical Training, Psychology
Borah, Porismita	Associate Professor, Communication
Buchwald, Dedra	Professor and Director, Community Health; Co-director of Research, HERC
Burduli, Ekaterina	Assistant Research Professor, Nursing, WSU – Spokane
Butler, Todd	Associate Professor and Chair, English
Charles, Meilana	County Director, WSU Extension, Kitsap, WSU Extension Youth and Families
Christen, Kim	Professor, English
Cleveland, Michael	Associate Professor, Human Development
Danielson, Robert	Assistant Professor, Educational Psychology, WSU – Spokane
Denney, Justin	Associate Professor, Sociology; Co-director of Research, HERC
Duncan, Glen	Professor and Chair, Nutrition and Exercise Physiology, WSU – Spokane
Dutta, Geeta	Director, Office of Research Advancement and Partnerships
Gartstein, Masha	Professor, Psychology
Graves, Janessa	Assistant Professor, College of Nursing, WSU – Spokane
Johnson, Monica	Professor and Chair, Sociology
Kraft, Brian	Assistant Vice President, Innovation and Research Engagement Office
Lile, Joy	4-H Ext Regional Specialist, WSU Extension, Kitsap, WSU Extension Youth and Families
Mandal, Bidisha	Associate Professor, School of Economic Sciences
Matthew, Susan	Associate Professor, Veterinary Clinical Sciences
McDonell, Mike	Associate Professor, Community Health, WSU – Spokane
McGuire, Michelle	Professor, School of Biological Sciences
McNeil, Brian	Professor, Educational Leadership, Sport Studies, and Educational/Counseling Psychology
Meehan, Courtney	Associate Professor, Anthropology
Monsivais, Pablo	Associate Professor, Nutrition and Exercise Physiology, WSU – Spokane
Muller, Clemma	Assistant Research Professor, Community Health, WSU – Spokane

Name:	Position and Academic Unit
Neuenschwander, Karin	Director, Foundation Relations, University Advancement
Schmitter-Edgecombe, Maureen	Professor, Psychology
Sinclair, Ka'imi	Assistant Professor, Community Health, WSU – Spokane
Suchy-Dicey Astrid	Assistant Research Professor, Community Health, WSU – Spokane
Waters, Sara	Assistant Professor, Human Development, WSU – Vancouver
Whitney, Paul	Professor, Psychology; Associate Vice President For International Programs, Senior Associate Dean, Strategic Initiatives, College of Arts and Sciences; Executive Director, HERC (20% time)
Wright, Bruce	Clinical Associate Professor, Psychology
Zamora-Kapoor, Anna	Assistant Research Professor, Community Health; HERC-specific position

Notably, due to its focus on capacity building, HERC is dedicated to graduate/medical student training. Thus, any of the graduate/medical students working with HERC affiliated faculty (i.e., in their home academic departments) are able to engage in HERC projects and to benefit from the interdisciplinary teams to the extent that doing so is consistent with the student's research and training goals. HERC already has students well integrated into the center and, thus, we have included this designation in our organization chart.

In addition to these faculty positions, we have the following staff contributing to the goals of HERC:

Table 4. Current HERC Affiliated Staff

Name:	Position
Bennett, Alexandra (Lexie)	Office Assistant 3, College Of Arts And Sciences
Bonnefin, Maureen	Proposal Manager, Office of Research Advancement and Partnerships
Miller, Julie	Assistant to Director, Community Health
Pratt, Esther	Assistant to the Director, Foundation Relations, University Advancement
Strozewski, Jean-Paul	Program Assistant, College of Arts And Sciences; 50% time HERC-specific position
Weinmann, Laurie Lee	Coordinator/Fiscal Analyst, University Advancement
Yager, Amanda	Grant and Contract Coordinator, College of Arts And Sciences; 10% time HERC-specific

A number of additional staff may routinely contribute support to HERC affiliated faculty through their support roles in the faculty members' home academic units and are, therefore, also represented in the organizational chart.

Financial Support and University Resources

Budgetary Support Requested

Amount of budgetary support requested. Address the specific levels of support.

There is no additional budgetary support requested beyond funds already allotted from the Grand Challenge Strategic Reallocation grant, which initially funded the collaborative in the amount of \$4,127,320 over five years. These funds have already been designated to HERC.

Expected Funding Needed

Expected funding needed from university, state, external awards or gift sources.

HERC is supported from the Grand Challenge Strategic Reallocation grant through 2021. At that time, it is expected that HERC will become self-sustaining for its regular activities through external grant support. The faculty and staff lines hired from HERC are funded from PBL.

The potential for HERC to obtain large, interdisciplinary grants to promote health equity is very high. This research area continues to be an important focus of NIH generally, and our specific strategies for integrating basic behavioral and social science with translational health research is the central focus of the 2017-2021 NIH OBSSR strategic plan: <https://obssr.od.nih.gov/about-us/strategic-plan/>.

Furthermore, our work is fully consonant with several sources of foundation funding, most prominently the Robert Wood Johnson Foundation Culture of Health initiative: <http://www.rwjf.org/en/how-we-work/building-a-culture-of-health.html>.

The following are a few examples of recent grant activities of HERC affiliated faculty that were identified as significantly benefitting from participation in HERC.

Title: Suicide Prevention for Urban Natives: Keeping Our Youth (SPUNKY)
 ORSO# 129111-001
 Lead PI: Dedra Buchwald
 Co-PIs: Clemma Muller, Sean Murphy
 Lead Organization: UC Denver
 Funded: Amount for WSU \$777,816

Title: Native-Controlling Hypertension and Risks through Technology (N-CHART)
 ORSO #: 127687-003
 PI: Dedra Buchwald
 Co-PIs: Amanda Boyd, Clemma Muller, Ka’imi Sinclair, Anna Zamora

Title: Native Center for Alcohol Research and Education
 ORSO #: 130996-001
 Lead PI: Dedra Buchwald
 Co-PIs: Amanda Boyd, Mike McDonell, Sterling McPherson, Clemma Muller, Lonnie Nelson

Non-Budgetary Support Needed

Needs for space, equipment, supplies and other university resources (currently available and needed in the future).

Because HERC brings together interdisciplinary teams of faculty from existing academic units, non-budgetary support is not applicable beyond resources currently available in affiliated faculty members’ offices and labs. As stated earlier, there is no expectation that HERC will significantly impact Library resources.

Section 3: University Endorsement

Supporting Letter

Supporting letter(s) from individual(s) to whom the unit will report to or interact with (chairs, deans, vice provosts, and/or others). Provide evidence of approval of the unit's goals and financial support. Explain if departmental or college resources will be provided to support the activities of the unit (i.e., reduced class load, summer appointments, assistantships, start-up costs, administrative support, travel funds, equipment funds, space requirements, etc.).

Letter of support from Dr. Larry Hufford, Interim Dean, College of Arts and Sciences follows.



College of
Arts and Sciences

April 2, 2018

Dr. Paul Whitney
Associate Vice President, International Programs
Senior Associate Dean, Health Equity Initiatives, CAS
Washington State University
PO Box 645121
Pullman, WA 99163-5121

Dear Dr. Whitney,

I am pleased to provide this letter of support for your proposal to create the Health Equity Research Center (HERC). Since the awarding of the Grand Challenge Reallocation Grant to support your team's health equity research activities, new and robust collaborations among Arts and Sciences and Medicine have grown and you have partnered with several organizations across the state of Washington. The establishment of the center will increase the visibility and impact of these efforts.

The mission of the proposed center, which is to bring together basic, translational, and intervention research in a coherent framework to address the social determinants of health disparities, is well-served by being housed in the College of Arts and Sciences (CAS) with strong collaborations among other colleges including medicine. CAS strengths in the social and behavioral sciences, as well as humanities and genetics, are fundamental to all three of HERC's goals to:

- (1) understand the determinants of health disparities across biological, behavioral, family, and community levels as well as on resilience factors that allow some individuals and communities to achieve good health despite significant adversity;
- (2) build capacity for health equity research at WSU through new training opportunities that bridge traditional academic units and forge interdisciplinary approaches and methodologies; and
- (3) create local and statewide partnerships with communities and health systems in the design and evaluation of interventions that promote resilience and reduce health disparities and in a generalizable and scalable manner.

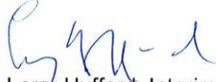
Given that your goals are closely tied to CAS mission and capabilities I strongly endorse your aims and methods as outlined in your center proposal. I believe HERC will further the University's Drive to 25 aspirations by providing a foundation for large multidisciplinary grants that impact the lives of people in our state and contribute to Washington State University's land grant mission. I look forward to seeing the impact that this center will have in individuals, families, and communities both locally and beyond.

PO Box 642630, Pullman, WA 99164-2630
509-335-4581 | Fax: 509-335-8986 | cas@wsu.edu | www.cas.wsu.edu

Whitney – HERC
Page 2

Finally, from a financial perspective, I am satisfied that HERC's growing contributions will be sustained well into the future. As part of the original application for a Grand Challenge reallocation grant, CAS (and Medicine) agreed to cost shares for seed grants and the Community liaison position, and we have honored that commitment. Moving forward, I am satisfied that HERC will remain a productive center using the PBL funds that have been permanently committed from the Grand Challenge reallocation grant to CAS and participating colleges.

Sincerely,

A handwritten signature in blue ink, appearing to read "L Hufford".

Larry Hufford, Interim Dean
College of Arts and Sciences

ACTION ITEM #2

Discontinue the Masters of Business Administration at WSU Tri-Cities (Daniel J. Bernardo)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Discontinuation of the Masters of Business Administration at WSU Tri-Cities

PROPOSED: That the Board of Regents discontinue the Masters of Business Administration at WSU Tri-Cities.

SUBMITTED BY: Daniel J. Bernardo, Provost and Executive Vice President

SUPPORTING INFORMATION: The Carson College of Business proposes to discontinue the Masters of Business Administration (MBA) offered on the WSU Tri-Cities campus. MBA programs nationwide have experienced increasing challenges recruiting qualified students. The Carson College of Business has experienced significant challenges recruiting students to Tri-Cities to enroll in a face-to-face MBA program.

Competition for MBA students is fierce, especially for programs located outside of major metropolitan areas. Competition for the WSU Tri-Cities MBA comes primarily from numerous online MBA programs that offer greater flexibility and more options at a comparable cost. The Carson College of Business itself has its own online MBA (OMBA). Due to this competition WSU Tri-Cities has seen MBA enrollments shrink continually since 2010 to our current total of 12 students. As constituted the WSU Tri-Cities MBA is not able to attract sufficient students to have a viable face-to-face program.

Starting fall 2017, students enrolling in and applying to the WSU Tri-Cities MBA were informed the program would likely close by fall 2019. This notice allowed students to plan their studies accordingly. The 5 students that will not be completed by summer 2019, will be seamlessly transferred to the WSU OMBA program. Advisors for both programs (WSU Tri-Cities MBA & OMBA) have coordinated to ensure no delays in graduation of any student.

The complete proposal for discontinuation is attached. The proposal was reviewed carefully and has support from the Provost's Office. The recommendation was passed by the Faculty Senate Steering Committee on June 28, 2018.

ATTACHMENT: Attachment A – Proposal for discontinuing the Masters of Business Administration at the Tri-Cities



Office of
Provost and Executive Vice President

MEMORANDUM

TO: Faculty Senate

FROM: Daniel J. Bernardo, Executive Vice President and Provost

SUBJECT: Discontinue Masters of Business Administration, Tri-Cities

DATE: June 15, 2018

The attached proposal for discontinuing the Masters of Business Administration at the Tri-Cities campus has been reviewed by the Provost's Office. We have no concerns about the proposal. The program has established a plan to ensure that all currently-enrolled students will be able to complete their degrees on schedule. Faculty involved in the program have been accommodated, and there is unanimous support within the college and on the campus for this move. We judge it ready for the Senate review process.

Proposal to Discontinue a Degree Program

DEANS: Send this completed proposal electronically to the Office of the Provost:
provost.deg.changes@wsu.edu (revised 8.17.16)

Degree Title:	Masters of Business Administration
Academic Program:	Business
Academic Plan:	Business Administration
Number of Credits:	32
Department(s) or Program(s):	Business
College(s):	Business
Campus(es):	Tri-Cities

Contact Name:	Paul Skilton	Email Address:	Paul.Skilton@wsu.edu
Contact Phone:	372-7240	*Proposed start date:	8/15/2019

Rationale for discontinuing the degree:

Competition for MBA students is fierce, especially for programs located outside of major metropolitan areas. Competition for the WSU TC MBA comes primarily from numerous online MBA programs that offer greater flexibility and more options at a comparable cost. The Carson College of Business itself has its own online MBA (OMBA). Due to this competition WSU Tri-Cities has seen MBA enrollments shrink continually since 2010 to our current total of 12 students. As constituted the WSUTC MBA is not able to attract sufficient students to have a viable face-to-face program.

Implications for currently enrolled students (how many)? Attach teach out plan.

Starting fall 2017, students enrolling in and applying to the WSUTC MBA were informed the program would likely close by fall 2019. This notice allowed students to plan their studies accordingly. The 5 students that will not be completed by summer 2019, will be seamlessly transferred to the WSU OMBA program. Advisors for both programs (WSUTC MBA & OMBA) have coordinated to ensure no delays in graduation of any student. Please see attached teach out plan.

Attach teach out plan

Impact on or responses of current faculty and staff:

To the extent necessary, MBA faculty are being reassigned to undergraduate courses within their department areas. Tri-Cities faculty discussed the MBA program and unanimously voted for discontinuation. Discussions were also held in the Carson College Masters Policy & Procedures committee. This committee contains representatives from all business departments and from the Pullman, Tri-Cities and Vancouver campuses. No objections about the discontinuance were voiced.

Impact on or responses of other degree programs, departments, colleges or campuses:

Student from other degree programs at WSU TC do not take MBA classes as electives. The Vancouver and Pullman campus MBA programs have been discontinued. The Carson College has committed considerable support to ensuring that our online offerings are highly competitive, with the result that they are ranked in the top 20 nationally and attract large numbers of students

Impact on or responses of other stake holders (e.g., advisory or alumni groups):

While business owners, advisory and alumni groups are saddened by the proposed discontinuation of the MBA program, they are aware of the fierce competition for MBA students. Redirecting the resources from the MBA to the undergraduate program is seen as a positive step in strengthening our undergraduate programs. Discontinuation of the MBA will also strengthen the continuing development of a competitive Master's program in International Wine Business Management.

The initials typed in this box certify that the person named below has reviewed this proposal:

Chair Name:	Robert Harrington	Date:	March 29, 2018
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The initials typed in this box certify that the person named below has reviewed this proposal:

Campus VCAA:	Martin Klotz, Tri-Cities	Date:	March 29, 2018
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The initials typed in this box certify that the person named below has reviewed this proposal:

Campus VCAA:	Renny Christopher, Vancouver	Date:	March 29, 2018
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The initials typed in this box certify that the person named below has reviewed this proposal:

Campus VCAA:		Date:	
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The initials typed in this box certify that the person named below has reviewed this proposal:

Dean:	Tom Tripp	Date:	March 30 th , 2018
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Comments:
Tom Tripp, Associate Dean for Academic Programs, is signing for the Carson College of Business as he is responsible for the MBA programs

Provost Office Sign:		Date:	4/4/18
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Comments:

For Registrar's Office Use Only:			
Current CIP Code:		New CIP Code:	
		Date:	

Teach out Plan for WSUTC MBA Program

The MBA program consists of 7 required courses, 3 electives and a final study/examination. A full-time student can complete the program in a 12 month period.

MBA Courses required and semester offered

Required		
FIN 526	Financial Management	Spring 19 online
MKTG 506	Marketing Strategy	Spring 19
MGMT 590	Strategy Formulation & Organizational Design	Spring 19
BA 579	MBA Capstone	Fall 18, Summer 19
BA 702	Final study/Examination	Fall 18, Summer 19
Electives		
MIS 580	Management Information Systems	Summer 19-1 online
MGMT 589	Seminar in Management	Spring 19
400/500	Elective courses selected by student	Spring 19, Summer 19

The last students admitted will have started the core MBA courses in fall 2018. They will be able to complete the program by the final term of the program (Summer 19) if they attend the MBA full-time (four classes in fall, four classes in spring, two classes in summer plus BA702). Because we do not currently have qualified faculty to teach FIN 526 and MIS 580, we may require students to take these courses in an online format.

Students not completing their classes by the end of Summer 2019 will be enrolled in the online format of the MBA program (OMBA). The students have been made aware of the extra costs that are associated with the OMBA and the advisor for the OMBA is working with the designated students to ensure that they complete their program in the most expeditious manner.

Fiscal impacts of discontinuing the WSU Tri-Cities MBA program

Program Resource Requirements. Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first three fiscal years of the program. Include reallocation of existing personnel and resources and anticipated or requested new resources. Second and third-year estimates should be in dollars adjusted for inflation. If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies). Provide an explanation of the fiscal impact of the proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

Response:

Planned enrollment will fall from an FTE of five (fifteen credits per FTE) in the most recent semester (Spring 2018) to zero by August 2019. One FTE represents state employees who pay no tuition.

Projected tuition revenue for Fall 2018 is \$27,002 falling to zero by August 2019 as students transition to the online MBA. Instruction cost for Fall 2018 is estimated to be ~\$85,000, falling to ~\$36,000 in Spring 2019. There are no staff costs and overhead costs included in the campus allocation to the Carson College of Business program.

The program is not contract related.

Fiscal impact will be positive. One adjunct contract per semester will be eliminated. Permanent faculty (three sections per semester) will be re-assigned to undergraduate teaching, displacing three adjunct contracts per semester. We should save ~10,000 per semester on adjunct contracts. Our intention is to use re-assigned permanent faculty to enhance our undergraduate program and stimulate growth. Growing undergraduate by four FTE will make the program revenue neutral, after savings on adjuncts.

ACTION ITEM #3

Discontinue the Bachelors of Science in Athletic Training (Daniel J. Bernardo)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Discontinuation of the Bachelors of Science in Athletic Training

PROPOSED: That the Board of Regents discontinue the Bachelors of Science in Athletic Training.

SUBMITTED BY: Daniel J. Bernardo, Provost and Executive Vice President

SUPPORTING INFORMATION: The College of Education proposes to discontinue the Bachelors of Science (BS) in Athletic Training.

In the fall of 2017 two new degrees were approved through NWCCU to replace the current BS in Athletic Training degree. Due to accreditation requirements for Athletic Training, a master's degree is now required to take the national board exam. The last step in the transition process is to drop the current Bachelor of Science in Athletic Training degree from the WSU catalog.

Students who enrolled in the WSU Pullman campus in the fall of 2017 will be the last students eligible for the BS in Athletic Training degree. These students will be admitted to the undergraduate program and complete their degree in May of 2021.

The complete proposal for discontinuation is attached. The proposal was reviewed carefully and has support from the Provost's Office. The recommendation was passed by the Faculty Senate Steering Committee on June 28, 2018.

ATTACHMENT: Attachment A – Proposal for discontinuing the Bachelor of Science in Athletic Training

MEMORANDUM

TO: Faculty Senate

FROM: Daniel J. Bernardo, Executive Vice President and Provost

SUBJECT: Discontinue Bachelor of Science in Athletic Training

DATE: June 19, 2018

The attached proposal for discontinuing the Bachelor of Science in Athletic Training has been reviewed by the Provost's Office. We have no concerns about the proposal. The program has established a plan to ensure that all currently-enrolled students will be able to complete their degrees on schedule. The degree is being replaced by an already-approved Bachelor of Science in Sports Medicine and Master of Science in Athletic Training, so there is no impact on faculty.

We judge it ready for the Senate review process.

18-001

PROPOSAL TO DISCONTINUE A DEGREE PROGRAM

DEANS: Send this completed proposal electronically in Word to the Office of the Provost:
provost.deg.changes@wsu.edu

Degree Title:	Bachelor of Science in Athletic Training
Academic Program:	
Academic Plan:	
Number of Credits:	
Department(s) or Program(s):	ELSSCEP
College(s):	College of Education
Campus(es):	Pullman

Contact Name:	Kasee Hildenbrand	Email Address:	khildenbrand@wsu.edu
Contact Phone:	335-8834	*Proposed start date:	Fall 2018

Rationale for discontinuing the degree:

In the Fall of 2017 2 new degree's were approved through NWCCU to replace the current BS in Athletic Training degree. Due to accreditation requirements for Athletic Training, a master's degree is now required to take the national board exam. The last step in the transition process is to drop the current degree from the WSU catalog.

Implications for currently enrolled students (how many)? Attach teach out plan.

Students who enrolled in the WSU Pullman campus in the Fall of 2017 will be the last students eligible for the BS in Athletic Training degree. These students will be admitted to the undergraduate program and complete their degree in May of 2021. A phase-in/phase-out diagram is attached.

Attach teach out plan

Impact on or responses of current faculty and staff:

Since the BS in AT degree is being replaced by the BS in Sports Medicine and Masters in Athletic Training, all current faculty and staff will continue as is. An additional faculty member will be hired to start in the Fall of 2019 to support the new program as well as the teach-out for the old program. If a new hire is not made, adjuncts will be hired to finish out the required curriculum.

Impact on or responses of other degree programs, departments, colleges or campuses:

none

Impact on or responses of other stake holders (e.g., advisory or alumni groups):

This change was mandated by accreditation and all AT programs must be at the Master's degree level.

SIGNATURES: The names typed below certify that the relevant academic and campus officials have reviewed and approved this proposal:

Chair Signature:	<i>Kudva</i>	Date:	2-27-18
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Dean Signature:	<i>Kudva</i>	Date:	2-27-18
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→ Submit to the Provost's Office at provost.deg.changes@wsu.edu

Everett Chancellor		Date:	
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Spokane Chancellor		Date:	
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Tri-Cities VCAA		Date:	
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Vancouver VCAA		Date:	
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VP Global Campus		Date:	
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Provost Office:		Date:	
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Comments:

For Registrar's Office Use Only:			
Current CIP Code:		New CIP Code:	
		Date:	

Send completed form in Word version to: provost.deg.changes@wsu.edu

Undergraduate

2016-2017

1st year (2019)

2nd year (2018)

3rd year (2017)

2017-2018

1st year (2020)

2nd year (2019)

3rd year (2018)

2018-2019

1st year (2021)

2nd year (2020)

3rd year (2019)

2019-2020

2nd year (2021)

3rd year (2020)

2020-2021

3rd year (2021)

Graduate

2017-2018

0 grad

2018-2019

0 grad

2019-2020

1st years (2022)

2020-2021

1st years (2023)

2nd years (2022)

2021 – 2022

1st year (2024)

2nd year (2023)

3rd year (2022)

Re-accreditation of
undergraduate
program

Subs-change
document

Fall 2017

Ath T 267 (2 sec) Katy
 Kines 270 Katy
 Kines 365 Katy

 Kines 469 Kasee
 Kines 291 Katy
 Kines 392 Katy
 Kines 493 Katy

Fall 2018

Ath T 267 (1 sec) Katy
 Kines 270 Adjunct
 Kines 365 Katy

 Kines 469 Kasee
 Kines 291 Katy
 Kines 392 Katy
 Kines 493 Katy

Fall 2019

Ath T 267 (2 sec) Katy

 Kines 365 New/Adjunct

 Kines 469 Kasee

 Kines 392 Katy
 Kines 493 Katy
 Ath T 370* New/Adjunct
 Ath T 391* Katy

Fall 2020

Ath T 267 (2 sec) Katy

 Kines 469 Kasee

 Kines 493 Katy
 Ath T 370 New/Adjunct
 Ath T 391* Katy
 Ath T 440* Katy
 Ath T 445* New/Adjunct
 Ath T 450* Kasee
 Ath T 592* Katy

Fall 2021

Ath T 267 (2 sec) New/Adjunct

 Ath T 370* New/Adjunct
 Ath T 391* Katy
 Ath T 440* Katy
 Ath T 445* New/Adjunct
 Ath T 450* Kasee
 Ath T 592* Katy
 Ath T 575* New/Adjunct
 Ath T 585* Katy
 Ath T 590* Kasee
 Ath T 593* Katy

Spring 2018

Ath T 267 (2 sec) Katy
 Ath T 263 Kasee
 Kines 271 Adjunct
 Kines 275 Adjunct
 Kines 364 Katy
 Kines 470 Kasee
 Kines 291 Katy
 Kines 392 Katy
 Kines 493 Katy

Spring 2019

Ath T 267 (2 sec) Katy
 Ath T 263 Adjunct
 Kines 271 Kasee
 Kines 275 Adjunct
 Kines 364 Katy
 Kines 470 Adjunct
 Kines 291 Katy
 Kines 392 Katy
 Kines 493 Katy
 Ath T 290* Katy

Spring 2020

Ath T 267 (2 sec) Katy
 Ath T 263 New/Adjunct

 Kines 364 Katy
 Kines 470 Adjunct

 Kines 392 Katy
 Kines 493 Katy
 Ath T 290* New/Adjunct
 Ath T 371* New/Adjunct
 Ath T 391* Katy

Spring 2021

Ath T 267 (2 sec) Katy
 Ath T 263 New

 Kines 493 Katy
 Ath T 290* New/Adjunct
 Ath T 371* New/Adjunct
 Ath T 391* Katy
 Ath T 441* New/Adjunct
 Ath T 464* Katy
 Ath T 560* Adjunct
 Ath T 592* Katy
 Ath T 595* Kasee

Spring 2022

Ath T 267 (2 sec) Katy
 Ath T 263 New/Adjunct

 Ath T 290* New/Adjunct
 Ath T 371* New/Adjunct
 Ath T 391* Katy
 Ath T 441* New/Adjunct
 Ath T 464* Katy
 Ath T 560* Adjunct
 Ath T 592* Katy
 Ath T 595* Kasee
 Ath T 598* Kasee
 Ath T 599* Katy
 Ath T 593* Katy

ACTION ITEM #2
WSU Tri-Cities, Academic Building
Design Approval and Pre-Construction
(Stacy Pearson/Sandra Haynes)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Tri-Cities, Academic Building Design and Pre-Construction

PROPOSED: That the Board of Regents authorize the Academic Building to proceed to design and pre-construction using the Design-Build (DB) process pursuant to RCW 39.10, and further delegate authority to the President or his designee to select a Design-Build contractor and enter into any and all contracts necessary to commence the design and pre-construction for the project, with costs not to exceed the budgeted amount of \$3,000,000.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

BACKGROUND INFORMATION: The Academic Building will facilitate future growth in STEM-focused high demand bachelor's degrees in Biology, Chemistry, Engineering, Computer Science, and in Education with STEM content area endorsements, providing dedicated space for introductory and preparatory STEM coursework. The new building will allow expansion of new degree offerings in other disciplines as existing classroom space becomes available.

A major focus will be on interdisciplinary programming and enhanced collaborations between the campus and adjacent research facilities within the Tri-Cities Research District, including those at the Pacific Northwest National Laboratory (PNNL). The campus is poised to offer the hands-on educational experiences that will lead to career opportunities in these areas and others provided by STEM-focused Hanford contractors and many others. The existing laboratory space for teaching and training is not adequate, nor does it meet current standards for state-of-the-art instruction in the life and physical sciences. The potential benefit of the new academic building is great: WSU providing interns and graduates in STEM majors to the above

scientific entities, and throughout our state, helping to meet the STEM industries' recruiting needs.

The Academic Building will be located across from the BSEL building, adjacent to the CIC building.

The University received \$400,000 for pre-design in 2015-17 and \$3,000,000 for the design and pre-construction in the 2017-19 state capital budgets. The University plans to request construction funding the 2019-21 State capital request.

Aerial Site Map



Board of Regents
WSU Tri-Cities, Academic Building
Design Approval and Pre-Construction

Resolution #181116-589

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents authorize the Academic Building to proceed to design and pre-construction using the Design-Build (DB) process pursuant to RCW 39.10, and further delegate authority to the President or his designee to select a Design-Build contractor and enter into any and all contracts necessary to commence the design and pre-construction for the project, with costs not to exceed the budgeted amount of \$3,000,000.

Dated this 16th day of November, 2018

Chair, Board of Regents

Secretary, Board of Regents

ACTION ITEM #1
Proposed Revision to WAC 504-26 Standards for
Conduct for Students
(Mary Jo Gonzales/Danielle Hess)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU All Campuses, Revision to WAC 505-26 Standards for
Conduct for Students

PROPOSED: That the Board of Regents adopt revisions to WAC 504-26
Standards for Conduct of Students

SUBMITTED BY: Mary Jo Gonzales, Vice President for Student Affairs

**SUPPORTING
INFORMATION:** In December 2016, President Schulz appointed a Student
Conduct Process Task Force to carry out a comprehensive
review of the University's Student Conduct Process. The Task
Force issued its report on January 22, 2018 which contained
32 recommendations and two dissenting comments.

In February 2018, information sessions about the
recommendations were held on all WSU campuses as well
WSU Downtown Seattle, an alumni session. An internal
administrative team reviewed the recommendations to ensure
alignment with national best practices, federal and state
regulations, practical implementation, and statutory
requirements. The majority of the task force
recommendations were adopted in full and some were
adopted in part or modified. Regulations were drafted to
codify the new process.

A copy of the proposed rules is attached.

A public hearing was held November 6, 2018. If approved,
WAC 504-26 will be effective in Spring 2019.

PART I
GENERAL MATTERS

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-001 Preamble. Washington State (~~(University, a community dedicated to the advancement of knowledge, expects all students to behave in a manner consistent with its high standards of scholarship and conduct.)~~) University's long-standing commitment to providing students with a transformational experience continues with a focus on enhancing the quality and relevance of the learning experience, providing more personalized student services, expanding learning opportunities outside the classroom, and developing a more cohesive student community. To this end, students are expected to uphold and be accountable ((for these)) to high standards ((both on and off campus and acknowledge the university's authority to take disciplinary action. The purpose of these standards and processes is to educate students and protect the welfare of the university community.

~~Accordingly, the conduct process is nonadversarial to the extent possible, confidential except to the extent permitted by law and these))~~ of conduct that foster a safe, healthy, and inclusive campus community. The basic philosophy behind the standards of conduct and processes is one of education, centered on student learning through personal development and accountability. Therefore, the student conduct process is designed to guide and correct behaviors, challenge students to make better choices, and protect the rights and safety of all students, the university, and the community at large.

The university strives to provide a fair process for every student without bias or favor regardless of socioeconomic status, connections, race, color, creed, religion, national or ethnic origin, sex/gender, sexual orientation, gender identity/expression, age, marital status, disability, genetic information, or status as an honorably discharged veteran or member of the military. It also has responsibility to inform and educate the university community, parents, and the public at large on these standards, uphold them, and exercise the authority to take educational and/or disciplinary action accordingly.

~~Correspondingly, students have the responsibility to read and be familiar with the standards of conduct ((this chapter), and not to be considered analogous to court proceedings. Further, the conduct process is independent of any criminal or civil penalties. WSU permits students to have advisors in certain circumstances in the student conduct process, but the role of the advisor is very limited, except in full adjudications. Sanctions under these standards of conduct are intended to challenge students' moral and ethical decision making and~~

~~help them bring their behavior into accord with university community expectations. When students are unable to conform their behavior to community expectations, the student conduct process may determine that they should no longer share in the privilege of participating in the university community)), to abide by them, and to understand that violation of these standards, if the student is found responsible, will result in disciplinary and/or educational sanctions. The vice president for student affairs is the person designated by the university president to be responsible for the administration of the standards of conduct.~~

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-001, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-001, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-001, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-001, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-001, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-010 Definitions. (~~((1) The term "accused student" means any student accused of violating the standards of conduct for students (this chapter).~~

~~(2) The term "a))~~ For purposes of the standards of conduct, the following definitions apply:

(1) Academic integrity hearing board. Teaching faculty and student representatives who, collectively, are authorized by the university or college to review an instructor's determination that a student violated university academic integrity policies and whether or not the outcome proposed by the instructor is in keeping with the instructor's published policies.

(2) Appeals board(~~(" means any person or persons authorized by the vice president for student affairs))~~). The group of students, faculty, and staff, collectively, authorized in accordance with WAC 504-26-115 to consider ((an)) appeals from a university conduct board's or conduct officer's determination(~~(, or a determination after a full adjudication,))~~) as to whether a student has violated the standards of conduct (~~(for students))~~) and any sanctions imposed.

(3) ((The term "a)) Brief adjudication. The process by which a conduct officer may adjudicate student conduct matters involving possible sanctions, other than matters involving suspension for more than ten instructional days, expulsion, loss of recognition, or revocation of degree. Also referred to as a "conduct officer hearing" or "brief adjudicative proceeding."

(4) Cheating(~~("))~~). Includes, but is not limited to:

(a) Use of unauthorized materials in taking quizzes, tests, or examinations, or giving or receiving unauthorized assistance by any means, including talking, copying information from another student,

using electronic devices, or taking an examination for another student.

(b) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.

(c) Acquisition or possession of tests or other academic material belonging to a member of the university faculty or staff when acquired without the permission of the university faculty or staff member.

(d) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes, but is not limited to:

(i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact((+)). The office of research must be consulted in matters involving alleged research misconduct as that term is defined in the university's executive policy 33.

(ii) Counterfeiting a record of internship or practicum experiences((+)).

(iii) Submitting a false excuse for absence or tardiness or a false explanation for failing to complete a class requirement or scheduled examination at the appointed date and time.

(e) Engaging in any behavior for the purpose of gaining an unfair advantage specifically prohibited by a faculty member in the course syllabus or class discussion.

(f) Scientific misconduct. Falsification, fabrication, plagiarism, or other forms of dishonesty in scientific and scholarly research are prohibited. Complaints and inquiries involving cases of scientific misconduct are managed according to the university's policy for responding to allegations of scientific misconduct. A finding of scientific misconduct is subject to sanctions by the (~~office of student conduct~~) center for community standards. The policy for responding to allegations of scientific misconduct (executive policy 33) may be reviewed by contacting the office of research.

(g) Unauthorized collaboration on assignments.

(h) Intentionally obtaining unauthorized knowledge of examination materials.

(i) Plagiarism. Presenting the information, ideas, or phrasing of another person as the student's own work without proper acknowledgment of the source. This includes submitting a commercially prepared paper or research project or submitting for academic credit any work done by someone else. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(j) Unauthorized multiple submission of the same work.

(k) Sabotage of others' work.

(l) Tampering with or falsifying records.

~~((4) The term ")~~ (5) Complainant~~((" means any party"))~~. Any person who is the alleged victim of prohibited student conduct, whether or not such person has made an actual complaint. Any individual, group, or entity, including the university, who submits a ~~((charge))~~ complaint alleging that a student or a registered or recognized student organization violated the standards of conduct ~~((for students.~~

~~(5) The term ")~~.

(6) Conduct board. The group of students, faculty, and staff, collectively authorized in accordance with WAC 504-26-110 to adjudicate certain student conduct matters.

(7) Conduct officer. A university official authorized by the vice president for student affairs to initiate, manage, and/or adjudicate certain student conduct matters in accordance with WAC 504-26-401 and 504-26-402.

(8) Faculty member~~((")~~. For purposes of this chapter, ~~((means))~~ any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

~~((6) The term ")~~ (9) Full adjudication. The process by which a conduct board adjudicates matters involving possible suspension of greater than ten instructional days, expulsion, loss of recognition, revocation of degree, or other matters as determined by the university. Also referred to as "formal adjudication," "formal (or full) adjudicative proceeding," or "conduct board hearing."

(10) Gender identity~~((" means))~~. Having or being perceived as having a gender identity, self-image, appearance, behavior, or expression, whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to the person at birth.

~~((7) The term "may" is used in the permissive sense.~~

~~(8) The term ")~~ (11) Member of the university community~~((")~~. Includes any person who is a student, faculty member, university official, any person employed by the university, or any person with a relationship with the university, including guests of and visitors to the university. A person's status in a particular situation is determined by the vice president for student affairs or designee.

~~((9) The term "policy" means))~~ (12) Parties. The parties to a student conduct proceeding must include the university and the respondent. The parties in a student conduct matter implicating Title IX of the Civil Rights Act of 1964 must include the complainant(s), if the complainant(s) notifies the university in writing that they wish to participate as a party. The university may designate other complainants, individuals, or recognized or registered student organizations as parties to conduct proceedings, or allow individuals or recognized or registered student organizations to intervene in conduct proceedings.

(13) Policies. The written rules and regulations of the university as found in, but not limited to, the standards of conduct

~~((for students, residence life handbook, the university web page and computer use policy, and graduate/undergraduate catalogs.~~

~~(10) The term ")), university policy manuals, housing and dining policies, academic regulations, and the university's graduate, undergraduate, and professional catalogs and other publications, including electronic publications.~~

~~(14) Recognized or registered student organization((" ~~means any number of persons who have~~)). A group of students, collectively, that has complied with the formal requirements for university recognition or registration.~~

~~((11) The term "shall" is used in the imperative sense.~~

~~(12) The term "student" includes all persons~~) (15) Respondent. A student or recognized or registered student organization alleged to have violated these standards of conduct.

~~(16) Student. Any person~~ taking courses at the university, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the standards of conduct (~~(for students)~~), who are not officially enrolled for a particular term but who have a continuing relationship with the university (including suspended students) or who have been notified of their acceptance for admission are considered "students" as are persons who are living in university residence halls, (~~(although)~~) even if not enrolled (~~(in this institution.~~

~~(13) The term "student conduct officer" means a university official authorized by the vice president for student affairs to manage conduct complaints including the imposition of sanctions upon any student(s) found to have violated the standards of conduct for students~~)).

~~((14) The term "university" means~~) (17) University. Includes all locations, premises, programs, and operations of Washington State University.

~~((15) The term "university conduct board" means those persons who, collectively, have been authorized by the vice president for student affairs to determine whether a student has violated the standards of conduct for students and to impose sanctions when a student is found responsible by the board to have violated these standards of conduct.~~

~~(16) The term "academic integrity hearing board" means teaching faculty and student representatives who, collectively, have been authorized by the university or college to review an instructor's determination that a student violated university academic integrity policies and whether or not the outcome proposed by the instructor is in keeping with the instructor's published policies.~~

~~(17) The term "))~~ (18) University official((" ~~includes~~)). Any person employed by the university, performing assigned administrative or professional responsibilities.

~~((18) The term "))~~ (19) University premises((" ~~includes~~)). All land, buildings, facilities, vehicles, web sites, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks), including its study abroad

program sites, as well as university-sponsored or hosted online platforms.

~~((19) The vice president for student affairs is that person designated by the university president to be responsible for the administration of the standards of conduct for students.))~~

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-010, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-010, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-010, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-010, filed 5/11/11, effective 6/11/11; WSR 07-11-030, § 504-26-010, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-010, filed 11/22/06, effective 12/23/06.]

NEW SECTION

WAC 504-26-015 Jurisdiction and applicability—Relationship to other proceedings. (1) General. The standards of conduct apply to conduct that occurs on university premises or in connection with university sponsored activities, including transit to or from the activity.

(2) Off-campus conduct. In addition to subsection (1) of this section, the standards of conduct may apply to conduct that occurs off university premises and not in connection with university-sponsored activities, if the conduct adversely affects the health and/or safety of the university community or the pursuit of the university's vision, mission, or values.

(a) The university has sole discretion to make this determination. In making this determination, the conduct officer considers whether the alleged conduct:

(i) Requires the university to exercise jurisdiction under law or as required by federal or state agencies;

(ii) Negatively impacted the reputation of the university or its students;

(iii) Occurred on the property of recognized or registered student organizations;

(iv) Caused physical, mental, or emotional harm to another; or

(v) Was recognized by onlookers, complainants, or witnesses as being carried out by a student or recognized or registered student organization.

(b) When the university chooses to exercise jurisdiction for off-campus conduct not in connection with a university-sponsored activity, the parties must be notified in writing of the decision and the reasons for the decision, and their right to challenge the decision to the vice president for student affairs or designee. Challenges to jurisdiction must be in writing and filed within five calendar days from the date the notice is sent. In cases implicating Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct, the vice

president for student affairs or designee must consult with the university's Title IX coordinator.

(3) Online conduct - Electronic communications. These standards of conduct may be applied to behavior conducted online, via electronic mail, text message, or other electronic means.

(4) Time frame for applicability. Each student is responsible and accountable for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards apply to a student's conduct even if the student withdraws from school, takes a leave of absence, or graduates.

(5) Group accountability. Recognized or registered student organizations that violate university policies and the standards of conduct are subject to sanctions. A recognized or registered student organization may be held accountable for the behavior of its officers, members, or guests when the university demonstrates that:

(a) The organization or its officers should have foreseen that behavior constituting a violation was likely to occur, yet failed to take reasonable precautions against such behavior;

(b) A policy or practice of the organization was responsible for a violation; or

(c) The behavior constituting a violation was committed by, condoned by, or involved a significant number of organization officers, members, or guests.

(6) International and national study programs. Students who participate in any university-sponsored or sanctioned international or national study program must observe the following rules and regulations:

(a) The laws of the host country and/or state;

(b) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying;

(c) Any other agreements related to the student's study program; and

(d) These standards of conduct.

(7) Academic and professional standards. Nothing in these standards of conduct is to be construed as limiting academic action that may be taken by a program or other academic unit against a respondent who, based on an established violation of these standards or otherwise, demonstrates a failure to meet the academic and/or professional standards of the program.

(8) Relationship between student conduct process and other legal processes. The university is not required to stay a student conduct proceeding pending any criminal or civil proceeding, nor must the disposition of any such criminal or civil proceeding control the outcome of any student conduct proceeding. Respondents may choose to remain silent during conduct proceedings, in accordance with WAC 504-26-045.

[]

NEW SECTION

WAC 504-26-020 Advisors and representatives. (1) Advisors. Any party may have an advisor of their choice present during all stages of a conduct process. Upon a party's request, a list of trained advisors from outside the office of the dean of students (and those offices reporting to the dean of students) is provided. Advisors may assist any party engaged in the conduct process and attend meetings and hearings. Advisors may not be witnesses to the alleged behavior. Students should select an advisor whose schedule allows for attendance at the scheduled date and time of the informational meeting and/or hearing, because delays are not normally allowed due to scheduling conflicts of the advisor.

(2) Communication with the center for community standards. Advisors and representatives may communicate directly with the center for community standards to receive information on dates and times of meetings, status of conduct processes, and outcomes. As a condition of participation in the conduct process, the center for community standards may require advisors and representatives to sign a statement agreeing to comply with legal requirements and university rules including, but not limited to, requirements related to confidentiality of student information.

(3) Advisors in conduct meetings and hearings. During any conduct process, breaks may be taken, within reason, to allow a party to consult with their advisor. However, advisors are not permitted to speak on behalf of parties.

(4) Representatives. A party may choose to be represented during a full adjudication, at their own expense. Only persons currently admitted to practice law, including licensed legal interns, are permitted to act as representatives. In conduct board hearings, questions regarding logistical and administrative issues are to be directed to the presiding officer, who may impose reasonable conditions upon participation of advisors and representatives.

[]

NEW SECTION

WAC 504-26-025 Confidentiality and participation in student conduct hearings. Student conduct meetings and hearings are closed to public observation. The parties and their advisors or representatives may attend the entire hearing, excluding deliberations. Admission of any other person to the hearing is at the discretion of the conduct officer or presiding officer, as applicable. For convenience, or to accommodate concerns for the personal safety, well-being, or fears of confrontation of any party or witness, the conduct officer or presiding officer may allow participation remotely, in separate rooms, or by other means.

[]

NEW SECTION

WAC 504-26-030 Consolidation. In any student conduct matter in which there are common issues or parties, the parties may request, or the conduct officer or presiding officer may decide, to consolidate the proceedings. This decision is within the sole discretion of the conduct officer or presiding officer.

[]

NEW SECTION

WAC 504-26-035 Service and notification. Service of all university notices under this chapter is sent by electronic mail addressed to the party's university-issued email address or, if the party does not have a university-issued email address, to the email address on record with the university. Service is complete when the email is sent to the email address. Service may also be accomplished by personal delivery or regular U.S. mail. Notifications via regular U.S. mail are sent to the party's last known address or the address on file with the university registrar, and service is complete on the date the notice is placed in the mail. The student is responsible for maintaining an updated mailing address on file with the registrar. Recognized or registered student organizations are responsible for updating their mailing address on file with the center for fraternity and sorority life, university recreation, or student involvement. Deadlines described in this chapter begin the date the notification is sent via email, personally delivered, or placed in regular U.S. mail.

[]

NEW SECTION

WAC 504-26-040 Presumptions and standard of proof. All students and registered or recognized student organizations are presumed "not responsible" for alleged violations. Any violation must be proven by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred. As part of the university's opening statement in any conduct board hearing, the university's representative must read a statement to this effect.

[]

NEW SECTION

WAC 504-26-045 Evidence. (1) Evidence, including hearsay evidence, is admissible in student conduct proceedings if, in the judgment of the conduct officer or presiding officer, it is the kind of evidence that reasonably prudent persons are accustomed to rely on in the conduct of their affairs. The conduct officer or presiding officer determines the admissibility and relevance of all information and evidence. The sexual history of a complainant is not admissible in a student conduct proceeding except to the extent permitted by evidence rule 412 and RCW 34.05.452 (stating that presiding officers must refer to the Washington rules of evidence as guidelines for evidentiary rulings).

(2) Students may choose to remain silent during conduct proceedings, recognizing that they give up the opportunity to explain their version of events and that the decision is made based on the information presented at the hearing. No student must be compelled to give self-incriminating evidence, and no negative inference will be drawn from a student's refusal to participate in any stage of the conduct proceeding. If either party does not attend or participate in a hearing, the conduct officer or conduct board may resolve the matter based on the information available at the time of the hearing.

[]

NEW SECTION

WAC 504-26-050 Interim measures. (1) While a student conduct matter is pending, the university may take a number of interim actions in order to ensure the preservation of the educational experience and the overall university environment of the parties. These actions may include, but are not limited to:

(a) A no-contact order imposed on any party;

(b) University housing room change for one or more involved parties; and/or

(c) Changes in academic schedules or assignments for any party.

(2) As stated in the university's housing and dining policies, the university reserves the right to assign roommates, to change room or hall assignments, and/or to consolidate vacancies by requiring residents to move from one room to another in the event such reassignments are determined to be necessary by the university.

(3) University departments taking interim measures must coordinate with the center for community standards, which advises the parties of the interim measures and the process for challenging them. For matters involving the university's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct, the departments must also consult with the university's office for equal opportunity regarding interim measures. Interim measures are not sanctions and do not imply or assume responsibility for a violation of the standards of conduct.

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~~((ARTICLE I
AUTHORITY FOR STANDARDS OF CONDUCT FOR STUDENTS))~~ PART II
OFFICERS AND BOARDS

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-100 (~~((Composition of conduct and appeals boards.))~~)

Presiding officers. (~~((1) The university))~~ Full adjudicative proceedings are conducted by the conduct board ((shall be composed of five individuals appointed by the vice president for student affairs and comprised of students and persons who are any category of university employee, including affiliate faculty and staff. The chairperson of the conduct board shall be named by the vice president for student affairs and shall be a university employee.

~~Any three persons constitute a quorum of a conduct board and may act, provided that at least one student and the chairperson are present.~~

~~(2) The appeals board shall be appointed by the vice president for student affairs. It shall be composed of three persons, including the chair. The chair shall be a university employee. The other members may be university employees, including affiliate faculty and staff, or students. Three persons constitute a quorum of the appeals board.)~~ and are presided over by an individual who is licensed to practice law in the state of Washington and has judicial training. The presiding officer's role is to ensure a fair and impartial process and is limited to making procedural and evidentiary rulings and handling logistical and other matters related to facilitating the proceedings to ensure compliance with legal requirements. The presiding officer must transmit a full and complete record of the proceedings to the center for community standards and the conduct board, including such comments upon demeanor of witnesses as the presiding officer deems relevant, in accordance with RCW 34.05.461. The presiding officer does not vote and is not considered for purposes of creating a quorum of the conduct board.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-100, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-100, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-100, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-100, filed 1/30/12, effective 3/1/12; WSR 06-23-159, § 504-26-100, filed 11/22/06, effective 12/23/06.]

NEW SECTION

WAC 504-26-105 Recruitment, appointment, and term of conduct and appeals board members. A committee comprised of students, staff, and

faculty members and convened by the vice president for student affairs selects a pool of members of the university community to serve as conduct board members, as well as a separate pool for appeals board members. Each pool must include representatives from all WSU campuses. Pool members are approved by the university president and must be in good standing with the university. Pool members serve a maximum term of four calendar years but may apply to serve another four-year term after a break of two years. Terms of pool members are staggered. Boards are convened by the vice president for student affairs or designee. The center for community standards is not involved in the recruitment or application processes for board members.

[]

NEW SECTION

WAC 504-26-110 Composition of conduct board. A conduct board must consist of five members. A quorum of five is needed to hear a matter. The presiding officer is not a member of the conduct board and therefore is not considered for purposes of determining whether there is a quorum. A majority of conduct board members hearing a matter must be enrolled WSU students (undergraduate, graduate, or professional) and may be full-time or part-time. The remaining members may be students, or full-time or part-time faculty or staff of any rank or classification. When the complainant or respondent is enrolled at a particular campus, at least one member of the conduct board must be from that campus. No conduct board member may serve on a case if the member previously served on a board in a case involving the same complainant or respondent.

[]

NEW SECTION

WAC 504-26-115 Composition of appeals board. The appeals board must consist of three members. A quorum of three is needed to review a matter. A majority of appeals board members hearing a matter must be enrolled WSU students (undergraduate, graduate, or professional) and may be full-time or part-time. The remaining members may be students, or full-time or part-time faculty or staff of any rank or classification. No appeals board member may serve on a case if the member previously served on a board on a case involving the same complainant or respondent. The vice president for student affairs or designee is responsible for designating one of the three appeals board members as chair. The chair is responsible for ensuring a fair and impartial process and is a voting member of the appeals board.

[]

NEW SECTION

WAC 504-26-120 Training. (1) Board members and presiding officers. Conduct board members, appeals board members, and presiding officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

- (a) Cultural competency and implicit bias;
 - (b) Student development and student conduct philosophies, including the educational component of the student conduct process;
 - (c) Identifying bias against individuals and against groups;
 - (d) Conflict of interest;
 - (e) Sexual assault and gender-based violence;
 - (f) Alcohol and drug prevention;
 - (g) Due process and burden of proof in student conduct matters;
- and
- (h) Sanctioning principles and guidelines.

(2) Conduct officers. Conduct officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

- (a) Alternative dispute resolution;
- (b) Restorative justice; and
- (c) All training required of board members (see subsection (1) of this section).

(3) Renewal of training. Training must be renewed on an annual basis.

[]

NEW SECTION

WAC 504-26-125 Recusal. (1) Notification of names of conduct officers and board members. All parties must be notified of the names of conduct officers, conduct board members, and/or appeals board members assigned to their case no later than ten calendar days prior to the hearing or appeals board meeting date.

(2) Requesting recusal of conduct officers and board members. A party requesting recusal of a conduct officer or conduct/appeals board member must demonstrate good cause. The request must be made in writing no later than five calendar days prior to the date of the conduct hearing or appeals board meeting. For conduct board members, the presiding officer is responsible for granting or denying requests. For conduct officers and appeals board members, the vice president for student affairs or designee is responsible for granting or denying requests.

(3) Presiding officer. Requests for recusal of the presiding officer are governed by the model rules of procedure, WAC 10-08-050(2).

(4) Self-recusal in the event of conflict of interest. Conduct officers and board members must be trained in conflict of interest. For any matter in which they are participating, if they identify a potential conflict of interest, appeals board members and conduct officers must promptly notify and consult with the vice president for student affairs or designee, while conduct board members must promptly notify and consult with the presiding officer. Conduct officers and board members must recuse themselves if, after consultation, an actual conflict is determined to exist. If a potential conflict is identified but is determined by the vice president or designee or presiding officer, as applicable, to be insufficient to justify removal of the person, the parties must be notified of the potential conflict and reasons for determining that it does not pose an actual conflict. For purposes of this subsection, a conflict of interest is defined as a personal interest, financial, familial, or otherwise, that might impair, or reasonably appear to an objective, outside observer to impair, a person's independent unbiased judgment in the discharge of their official responsibilities.

[]

~~((ARTICLE II
PROSCRIBED))~~ PART III
PROHIBITED CONDUCT

AMENDATORY SECTION (Amending WSR 15-01-080, filed 12/15/14, effective 1/15/15)

WAC 504-26-201 Misconduct—Rules and regulations. Any student or recognized or registered student organization found to have committed, assisted, conspired, or attempted to commit the following misconduct (WAC 504-26-202 through 504-26-230) is subject to the disciplinary sanctions outlined in WAC 504-26-405. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-201, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-201, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-201, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-201, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 07-11-030, filed 5/8/07, effective 6/8/07)

WAC 504-26-203 Disruption or obstruction. Students have the right to freedom of speech, including the right to dissent or protest, but this expression may not interfere with the rights of others or disrupt the university's activities. Prohibited behavior includes: Disruption or obstruction of teaching, research, administration,

disciplinary proceedings, other university activities, including its public service functions on or off campus, or of other authorized nonuniversity activities when the conduct occurs on university premises or is directed toward any member of the university community (~~members~~) by any means including use of telephone, computer, or some other medium.

[Statutory Authority: RCW 28B.30.150. WSR 07-11-030, § 504-26-203, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-203, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 15-01-080, filed 12/15/14, effective 1/15/15)

WAC 504-26-204 Abuse of others or disruption or interference with the university community. Abuse of others or disruption or interference with the university community includes, but is not limited to:

(1) Physical abuse, threats, intimidation, and/or other conduct that threatens, endangers, harms, or undermines the health, safety, or welfare of the university community or any person, including, but not limited to, domestic or intimate partner violence.

(2) Conduct that disrupts the university community or prevents (~~other students, employees, or guests of~~) any member of the university community from completing their duties.

(3) Conduct that interferes with or disrupts the university's mission, operations, or activities.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-204, filed 12/15/14, effective 1/15/15; WSR 14-11-025, § 504-26-204, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-204, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-206 Hazing. (1) No student or recognized or registered student organization at Washington State University may conspire to engage in hazing or participate in hazing of another.

(a) Hazing includes any activity expected of someone joining a group (or maintaining full status in a group) that causes or is likely to cause a risk of mental, emotional and/or physical harm, regardless of the person's willingness to participate.

(b) Hazing activities may include, but are not limited to, the following: Abuse of alcohol during new member activities; striking another person whether by use of any object or one's body; creation of excessive fatigue; physical and/or psychological shock; morally

degrading or humiliating games or activities that create a risk of bodily, emotional, or mental harm.

(c) Hazing does not include practice, training, conditioning and eligibility requirements for customary athletic events such as intramural or club sports and NCAA athletics, or other similar contests or competitions, but gratuitous hazing activities occurring as part of such customary athletic event or contest are prohibited.

(2) Washington state law also prohibits hazing which may subject violators to criminal prosecution. As used in RCW 28B.10.901 and 28B.10.902, "hazing" includes any method of initiation into a recognized or registered student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending a public or private institution of higher education or other postsecondary education institution in this state.

(3) Washington state law (RCW 28B.10.901) also provides sanctions for hazing:

(a) Any person who violates this rule, in addition to other sanctions that may be imposed, (~~shall~~) forfeit^s any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the university.

(b) Any recognized or registered student organization(~~or association, or student living group~~) that knowingly permits hazing by its members or others subject to its direction or control (~~shall~~) must be deprived of any official recognition or approval granted by the university.

[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-206, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-213 Firearms and dangerous weapons. No student may carry, possess, or use any firearm, explosive (including fireworks), dangerous chemical, or any dangerous weapon on university (~~property~~) premises or in university-approved housing. Airsoft guns and other items that shoot projectiles are not permitted in university-approved housing. Students wishing to maintain a firearm on campus for hunting or sporting activities must store the firearm with the Washington State University department of public safety.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-213, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-213, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-214 Disruptive activity. Participating in an on-campus or off-campus riot or unlawful assembly that disrupts the normal operations of the university and/or infringes on the rights of other members of the university community; leading or inciting others to disrupt scheduled and/or normal activities within any (~~campus building or area~~) university premises. For peaceful demonstrations, students should consult with university police for safety guidelines. [Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-214, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 15-01-080, filed 12/15/14, effective 1/15/15)

WAC 504-26-219 Abuse of the student conduct system. Abuse of the student conduct system including, but not limited to:

- (1) Failure to obey any notice from a university conduct board or other university official to appear for a meeting or hearing as part of the student conduct system.
- (2) Willful falsification, distortion, or misrepresentation of information before a university conduct proceeding.
- (3) Disruption or interference with the orderly conduct of a university conduct board proceeding.
- (4) Filing fraudulent charges or initiating a university conduct proceeding in bad faith.
- (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- (6) Attempting to influence the impartiality of a member of the university conduct system prior to, and/or during the course of, any university conduct board proceeding.
- (7) Harassment (verbal, written, or physical) and/or intimidation of a member of a university conduct board, any individual involved in the conduct process, or any conduct officer before, during, and/or after any university conduct proceeding.
- (8) Failure to comply with or failure to complete any term or condition of any disciplinary sanction(s) imposed under the standards of conduct (~~for students~~).
- (9) Influencing or attempting to influence another person to commit an abuse of the university conduct system.
- (10) Violation of probation or any probationary conditions.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-219, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-219, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-219, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 14-11-025, filed 5/12/14, effective 6/12/14)

WAC 504-26-220 Discrimination and discriminatory harassment.

Discrimination or discriminatory harassment on the basis of race; sex/gender; sexual orientation; gender identity/expression; religion; age; color; creed; national or ethnic origin; physical, mental, or sensory disability (including disability requiring the use of a trained service animal); marital status; genetic information; and/or status as an honorably discharged veteran or member of the military; and as defined in Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

[Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-220, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-220, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-225 Trespassing. Knowingly entering or remaining unlawfully in or on university premises or any portion thereof. Any person who has been given notice by a university official of the university's decision to exclude (~~((him or her))~~) them from all or a portion of the university (~~((property))~~) premises is not licensed, invited, or otherwise privileged to enter or remain on the identified portion of university (~~((property))~~) premises, unless given prior explicit written permission by university administration.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-225, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-225, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 14-11-025, filed 5/12/14, effective 6/12/14)

WAC 504-26-227 Sexual harassment. Sexual harassment includes behavior defined in Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

[Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-227, filed 5/12/14, effective 6/12/14.]

AMENDATORY SECTION (Amending WSR 14-11-025, filed 5/12/14, effective 6/12/14)

WAC 504-26-230 Retaliation. Retaliation includes any act that would dissuade a reasonable person from making or supporting a

complaint, or participating in an investigation, under the standards of conduct (~~((for students))~~) (this chapter). Retaliatory behavior includes action or threat of action that could negatively affect another's employment, education, reputation, or other interest. It also includes retaliation as defined in Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.
[Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-230, filed 5/12/14, effective 6/12/14.]

~~((ARTICLE III
RULES AND REGULATIONS))~~

~~((ARTICLE)) PART IV
((STANDARDS OF CONDUCT FOR STUDENTS)) PROCEDURES~~

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-401 (~~((Complaints and student))~~) **Initiating conduct** (~~((process))~~) **proceedings**. (1) Complaints. Any member of the university community may (~~((file))~~) submit a complaint (~~((against))~~) that a student (~~((for violations of))~~) or recognized or registered student organization violated the standards of conduct (~~((for students.~~

~~((2) A student conduct officer, or designee, may review and investigate any complaint to determine whether it appears to state a violation of the standards of conduct for students. If a conduct officer determines that a complaint appears to state a violation of the standards of conduct, she or he considers whether the matter might be resolved through agreement with the accused or through alternative dispute resolution proceedings involving the complainant and the accused. The complainant and the accused are informed of university options for alternative dispute resolution and may request that the matter be addressed using alternative dispute resolution techniques. Generally, the accused and complainant must agree to the use of alternative dispute resolution techniques. If the accused and the student conduct officer reach an agreed resolution of the complaint, the disposition is final; there is no right to appeal from an agreed disposition.~~

~~((3) If the conduct officer has determined that a complaint has merit and if)). In addition, the university may initiate conduct proceedings when it receives any direct or indirect report of conduct that may violate the standards of conduct.~~

~~((2) Decision not to refer the matter for hearing. After reviewing the initial information, if the conduct officer determines that further conduct proceedings are not warranted, the conduct officer dismisses the matter. If the conduct officer decides not to initiate a conduct proceeding when requested by a complainant, the conduct~~

officer must notify the complainant in writing of the decision, the reasons for the decision, and how to seek review of the decision. Conduct matters may be reopened if new relevant information becomes known.

(3) Notice of informational meeting. After reviewing initial information regarding a possible student conduct violation, if the student conduct officer decides conduct proceedings are warranted, the student conduct officer sends the respondent, or parties as appropriate, written notice of an informational meeting. The notice must, at a minimum, briefly describe the factual allegations or issues involved, the specific standard of conduct provision(s) the respondent is alleged to have violated, the range of possible sanctions for such violations, and the time, date, and place of the meeting. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-504 (Interpretation—Policies, procedures, and guidelines) must be provided. Any request to change or extend the time or date of the informational meeting should be addressed to the conduct officer.

(4) Purpose of informational meeting. The purpose of the informational meeting is to provide the respondent with information on the conduct process and their rights and responsibilities, and to determine next steps, if any, in resolving the matter. During the informational meeting, the respondent may provide names of witnesses to the conduct officer to potentially contact. In cases involving Title IX, an informational meeting is also offered to a complainant.

(5) Agreement and alternative dispute resolution. A conduct officer may resolve a matter by agreement. Agreements may be reached directly or through alternative dispute resolution. In cases where agreement is not reached directly, before referring the matter to a hearing, the conduct officer must consider, and make a written determination, whether alternative dispute resolution is appropriate to resolve the matter. Alternative dispute resolution must not be used in matters involving sexual misconduct or sexual harassment. When resolution of a matter is reached by agreement or alternative dispute resolution, the agreement must be in writing and signed by the parties and the conduct officer. In the agreement, the parties must be advised in writing that:

(a) The disposition is final and they are waiving any right to a hearing on the matter, including any right to appeal; and

(b) If any party decides not to sign the agreement, and the matter proceeds to a hearing, neither the agreement nor a party's refusal to sign will be used against either party at the hearing.

(6) Referral for adjudication. After the informational meeting, if the conduct officer determines that a conduct hearing is warranted, and the matter is not resolved through agreement or alternative dispute resolution, the matter is handled through either a conduct officer hearing (~~or referred for a~~) (brief adjudication) in accordance with WAC 504-26-402, or conduct board hearing (full adjudication) in accordance with (~~chapter 504-04 WAC.~~

~~(a) If the possible or recommended sanction is suspension for greater than ten instructional days, expulsion, revocation of degree, or loss of recognition of a student organization, the matter is referred for a full adjudication in accordance with chapter 504-04 WAC.~~

~~(b) Matters other than those listed in (a) of this subsection are heard by a conduct officer, unless the conduct officer exercises his or her discretion to refer the matter for a full adjudication.~~

~~(4) The student conduct officer provides complainants who have been targets of alleged misconduct or who feel victimized thereby with names of university and community advocates or resources who may be able to help the complainant address his or her concerns about the behaviors and provide support to the complainant throughout the conduct process. Upon request, a university advisor from the office of the dean of students is available to the complainant and the accused student to assist in understanding the student conduct process. Due to federal privacy law, the university may not disclose to the complainant any sanctions taken against the accused student, unless the complainant was the victim of a violent crime for which the accused was found responsible as defined under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99), or the accused student consents to such disclosure.~~

~~(5) All notifications and service under this chapter are delivered either by electronic mail or other electronic means, delivered personally, or sent via regular U.S. mail. Notifications sent via regular U.S. mail are sent to the party's last known address or the address on file with the university registrar. The student or recognized student organization is responsible for maintaining an updated mailing address on file with the registrar. Deadlines described in this chapter begin the date the notification is sent via electronic means, personally delivered, or placed in regular U.S. mail.~~

~~(6) Throughout the conduct process, the complainant and the accused student have the right to be assisted by an advisor they choose, at their own expense. Upon request, a university advisor from the office of the dean of students is available to the complainant and the accused student to assist in understanding the student conduct process. Except in full adjudications pursuant to chapter 504-04 WAC, the complainant and/or the accused student is responsible for presenting his or her own information, and therefore, during the hearing, advisors are not permitted to address the board, witnesses, conduct officers or any party or representatives invited by the parties to the hearing, nor to participate directly in any university conduct board hearing, conduct officer hearing, or other aspect of the conduct process. An advisor may communicate with the accused and recesses may be allowed for this purpose. A student should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the scheduled meeting or hearing. The scheduling conflicts of an advisor are not considered good cause for a delay and do not entitle either party to a delay.~~

~~(7) Determinations in student conduct matters are made on the basis of a "preponderance of the evidence," that is, whether it is more likely than not that the accused student violated the standards of conduct for students.~~

~~(8) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in conduct board or conduct officer proceedings. Relevant evidence, including hearsay, is admissible if it is the type of evidence that reasonable members of the university community would rely upon in the conduct of their affairs. The chair of the university conduct board and/or the conduct officer shall have the discretion to determine admissibility of evidence))~~ WAC 504-26-403. In determining which process is appropriate, the conduct officer considers factors including, but not limited to, the nature and severity of the allegations, the respondent's past contacts with the center for community standards, and the range of possible sanctions that could be imposed. A student may request that a conduct board hear the case, but the final decision regarding whether to refer the matter to the conduct board for hearing is made by the conduct officer and is not subject to appeal.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-401, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-401, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-401, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-401, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-401, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-401, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-402 Conduct officer ((~~actions~~)) hearings (brief adjudications). ~~((~~1) Any student alleged by a conduct officer to have violated any provision of standards of conduct for students is notified of the basis for the charge or charges and of~~))~~ (1) The majority of student conduct matters are adjudicated through conduct officer hearings. However, conduct officer hearings are not used to adjudicate matters in which the respondent faces possible sanctions of suspension for more than ten instructional days, expulsion, or revocation of degree or when a recognized or registered student organization faces possible loss of recognition. In addition, conduct officer hearings generally are not used to adjudicate matters in which the respondent faces allegations of sexual misconduct, as that term is defined in WAC 504-26-221.

(2) Notice of hearing. The conduct officer must provide the parties with written notice no later than ten calendar days prior to the conduct officer hearing. The notice must, at a minimum, briefly describe the factual allegations or issues involved, the specific

standard of conduct provision(s) the respondent is alleged to have violated, the range of possible sanctions for such violations, and the time, date, and place of ((a conference between the student and the conduct officer through one of the procedures in WAC 504-26-401(5).)) the hearing. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-504 must be provided. The notice must also include:

(a) A jurisdiction statement if the alleged behavior occurred off campus and information regarding the right to challenge jurisdiction in accordance with WAC 504-26-015;

(b) Information regarding the right to request recusal of a conduct officer under WAC 504-26-125; and

(c) Any request to extend the time ((and/or)) or date of the conduct officer conference/hearing should be addressed to the conduct officer ((or presiding officer, as applicable.

(2) In order that any informality in disciplinary proceedings not mislead a student as to the seriousness of the matter under consideration, the student is informed of the potential sanctions involved at the initial conference or hearing)).

(3) ((After a review of the evidence and interviewing the student(s) involved in the case,)) Hearing and possible outcomes. Conduct officer hearings are brief adjudications conducted in accordance with RCW 34.05.482 through 34.05.494. The hearing allows the conduct officer to review available information, hear the parties' view of the matter, render a decision regarding responsibility, and impose sanctions, as appropriate.

(a) Before the hearing begins, the conduct officer must inform the respondent that:

(i) All respondents are presumed "not responsible" for pending charges;

(ii) The university must prove all violations by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred; and

(iii) The parties have the right to have an advisor present at the hearing.

(b) Upon conclusion of the hearing, the conduct officer may take any of the following actions:

((a)) (i) Terminate the proceeding and enter a finding that the ((accused student or recognized student organization)) respondent is not responsible for the alleged conduct violation;

((b)) (ii) Dismiss the ((investigation,)) matter with no finding regarding responsibility, in which case the matter may be reopened at a later date if relevant new information ((that was unknown to the conduct officer arises)) becomes known;

((c)) (iii) Find the respondent responsible for any violations and impose ((appropriate)) sanctions ((as provided in WAC 504-26-405. Such sanctions are subject to the student's right of appeal as provided in these standards of conduct)) within the limitations described in subsection (1) of this section; or

~~((d)) (iv) Refer the matter ((for a full adjudication in accordance with chapter 504-04 WAC.~~

~~(4) The conduct officer may consider the student's past contacts with the office of student conduct in determining an appropriate sanction and/or deciding whether to refer the case for a full adjudication.~~

~~(5) The student is notified in writing of the determination made by)) to the conduct board.~~

(4) Notice of decision and right to appeal. The conduct officer notifies the parties in writing of the decision within ten ~~((business))~~ calendar days of the ~~((proceeding. The notice))~~ conduct officer hearing. This is the initial order of the university and includes information regarding the ~~((student's))~~ parties' right to appeal ~~((pursuant to WAC 504-26-407))~~ under WAC 504-26-420.
[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-402, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-402, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-402, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-402, filed 1/30/12, effective 3/1/12; WSR 11-11-031, § 504-26-402, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-402, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-402, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 16-08-014, filed 3/28/16, effective 4/28/16)

WAC 504-26-403 Conduct board ~~((proceedings))~~ hearings (full adjudications). ~~((1) Any student charged by a conduct officer with a violation of any provision of the standards of conduct for students that is to be heard by a conduct board is provided notice as described in WAC 504-26-401(5).~~

~~(2) The written notice shall be completed by the conduct officer and shall include:~~

~~(a) The specific complaint, including the university policy or regulations allegedly violated;~~

~~(b) The approximate time and place of the alleged act that forms the factual basis for the charge of violation;~~

~~(c) The time, date, and place of the hearing;~~

~~(d) A list of the witnesses who may be called to testify, to the extent known;~~

~~(e) A description of all documentary and real evidence to be used at the hearing, to the extent known, including a statement that the student shall have the right to inspect his or her student conduct file.~~

~~(3) Time for hearings.~~

~~(a))~~ (1) Conduct board hearings are used in matters in which the respondent faces possible sanctions of suspension for more than ten instructional days, expulsion, or revocation of degree and matters in

which a recognized or registered student organization faces possible loss of recognition. In addition, conduct board hearings are generally used to adjudicate matters in which the respondent faces allegations of sexual misconduct, as that term is defined in WAC 504-26-221. Other matters may be referred to a conduct board in the discretion of the conduct officer.

(2) Adoption of model rules of procedure. Conduct board hearings are full adjudications governed by the Administrative Procedure Act, RCW 34.05.413 through 34.05.476, and chapter 10-08 WAC, Model rules of procedure, except as otherwise provided in this chapter. In the event of a conflict between the rules in this chapter and the model rules, this chapter governs.

(3) Notice of hearing. Notice to the parties of a conduct board hearing must comply with model rule WAC 10-08-040 and standards of conduct rule WAC 504-26-035. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-504 must be provided.

(4) Time for conduct board hearings. The conduct board hearing is scheduled not less than ~~((seven))~~ ten calendar days after the ~~((student has))~~ parties have been sent notice of the hearing~~((, except in the case of interim suspensions as set forth in WAC 504-26-406))~~.

~~((b))~~ In accordance with WAC 10-08-090, requests to extend the time and/or date for hearing must be addressed to the ~~((chair of the university conduct board, and must be copied to the office of student conduct))~~ presiding officer. A request for extension of time is granted only upon a showing of good cause.

~~((4) University conduct board hearings are conducted by a university conduct board. A goal of the hearing is to have an educational tone and to avoid creation of an unduly adversarial environment. The hearings are conducted according to the following guidelines, except as provided by subsection (6) of this section:~~

~~(a) Procedures:~~

~~(i) University conduct board hearings are conducted in private.~~

~~(ii) The complainant, accused student, and his or her advisor, if any, are allowed to attend the entire portion of the university conduct board hearing at which information is received (excluding deliberations). Admission of any other person to the university conduct board hearing is at the discretion of the university conduct board chair and/or the student conduct officer.~~

~~(iii) In university conduct board hearings involving more than one accused student, the student conduct officer, at his or her discretion, may permit joint or separate hearings.~~

~~(iv) In university conduct board hearings involving graduate students, board memberships are comprised to include graduate students and graduate teaching faculty to the extent possible.~~

~~(v) The complainant, the accused student, and the student conduct officer may arrange for witnesses to present pertinent information to the university conduct board. The conduct officer tries to arrange the attendance of possible witnesses who are identified by the complainant. Complainant witnesses must provide written statements to~~

~~the conduct officer at least two weekdays prior to the hearing. Witnesses identified by the accused student must provide written statements to the conduct officer at least two weekdays prior to the conduct hearing. The accused student is responsible for informing his or her witnesses of the time and place of the hearing. Witnesses provide information to and answer questions from the university conduct board, the complainant, and the accused student, as appropriate. Questions may be suggested by the accused student and/or complainant to be answered by each other or by other witnesses. Written questions are directed to the conduct board chair, rather than to the witness directly. This method is used to preserve the educational tone of the hearing and to avoid creation of an unduly adversarial environment, and to allow the board chair to determine the relevancy of questions. Questions concerning whether potential information may be received are resolved at the discretion of the chair of the university conduct board. The chair of the university conduct board shall have the discretion to determine admissibility of information.~~

~~(vi) Pertinent records, exhibits, and written statements (including student impact statements) may be accepted as information for consideration by a university conduct board))~~ (5) Subpoenas. Subpoenas may be issued and enforced in accordance with model rule WAC 10-08-120. In determining whether to issue, quash, or modify a subpoena, the presiding officer must give due consideration to state and federal legal requirements including, but not limited to, Title IX, its implementing regulations, and guidance issued by the federal Office for Civil Rights. The party requesting the subpoena has the burden of showing that a subpoena is necessary for full disclosure of all the relevant facts and issues.

(6) Discovery. Depositions, interrogatories, and physical or medical examinations of parties are not permitted in adjudications of student conduct matters. Other forms of discovery may be permitted at the discretion of the ((chair and/or conduct officer.

~~(vii) Questions related to the order of the proceedings are subject to the final decision of the chair of the university conduct board.~~

~~(viii) After the portion of the university conduct board hearing concludes in which all pertinent information is received, the university conduct board shall determine (by majority vote) whether the accused student has violated each section of the standards of conduct for students as charged and what sanctions, if any, are appropriate.~~

~~(b) If the accused student is found responsible for any of the charges, the board may, at that time, consider the student's past contacts with the office of student conduct in determining an appropriate sanction.~~

~~(c) The accused student or recognized student organization is notified of the conduct board's decision within ten calendar days from the date the matter is heard. The accused student or recognized student organization shall receive written notice of the decision, the~~

~~reasons for the decision (both the factual basis therefore and the conclusions as to how those facts apply to the standards of conduct for students), the sanction, notice that the order will become final unless internal appeal is filed within twenty one days of the date the letter was personally delivered, deposited in the U.S. mail, or electronically mailed, and a statement of how to file an appeal.~~

~~(i) The written decision is the university's initial order.~~

~~(ii) If the student or recognized student organization does not appeal the conduct board's decision before twenty one calendar days from the date of the decision letter, it becomes the university's final order.~~

~~(5) There is a single verbatim record, such as an audio record, of all university conduct board hearings (not including deliberations). Deliberations are not recorded. The record is the property of the university.~~

~~(6) If an accused student to whom notice of the hearing has been sent (in the manner provided above) does not appear before a university conduct board hearing, the information in support of the complaint is presented and considered in his or her absence, and the board may issue a decision based upon that information.~~

~~(7) The university conduct board may for convenience or to accommodate concerns for the personal safety, well being, and/or fears of confrontation of the complainant, accused student, and/or other witnesses during the hearing provide separate facilities, and/or permit participation by telephone, audio tape, written statement, or other means, as determined in the sole judgment of the vice president for student affairs or designee to be appropriate)) presiding officer; however, discovery should be limited to help ensure the prompt completion of the adjudication process.~~

(7) Cross-examination. As required by RCW 34.05.449, cross-examination of witnesses is permitted to the extent necessary for full disclosure of all relevant facts and issues. The preferred method of cross-examination in all student conduct matters is through written questions submitted to, and asked by, the presiding officer. Regardless, in no circumstance may the complainant or respondent be permitted to cross-examine each other directly in person or through their representative. The presiding officer may decline to ask cross-examination questions that are irrelevant, immaterial, or unduly repetitious. All questions submitted by the parties must be retained as part of the agency record, in accordance with RCW 34.05.566.

(8) Decision requirements. Decisions regarding responsibility and sanctions are made by a majority of the conduct board hearing the matter, except that any sanction of expulsion, revocation of degree, or loss of recognition of a recognized or registered student organization requires a supermajority consisting of no more than one "no" vote.

(9) Notice of decision and right to appeal. Within ten calendar days of the completion of the hearing, the conduct board must issue a decision, which is the initial order of the university and must contain the following:

- (a) Appropriately numbered findings of fact and conclusions;
- (b) The sanction(s) to be imposed, if any, and the rationale for the sanction(s);
- (c) Information regarding the parties' right to appeal according to WAC 504-26-420, including the time frame for seeking review; and
- (d) Notice that the initial order becomes final unless an appeal is filed within twenty-one calendar days of service of the initial order.

[Statutory Authority: RCW 28B.30.150. WSR 16-08-014, § 504-26-403, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-403, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-403, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-403, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-403, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-403, filed 11/22/06, effective 12/23/06.]

NEW SECTION

WAC 504-26-409 Emergency suspension. (1) Definition. An emergency suspension is a temporary exclusion of a student from all or specified portions of university premises, programs, or activities pending an investigation or student conduct proceeding relating to alleged standards of conduct violations. An emergency suspension may be imposed at any time prior to the issuance of the university's final order in the matter.

(2) Circumstances warranting emergency suspension. Emergency suspension may be imposed only in situations when the vice president for student affairs or campus chancellor (in consultation with the center for community standards), or their designee, has cause to believe that the student:

- (a) Has violated any provision of the standards of conduct; and
- (b) Presents an immediate danger to the health, safety, or welfare of any part of the university community or the public at large. Conduct that creates an ongoing disruption of, or interference with, the operations of the university and that prevents other students, employees, or invitees from completing their duties or accessing their education or the educational environment, is conduct harmful to the welfare of members of the university community.

(3) Procedure. The vice president for student affairs or campus chancellor, or their designee, ordering an emergency suspension must send the student a written notice of emergency suspension. The notice must contain the reasons for the decision (both the factual basis and the conclusions as to why those facts constitute a violation of the standards of conduct), and the policy reasons for the emergency suspension. The emergency suspension does not replace the regular hearing process, which must proceed to a conduct officer hearing or conduct board hearing, as applicable, as quickly as feasible. Once a

final order is entered, any emergency suspension is lifted and the sanction, if any, set forth in the final order is imposed.

[]

NEW SECTION

WAC 504-26-415 Procedure for academic integrity violations. (1) Initial hearing.

(a) When a responsible instructor finds that a violation of academic integrity has occurred, the instructor must assemble the evidence and, upon reasonable notice to the student of the date, time, and nature of the allegations, meet with the student suspected of violating academic integrity policies. If the student admits violating academic integrity policies, the instructor assigns an outcome in keeping with published course policies and notifies the center for community standards in writing, including the allegations, the student's admission, and the sanctions imposed.

(b) If the instructor is unable to meet with the student or if the respondent disputes the allegation(s) and/or the outcome proposed by the instructor, the instructor must make a determination as to whether the student did or did not violate the academic integrity policies. If the instructor finds that the student was in violation, the instructor must provide the student and the center for community standards with a written determination, the evidence relied upon, and the sanctions imposed.

(c) The student has twenty-one calendar days from the date of the decision letter to request review of the instructor's determination and/or sanction(s) imposed to the academic integrity hearing board.

(2) Review.

(a) Upon timely request for review by a student who has been found by their instructor to have violated the academic integrity policies, the academic integrity hearing board must make a separate and independent determination of whether or not the student is responsible for violating the academic integrity policies and/or whether the outcome proposed by the instructor is in keeping with the instructor's published course policies.

(b) The academic integrity hearing board is empowered to provide an appropriate remedy for a student including arranging a withdrawal from the course, having the student's work evaluated, or changing a grade where it finds that:

(i) The student is not responsible for violating academic integrity policies; or

(ii) The outcome imposed by the instructor violates the instructor's published policies.

(c) Academic integrity hearing board proceedings.

(i) Any student appealing a responsible instructor's finding of an academic integrity violation is provided written notice of an

academic integrity hearing board hearing in accordance with WAC 504-26-035. The written notice must include:

(A) The specific complaint, including the university or instructor academic integrity policy or regulation allegedly violated;

(B) The approximate time and place of the alleged act that forms the factual basis for the violation;

(C) The time, date, and place of the hearing;

(D) A list of the witnesses who may be called to testify, to the extent known; and

(E) A description of all documentary and real evidence to be used at the hearing, to the extent known, including a statement that the student must have the right to inspect the documentation.

(ii) Time for hearings.

(A) Academic integrity hearing board hearings are scheduled not less than seven calendar days after the student has been sent notice of the hearing.

(B) Requests to extend the time and/or date for hearing must be addressed to the chair of the academic integrity hearing board, and must be copied to the center for community standards. A request for extension of time is granted only upon a showing of good cause.

(iii) Academic integrity hearing board hearings are conducted according to the following procedures, except as provided by (c)(iv) of this subsection:

(A) Academic integrity hearing board hearings are conducted in private.

(B) The instructor, respondent, and their advisor, if any, are allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). Admission of any other person to the hearing is at the discretion of the academic integrity hearing board chair.

(C) In academic integrity hearings involving more than one respondent, the academic integrity hearing board chair may permit joint or separate hearings at the chair's discretion.

(D) In hearings involving graduate students, board memberships are comprised to include graduate students and graduate teaching faculty to the extent possible.

(E) The responsible instructor and the respondent may arrange for witnesses to present relevant information to the academic integrity hearing board. Witnesses must provide written statements to the conduct officer at least two weekdays before the hearing. The respondent is responsible for informing their witnesses of the time and place of the hearing. Witnesses provide information to and answer questions from the academic integrity hearing board, the responsible instructor, and the respondent, as appropriate. The respondent and/or responsible instructor may suggest written questions to be answered by each other or by other witnesses. Written questions are submitted to, and asked by, the academic integrity hearing board chair. This method is used to preserve the educational tone of the hearing and to avoid creation of an unduly adversarial environment, and to allow the board chair to determine the relevancy of questions. Questions concerning

whether potential information may be received are resolved at the discretion of the academic integrity hearing board chair, who has the discretion to determine admissibility of information.

(F) Pertinent records, exhibits, and written statements may be accepted as information for consideration by an academic integrity hearing board at the discretion of the chair.

(G) Questions related to the order of the proceedings are subject to the final decision of the chair of the academic integrity hearing board.

(H) After the portion of the hearing concludes in which all pertinent information is received, the academic integrity hearing board determines (by majority vote) whether or not the respondent is responsible for violating the academic integrity policy and/or whether the outcome proposed by the instructor is in keeping with the instructor's published course policies.

(I) The respondent is notified of the academic integrity hearing board's decision within twenty calendar days from the date the matter is heard. The respondent must receive written notice of the decision, the reasons for the decision (both the factual basis therefore and the conclusions as to how those facts apply to the academic integrity policies), and the sanction.

(iv) If a respondent to whom notice of the hearing has been sent (in the manner provided above) does not appear at the hearing, the information in support of the complaint is presented and considered in the respondent's absence, and the board may issue a decision based upon that information.

(v) The academic integrity hearing board may for convenience, or to accommodate concerns for the personal safety, well-being, and/or fears of confrontation of any person, provide separate facilities, and/or permit participation by telephone, audio tape, written statement, or other means, as determined in the sole judgment of the chair of the academic integrity hearing board to be appropriate.

(vi) The written decision of the academic integrity hearing board is the university's final order. There is no appeal from findings of responsibility or outcomes assigned by university or college academic integrity hearing boards.

(3) If the reported violation is the respondent's first offense, the center for community standards ordinarily requires the respondent to attend a workshop separate from, and in addition to, any academic outcomes imposed by the instructor. A hold is placed on the respondent's record preventing registration or graduation until completion of the workshop.

(4) If the reported violation is the respondent's second offense, the respondent is ordinarily referred for a full adjudicative hearing in accordance with WAC 504-26-403, with a recommendation that the respondent be dismissed from the university.

(5) If the instructor or academic integrity hearing board determines that the act of academic dishonesty for which the respondent is found responsible is particularly egregious in light of all attendant circumstances, the instructor or academic integrity

hearing board may direct that the respondent's case be referred for a full adjudicative hearing, with a recommendation for dismissal from the university even if it is the respondent's first offense.

(6) Because instructors and departments have a legitimate educational interest in the outcomes, reports of academic integrity hearing board and/or conduct board hearings must be reported to the responsible instructor and the chair or dean.

[]

NEW SECTION

WAC 504-26-420 Appeals. (1) Time for appeals. Decisions made by a conduct officer or conduct board become final twenty-one calendar days after the date the decision is sent to the parties, unless an appeal is submitted before that date.

(2) Effect of appeal - Stay. Except in extraordinary circumstances, which must be explained in writing in the conduct officer's or conduct board's initial order, the implementation of an initial order imposing sanctions must be stayed pending the time for filing an appeal and the issuance of the university's final order.

(3) Appeals of conduct officer decisions. Upon receipt of a timely appeal, the appeals board provides the other parties, if applicable, with a copy of the appeal and an opportunity to respond, and conducts a limited review as described below.

(a) Scope of review. Except as required to explain the basis of new information, appeal of a conduct officer decision is limited to a review of the record for one or more of the following purposes:

(i) To determine whether the conduct officer hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures; deviations from designated procedures are not a basis for sustaining an appeal unless significant prejudice results;

(ii) To determine whether the decision reached was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the standards of conduct occurred;

(iii) To determine whether the sanction(s) imposed were appropriate for the violation of the standards of conduct that the respondent was found to have committed; or

(iv) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original conduct officer hearing, because such information and/or facts were not known to the person appealing at the time of the original conduct officer hearing.

(b) Conversion to conduct board hearing. The appeals board makes any inquiries necessary to ascertain whether the proceeding must be converted to a conduct board hearing in accordance with WAC 504-26-403.

(4) Appeals of conduct board decisions. Upon receipt of a timely appeal, the appeals board provides the other parties, if applicable, with a copy of the appeal and an opportunity to respond.

(a) The appeals board must have and exercise all the decision-making power that the conduct board had, except that the appeals board must give due regard to the conduct board's opportunity to observe the witnesses, if applicable. The appeals board members must personally consider the whole record or such portions of it as may be cited by the parties.

(b) Scope of review. The appeals board conducts a full review in accordance with RCW 34.05.464.

(5) University's right to initiate appeal. The university president or designee, at their own initiative, may request that the appeals board review any initial order. Prior to taking action, the appeals board must notify the parties and allow them an opportunity to explain the matter.

(6) Appeals board decisions.

(a) Actions. After reviewing the record and any information provided by the parties, the appeals board may take the following actions:

(i) Affirm, reverse, or modify the conduct board's or conduct officer's decision, or any part of the decision;

(ii) Affirm, reverse, or modify the sanctions imposed by the conduct board or conduct officer, or any part of the sanctions; or

(iii) Set aside the findings or sanctions, or any part of the findings or sanctions, and remand the matter back to the conduct board or conduct officer with instructions for further proceedings.

(b) Content of decision. The decision includes the outcome, any sanction, and a brief statement of the reasons for the decision. The letter must advise the parties that judicial review may be available. For appeals of conduct board hearings, the decision includes, or incorporates by reference to the conduct board's decision, all matters as set forth in WAC 504-26-403.

(c) Service and effective date of decision. For appeals of conduct officer decisions, the appeals board's decision must be sent to the parties within twenty calendar days of receipt of the appeal. For appeals of conduct board decisions, the appeals board's decision must be sent to the parties within thirty calendar days of receipt of the appeal, unless the appeals board notifies the parties in writing that additional time (up to ninety calendar days) is needed. The appeals board's decision is the final order of the university, except in the case of remand, and is effective when sent.

(7) Reconsideration of final orders. Within ten calendar days of service of a final order, any party may submit a request for reconsideration. The request must be in writing, directed to the appeals board, and must state the reasons for the request. The request for reconsideration does not stay the effective date of the final order. However, the time for filing a petition for judicial review does not commence until the date the appeals board responds to the request for reconsideration or twenty-one calendar days after the

request has been submitted, whichever is sooner. If the appeals board does not respond to the request for reconsideration within twenty-one calendar days, the request is deemed to have been denied.

(8) Stay. A party may request that the university delay the date that the final order becomes effective by requesting a stay in writing to the appeals board within ten calendar days of the date the order was served.

[]

NEW SECTION

WAC 504-26-425 Sanctions. (1) Publication of guidelines for sanctioning. Sanctioning guidelines and other information regarding sanctioning must be published on the center for community standards web site. Guidelines must explain in plain language the types of sanctions that a respondent may face for a particular violation and the factors that are used to determine the sanction(s) imposed for a particular violation. Factors must include, but not be limited to, the following:

(a) Conduct record. Any record of past violations of the standards of conduct, and the nature and severity of such past violations;

(b) Malicious intent. If a respondent is found to have intentionally selected a victim based upon the respondent's perception of the victim's race, color, religion, national or ethnic origin, age, sex/gender, marital status, status as an honorably discharged veteran or member of the military, sexual orientation, genetic information, gender identity/expression, or mental, physical, or sensory disability (including disability requiring the use of a trained service animal), such finding is considered an aggravating factor in determining a sanction for such conduct; and

(c) Impact on victim and/or university community.

(2) Effective date of sanctions. Except as provided in WAC 504-26-420(2), sanctions are implemented when a final order becomes effective. If no appeal is filed, an initial order becomes a final order on the day after the period for requesting review has expired. (See WAC 504-26-420.)

(3) Types of sanctions. The following sanctions may be imposed upon any respondent found to have violated the standards of conduct. More than one of the sanctions listed below may be imposed for any single violation:

(a) Warning. A notice in writing to the respondent that the respondent is violating or has violated institutional regulations.

(b) Probation. Formal action placing conditions upon the respondent's continued attendance, recognition, or registration at the university. Probation is for a designated period of time and warns the student or recognized or registered student organization that suspension, expulsion, loss of recognition, or any other sanction

outlined in this section may be imposed if the student or recognized or registered student organization is found to have violated any institutional regulation(s) or fails to complete any conditions of probation during the probationary period. A student on probation is not eligible to run for or hold an office in any recognized or registered student group or organization; they are not eligible for certain jobs on campus including, but not limited to, resident advisor or orientation counselor; and they are not eligible to serve on the university conduct or appeals board.

(c) Loss of privileges. Denial of specified privileges for a designated period of time.

(d) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) Education. The university may require the respondent to successfully complete an educational project designed to create an awareness of the respondent's misconduct.

(f) Community service. Imposition of service hours (not to exceed eighty hours per student or per member of a recognized or registered student organization).

(g) University housing suspension. Separation of the student from a residence hall or halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified.

(h) University housing expulsion. Permanent separation of the student from a residence hall or halls.

(i) University suspension. Separation of the student from the university for a definite period of time, after which the student is eligible to request readmission. Conditions for readmission may be specified.

(j) University expulsion. Permanent separation of the student from the university. Also referred to as university dismissal. The terms are used interchangeably throughout this chapter.

(k) Revocation of admission and/or degree. Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of law or standard of conduct in obtaining the degree, or for other serious violations committed by a student before awarding of the degree.

(l) Withholding degree. The university may withhold awarding a degree otherwise earned until the completion of the process set forth in these standards of conduct, including the completion of all sanctions imposed, if any.

(m) Trespass. A student may be restricted from any or all university premises based on their misconduct.

(n) Loss of recognition. A recognized or registered student organization's recognition (or ability to register) may be withheld permanently or for a specific period of time. A fraternity or sorority may be prohibited from housing first year students. Loss of recognition is defined as withholding university services, privileges, or administrative approval from a recognized or registered student

organization. Services, privileges, and approval to be withdrawn include, but are not limited to, intramural sports (although individual members may participate), information technology services, university facility use and rental, student involvement office organizational activities, and center for fraternity and sorority life advising.

(o) Hold on transcript and/or registration. A hold restricts release of a student's transcript or access to registration until satisfactory completion of conditions or sanctions imposed by a conduct officer or university conduct board. Upon proof of satisfactory completion of the conditions or sanctions, the hold is released.

(p) No contact order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(q) Fines. Previously established and published fines may be imposed. Fines are established each year prior to the beginning of the academic year and are approved by the vice president for student affairs.

(r) Additional sanctions for hazing. In addition to other sanctions, a student who is found responsible for hazing forfeits any entitlement to state-funded grants, scholarships, or awards for a specified period of time, in accordance with RCW 28B.10.902.

(4) Academic integrity violations. No credit need be given for work that is not a student's own. Thus, in academic integrity violations, the responsible instructor has the authority to assign a grade and/or educational sanction in accordance with the expectations set forth in the relevant course syllabus. The instructor's choices may include, but are not limited to, assigning a grade of "F" for the assignment and/or assigning an educational sanction such as extra or replacement assignments, quizzes, or tests, or assigning a grade of "F" for the course.

[]

((ARTICLE)) PART V
ADMINISTRATION AND RECORDS

NEW SECTION

WAC 504-26-504 Interpretation—Policies, procedures, and guidelines. (1) The vice president for student affairs or designee has authority to interpret these rules and develops policies, procedures, and guidelines for the administration of the university's student conduct system that are consistent with the provisions in this chapter. These must be published, at a minimum, on the center for community standards web site and in the university's student handbook. A link to the student handbook or center for community standards web

site must be provided to parties prior to any informational meeting or student conduct hearing and must provide the following information:

- (a) Rights in the student conduct process;
- (b) A clear explanation of what to expect during the process;
- (c) Information regarding legal resources available in the

community;

(d) A statement that respondents are presumed "not responsible";
and

(e) A statement regarding the right not to self-incriminate in accordance with WAC 504-26-045.

(2) Definitions from these standards are incorporated into Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

[]

NEW SECTION

WAC 504-26-510 Good Samaritan policy. A conduct officer may elect not to initiate a conduct proceeding regarding alcohol or other drug violations against a student who, while in the course of helping another person seek medical assistance, admits to the unlawful possession or use of alcohol or drugs, provided that the possession was for personal consumption and the use did not place the health or safety of any other person at risk. In addition, a conduct officer may elect not to initiate a conduct proceeding against a complainant who admits to the possession or use of alcohol or drugs in connection with a report under this policy.

[]

NEW SECTION

WAC 504-26-515 Periodic review and assessment. At the end of each academic year, the center for community standards provides a report to the vice president for student affairs which must include, at a minimum, a numerical breakdown of the types of matters handled and the sanctions imposed. The vice president for student affairs must make the report publicly available, provided all personally identifiable or readily ascertainable student information is removed.

The standards of conduct and the student conduct system as a whole are reviewed every three years under the direction of the vice president for student affairs or designee. The student government council is asked to provide recommendations and input on proposed changes. After completion of any adjudication or other resolution of a student conduct matter, the center for community standards must send a survey to all parties requesting feedback on the process. Feedback

results must be reviewed, at a minimum, every three years in connection with the periodic review and assessment.

[]

NEW SECTION

WAC 504-26-520 Conduct hold on student record. When a student leaves the university or completes course work required for a degree after an incident occurs that could result in violations of the standards of conduct, the center for community standards may place a conduct hold on the student's record. A conduct hold may also be placed on the student's account if the student has failed to adequately complete sanctions by the proscribed timeline. A conduct hold may restrict the student from adding or dropping classes, requesting an official transcript, or receiving a degree from the university until the hold is removed. The center for community standards must advise the student of the hold and the process for challenging the hold. A conduct hold under these circumstances is not a sanction and does not imply or assume responsibility for a violation of the standards of conduct.

[]

NEW SECTION

WAC 504-26-525 Good standing. The award of a degree and/or diploma is conditioned upon the student's good standing in the university and satisfaction of all university graduation requirements. "Good standing" means the student has resolved any acts of academic or behavioral misconduct and complied with all sanctions imposed as a result of the misconduct. The university has the sole authority in determining whether to withhold the degree and/or diploma in cases where the student is not in good standing. The university must deny the award of a degree if the student is dismissed from the university based on their misconduct. Neither diplomas nor transcripts are sent until students have resolved any unpaid fees and resolved any acts of academic or behavioral misconduct and complied with all sanctions imposed as a result of misconduct. (See also academic regulation 45 in the university general catalog.)

[]

NEW SECTION

WAC 504-26-530 Recordkeeping and confidentiality. (1) Removal of conduct record. A student may request removal from their record a

single disciplinary violation relating to the possession or use of alcohol and/or marijuana, and/or other violation of the university's policies relating to alcohol and drugs. Granting such a request is discretionary, and the student must make such a request in accordance with university policies and procedures.

(2) Conduct records are maintained in accordance with the university's records retention schedule.

(3) The conduct record is confidential and is released only as authorized under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99) and chapter 504-21 WAC, University policy on student education records.

(4) A student may request a copy of their own conduct record at their own reasonable expense by making a written request to the center for community standards.

(5) Personally identifiable student information is redacted to protect other students' privacy, except as otherwise required by law.

(6) A student may authorize release of their own conduct record to a third party in compliance with FERPA by making a written request to the center for community standards.

(7) The university may inform the complainant of the outcome of any conduct proceeding involving a crime of violence as defined by FERPA.

(8) The university informs the complainant of the outcome of any conduct proceeding alleging sexual misconduct. (34 C.F.R. 668.46 (b)(11)(vi)(B).)

(9) The university may not communicate a student's conduct record to any person or agency outside the university without the prior written consent of the student, except as required or permitted by law. Exceptions include, but are not limited to:

(a) The student's parents or legal guardians may review these conduct records if the student is a dependent for tax purposes as defined by FERPA.

(b) The university may release conduct records to another educational institution, upon request, where the student seeks or intends to enroll, as allowed by FERPA.

[]

~~((ARTICLE VI
INTERPRETATION AND REVISION))~~

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-26-005	Good standing.
WAC 504-26-101	Convening boards.
WAC 504-26-102	Policies.

WAC 504-26-103	Decisions.
WAC 504-26-200	Jurisdiction of the standards of conduct for students.
WAC 504-26-301	Malicious intent.
WAC 504-26-302	Responsibility for guests.
WAC 504-26-303	International and national exchange programs.
WAC 504-26-304	Recognized student organization conduct.
WAC 504-26-305	Violation of law and university discipline.
WAC 504-26-4031	Procedure for formal (full) adjudicative proceedings.
WAC 504-26-404	Procedure for academic integrity violations.
WAC 504-26-405	Sanctions.
WAC 504-26-406	Interim suspension.
WAC 504-26-407	Review of decision in brief adjudications.
WAC 504-26-408	Interim measures.
WAC 504-26-501	Records.
WAC 504-26-601	Interpretations.
WAC 504-26-602	Periodic review.

Note to Regents: For your convenience, this "clean" copy includes ALL sections in WAC Chapter 504-26, including sections that are not being revised at this time. (If not being revised, the sections are presented "as is," without an "amendatory" or "new" statement. Sections being deleted are listed under "Repealer" at the end.)

PART I
GENERAL MATTERS

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-001 Preamble. Washington State University's long-standing commitment to providing students with a transformational experience continues with a focus on enhancing the quality and relevance of the learning experience, providing more personalized student services, expanding learning opportunities outside the classroom, and developing a more cohesive student community. To this end, students are expected to uphold and be accountable to high standards of conduct that foster a safe, healthy, and inclusive campus community. The basic philosophy behind the standards of conduct and processes is one of education, centered on student learning through personal development and accountability. Therefore, the student conduct process is designed to guide and correct behaviors, challenge students to make better choices, and protect the rights and safety of all students, the university, and the community at large.

The university strives to provide a fair process for every student without bias or favor regardless of socioeconomic status, connections, race, color, creed, religion, national or ethnic origin, sex/gender, sexual orientation, gender identity/expression, age, marital status, disability, genetic information, or status as an honorably discharged veteran or member of the military. It also has responsibility to inform and educate the university community, parents, and the public at large on these standards, uphold them, and exercise the authority to take educational and/or disciplinary action accordingly.

Correspondingly, students have the responsibility to read and be familiar with the standards of conduct, to abide by them, and to understand that violation of these standards, if the student is found responsible, will result in disciplinary and/or educational sanctions. The vice president for student affairs is the person designated by the university president to be responsible for the administration of the standards of conduct.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-001, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-001, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-001, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-001, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-001, filed 11/22/06, effective 12/23/06.]

WAC 504-26-010 Definitions. For purposes of the standards of conduct, the following definitions apply:

(1) Academic integrity hearing board. Teaching faculty and student representatives who, collectively, are authorized by the university or college to review an instructor's determination that a student violated university academic integrity policies and whether or not the outcome proposed by the instructor is in keeping with the instructor's published policies.

(2) Appeals board. The group of students, faculty, and staff, collectively, authorized in accordance with WAC 504-26-115 to consider appeals from a university conduct board's or conduct officer's determination as to whether a student has violated the standards of conduct and any sanctions imposed.

(3) Brief adjudication. The process by which a conduct officer may adjudicate student conduct matters involving possible sanctions, other than matters involving suspension for more than ten instructional days, expulsion, loss of recognition, or revocation of degree. Also referred to as a "conduct officer hearing" or "brief adjudicative proceeding."

(4) Cheating. Includes, but is not limited to:

(a) Use of unauthorized materials in taking quizzes, tests, or examinations, or giving or receiving unauthorized assistance by any means, including talking, copying information from another student, using electronic devices, or taking an examination for another student.

(b) Use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments.

(c) Acquisition or possession of tests or other academic material belonging to a member of the university faculty or staff when acquired without the permission of the university faculty or staff member.

(d) Fabrication, which is the intentional invention or counterfeiting of information in the course of an academic activity. Fabrication includes, but is not limited to:

(i) Counterfeiting data, research results, information, or procedures with inadequate foundation in fact. The office of research must be consulted in matters involving alleged research misconduct as that term is defined in the university's executive policy 33.

(ii) Counterfeiting a record of internship or practicum experiences.

(iii) Submitting a false excuse for absence or tardiness or a false explanation for failing to complete a class requirement or scheduled examination at the appointed date and time.

(e) Engaging in any behavior for the purpose of gaining an unfair advantage specifically prohibited by a faculty member in the course syllabus or class discussion.

(f) Scientific misconduct. Falsification, fabrication, plagiarism, or other forms of dishonesty in scientific and scholarly research are prohibited. Complaints and inquiries involving cases of scientific misconduct are managed according to the university's policy for responding to allegations of scientific misconduct. A finding of scientific misconduct is subject to sanctions by the center for community standards. The policy for responding to allegations of scientific misconduct (executive policy 33) may be reviewed by contacting the office of research.

(g) Unauthorized collaboration on assignments.

(h) Intentionally obtaining unauthorized knowledge of examination materials.

(i) Plagiarism. Presenting the information, ideas, or phrasing of another person as the student's own work without proper acknowledgment of the source. This includes submitting a commercially prepared paper or research project or submitting for academic credit any work done by someone else. The term "plagiarism" includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

(j) Unauthorized multiple submission of the same work.

(k) Sabotage of others' work.

(l) Tampering with or falsifying records.

(5) Complainant. Any person who is the alleged victim of prohibited student conduct, whether or not such person has made an actual complaint. Any individual, group, or entity, including the university, who submits a complaint alleging that a student or a registered or recognized student organization violated the standards of conduct.

(6) Conduct board. The group of students, faculty, and staff, collectively authorized in accordance with WAC 504-26-110 to adjudicate certain student conduct matters.

(7) Conduct officer. A university official authorized by the vice president for student affairs to initiate, manage, and/or adjudicate certain student conduct matters in accordance with WAC 504-26-401 and 504-26-402.

(8) Faculty member. For purposes of this chapter, any person hired by the university to conduct classroom or teaching activities or who is otherwise considered by the university to be a member of its faculty.

(9) Full adjudication. The process by which a conduct board adjudicates matters involving possible suspension of greater than ten instructional days, expulsion, loss of recognition, revocation of degree, or other matters as determined by the university. Also referred to as "formal adjudication," "formal (or full) adjudicative proceeding," or "conduct board hearing."

(10) Gender identity. Having or being perceived as having a gender identity, self-image, appearance, behavior, or expression,

whether or not that gender identity, self-image, appearance, behavior, or expression is different from that traditionally associated with the sex assigned to the person at birth.

(11) Member of the university community. Includes any person who is a student, faculty member, university official, any person employed by the university, or any person with a relationship with the university, including guests of and visitors to the university. A person's status in a particular situation is determined by the vice president for student affairs or designee.

(12) Parties. The parties to a student conduct proceeding must include the university and the respondent. The parties in a student conduct matter implicating Title IX of the Civil Rights Act of 1964 must include the complainant(s), if the complainant(s) notifies the university in writing that they wish to participate as a party. The university may designate other complainants, individuals, or recognized or registered student organizations as parties to conduct proceedings, or allow individuals or recognized or registered student organizations to intervene in conduct proceedings.

(13) Policies. The written rules and regulations of the university as found in, but not limited to, the standards of conduct, university policy manuals, housing and dining policies, academic regulations, and the university's graduate, undergraduate, and professional catalogs and other publications, including electronic publications.

(14) Recognized or registered student organization. A group of students, collectively, that has complied with the formal requirements for university recognition or registration.

(15) Respondent. A student or recognized or registered student organization alleged to have violated these standards of conduct.

(16) Student. Any person taking courses at the university, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating the standards of conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the university (including suspended students) or who have been notified of their acceptance for admission are considered "students" as are persons who are living in university residence halls, even if not enrolled.

(17) University. Includes all locations, premises, programs, and operations of Washington State University.

(18) University official. Any person employed by the university, performing assigned administrative or professional responsibilities.

(19) University premises. All land, buildings, facilities, vehicles, web sites, and other property in the possession of or owned, used, or controlled by the university (including adjacent streets and sidewalks), including its study abroad program sites, as well as university-sponsored or hosted online platforms.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-010, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-010, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-010, filed

12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-010, filed 5/11/11, effective 6/11/11; WSR 07-11-030, § 504-26-010, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-010, filed 11/22/06, effective 12/23/06.]

NEW SECTION

WAC 504-26-015 Jurisdiction and applicability—Relationship to other proceedings.

(1) General. The standards of conduct apply to conduct that occurs on university premises or in connection with university sponsored activities, including transit to or from the activity.

(2) Off-campus conduct. In addition to subsection (1) of this section, the standards of conduct may apply to conduct that occurs off university premises and not in connection with university-sponsored activities, if the conduct adversely affects the health and/or safety of the university community or the pursuit of the university's vision, mission, or values.

(a) The university has sole discretion to make this determination. In making this determination, the conduct officer considers whether the alleged conduct:

(i) Requires the university to exercise jurisdiction under law or as required by federal or state agencies;

(ii) Negatively impacted the reputation of the university or its students;

(iii) Occurred on the property of recognized or registered student organizations;

(iv) Caused physical, mental, or emotional harm to another; or

(v) Was recognized by onlookers, complainants, or witnesses as being carried out by a student or recognized or registered student organization.

(b) When the university chooses to exercise jurisdiction for off-campus conduct not in connection with a university-sponsored activity, the parties must be notified in writing of the decision and the reasons for the decision, and their right to challenge the decision to the vice president for student affairs or designee. Challenges to jurisdiction must be in writing and filed within five calendar days from the date the notice is sent. In cases implicating Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct, the vice president for student affairs or designee must consult with the university's Title IX coordinator.

(3) Online conduct - Electronic communications. These standards of conduct may be applied to behavior conducted online, via electronic mail, text message, or other electronic means.

(4) Time frame for applicability. Each student is responsible and accountable for their conduct from the time of application for admission through the actual awarding of a degree, even though conduct

may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment. These standards apply to a student's conduct even if the student withdraws from school, takes a leave of absence, or graduates.

(5) Group accountability. Recognized or registered student organizations that violate university policies and the standards of conduct are subject to sanctions. A recognized or registered student organization may be held accountable for the behavior of its officers, members, or guests when the university demonstrates that:

(a) The organization or its officers should have foreseen that behavior constituting a violation was likely to occur, yet failed to take reasonable precautions against such behavior;

(b) A policy or practice of the organization was responsible for a violation; or

(c) The behavior constituting a violation was committed by, condoned by, or involved a significant number of organization officers, members, or guests.

(6) International and national study programs. Students who participate in any university-sponsored or sanctioned international or national study program must observe the following rules and regulations:

(a) The laws of the host country and/or state;

(b) The academic and disciplinary regulations of the educational institution or residential housing program where the student is studying;

(c) Any other agreements related to the student's study program; and

(d) These standards of conduct.

(7) Academic and professional standards. Nothing in these standards of conduct is to be construed as limiting academic action that may be taken by a program or other academic unit against a respondent who, based on an established violation of these standards or otherwise, demonstrates a failure to meet the academic and/or professional standards of the program.

(8) Relationship between student conduct process and other legal processes. The university is not required to stay a student conduct proceeding pending any criminal or civil proceeding, nor must the disposition of any such criminal or civil proceeding control the outcome of any student conduct proceeding. Respondents may choose to remain silent during conduct proceedings, in accordance with WAC 504-26-045.

[]

NEW SECTION

WAC 504-26-020 Advisors and representatives. (1) Advisors. Any party may have an advisor of their choice present during all stages of a conduct process. Upon a party's request, a list of trained advisors

from outside the office of the dean of students (and those offices reporting to the dean of students) is provided. Advisors may assist any party engaged in the conduct process and attend meetings and hearings. Advisors may not be witnesses to the alleged behavior. Students should select an advisor whose schedule allows for attendance at the scheduled date and time of the informational meeting and/or hearing, because delays are not normally allowed due to scheduling conflicts of the advisor.

(2) Communication with the center for community standards. Advisors and representatives may communicate directly with the center for community standards to receive information on dates and times of meetings, status of conduct processes, and outcomes. As a condition of participation in the conduct process, the center for community standards may require advisors and representatives to sign a statement agreeing to comply with legal requirements and university rules including, but not limited to, requirements related to confidentiality of student information.

(3) Advisors in conduct meetings and hearings. During any conduct process, breaks may be taken, within reason, to allow a party to consult with their advisor. However, advisors are not permitted to speak on behalf of parties.

(4) Representatives. A party may choose to be represented during a full adjudication, at their own expense. Only persons currently admitted to practice law, including licensed legal interns, are permitted to act as representatives. In conduct board hearings, questions regarding logistical and administrative issues are to be directed to the presiding officer, who may impose reasonable conditions upon participation of advisors and representatives.

[]

NEW SECTION

WAC 504-26-025 Confidentiality and participation in student conduct hearings. Student conduct meetings and hearings are closed to public observation. The parties and their advisors or representatives may attend the entire hearing, excluding deliberations. Admission of any other person to the hearing is at the discretion of the conduct officer or presiding officer, as applicable. For convenience, or to accommodate concerns for the personal safety, well-being, or fears of confrontation of any party or witness, the conduct officer or presiding officer may allow participation remotely, in separate rooms, or by other means.

[]

NEW SECTION

WAC 504-26-030 Consolidation. In any student conduct matter in which there are common issues or parties, the parties may request, or the conduct officer or presiding officer may decide, to consolidate the proceedings. This decision is within the sole discretion of the conduct officer or presiding officer.

[]

NEW SECTION

WAC 504-26-035 Service and notification. Service of all university notices under this chapter is sent by electronic mail addressed to the party's university-issued email address or, if the party does not have a university-issued email address, to the email address on record with the university. Service is complete when the email is sent to the email address. Service may also be accomplished by personal delivery or regular U.S. mail. Notifications via regular U.S. mail are sent to the party's last known address or the address on file with the university registrar, and service is complete on the date the notice is placed in the mail. The student is responsible for maintaining an updated mailing address on file with the registrar. Recognized or registered student organizations are responsible for updating their mailing address on file with the center for fraternity and sorority life, university recreation, or student involvement. Deadlines described in this chapter begin the date the notification is sent via email, personally delivered, or placed in regular U.S. mail.

[]

NEW SECTION

WAC 504-26-040 Presumptions and standard of proof. All students and registered or recognized student organizations are presumed "not responsible" for alleged violations. Any violation must be proven by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred. As part of the university's opening statement in any conduct board hearing, the university's representative must read a statement to this effect.

[]

NEW SECTION

WAC 504-26-045 Evidence. (1) Evidence, including hearsay evidence, is admissible in student conduct proceedings if, in the judgment of the conduct officer or presiding officer, it is the kind of evidence that reasonably prudent persons are accustomed to rely on

in the conduct of their affairs. The conduct officer or presiding officer determines the admissibility and relevance of all information and evidence. The sexual history of a complainant is not admissible in a student conduct proceeding except to the extent permitted by evidence rule 412 and RCW 34.05.452 (stating that presiding officers must refer to the Washington rules of evidence as guidelines for evidentiary rulings).

(2) Students may choose to remain silent during conduct proceedings, recognizing that they give up the opportunity to explain their version of events and that the decision is made based on the information presented at the hearing. No student must be compelled to give self-incriminating evidence, and no negative inference will be drawn from a student's refusal to participate in any stage of the conduct proceeding. If either party does not attend or participate in a hearing, the conduct officer or conduct board may resolve the matter based on the information available at the time of the hearing.

[]

NEW SECTION

WAC 504-26-050 Interim measures. (1) While a student conduct matter is pending, the university may take a number of interim actions in order to ensure the preservation of the educational experience and the overall university environment of the parties. These actions may include, but are not limited to:

(a) A no-contact order imposed on any party;

(b) University housing room change for one or more involved parties; and/or

(c) Changes in academic schedules or assignments for any party.

(2) As stated in the university's housing and dining policies, the university reserves the right to assign roommates, to change room or hall assignments, and/or to consolidate vacancies by requiring residents to move from one room to another in the event such reassignments are determined to be necessary by the university.

(3) University departments taking interim measures must coordinate with the center for community standards, which advises the parties of the interim measures and the process for challenging them. For matters involving the university's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct, the departments must also consult with the university's office for equal opportunity regarding interim measures. Interim measures are not sanctions and do not imply or assume responsibility for a violation of the standards of conduct.

[]

PART II OFFICERS AND BOARDS

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-100 Presiding officers. Full adjudicative proceedings are conducted by the conduct board and are presided over by an individual who is licensed to practice law in the state of Washington and has judicial training. The presiding officer's role is to ensure a fair and impartial process and is limited to making procedural and evidentiary rulings and handling logistical and other matters related to facilitating the proceedings to ensure compliance with legal requirements. The presiding officer must transmit a full and complete record of the proceedings to the center for community standards and the conduct board, including such comments upon demeanor of witnesses as the presiding officer deems relevant, in accordance with RCW 34.05.461. The presiding officer does not vote and is not considered for purposes of creating a quorum of the conduct board. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-100, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-100, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-100, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-100, filed 1/30/12, effective 3/1/12; WSR 06-23-159, § 504-26-100, filed 11/22/06, effective 12/23/06.]

NEW SECTION

WAC 504-26-105 Recruitment, appointment, and term of conduct and appeals board members. A committee comprised of students, staff, and faculty members and convened by the vice president for student affairs selects a pool of members of the university community to serve as conduct board members, as well as a separate pool for appeals board members. Each pool must include representatives from all WSU campuses. Pool members are approved by the university president and must be in good standing with the university. Pool members serve a maximum term of four calendar years but may apply to serve another four-year term after a break of two years. Terms of pool members are staggered. Boards are convened by the vice president for student affairs or designee. The center for community standards is not involved in the recruitment or application processes for board members. []

NEW SECTION

WAC 504-26-110 Composition of conduct board. A conduct board must consist of five members. A quorum of five is needed to hear a matter. The presiding officer is not a member of the conduct board and

therefore is not considered for purposes of determining whether there is a quorum. A majority of conduct board members hearing a matter must be enrolled WSU students (undergraduate, graduate, or professional) and may be full-time or part-time. The remaining members may be students, or full-time or part-time faculty or staff of any rank or classification. When the complainant or respondent is enrolled at a particular campus, at least one member of the conduct board must be from that campus. No conduct board member may serve on a case if the member previously served on a board in a case involving the same complainant or respondent.
[]

NEW SECTION

WAC 504-26-115 Composition of appeals board. The appeals board must consist of three members. A quorum of three is needed to review a matter. A majority of appeals board members hearing a matter must be enrolled WSU students (undergraduate, graduate, or professional) and may be full-time or part-time. The remaining members may be students, or full-time or part-time faculty or staff of any rank or classification. No appeals board member may serve on a case if the member previously served on a board on a case involving the same complainant or respondent. The vice president for student affairs or designee is responsible for designating one of the three appeals board members as chair. The chair is responsible for ensuring a fair and impartial process and is a voting member of the appeals board.
[]

NEW SECTION

WAC 504-26-120 Training. (1) Board members and presiding officers. Conduct board members, appeals board members, and presiding officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

- (a) Cultural competency and implicit bias;
- (b) Student development and student conduct philosophies, including the educational component of the student conduct process;
- (c) Identifying bias against individuals and against groups;
- (d) Conflict of interest;
- (e) Sexual assault and gender-based violence;
- (f) Alcohol and drug prevention;
- (g) Due process and burden of proof in student conduct matters;

and

- (h) Sanctioning principles and guidelines.

(2) Conduct officers. Conduct officers must not participate in any student conduct matter until, at a minimum, training in the following areas has been completed:

(a) Alternative dispute resolution;

(b) Restorative justice; and

(c) All training required of board members (see subsection (1) of this section).

(3) Renewal of training. Training must be renewed on an annual basis.

[]

NEW SECTION

WAC 504-26-125 Recusal. (1) Notification of names of conduct officers and board members. All parties must be notified of the names of conduct officers, conduct board members, and/or appeals board members assigned to their case no later than ten calendar days prior to the hearing or appeals board meeting date.

(2) Requesting recusal of conduct officers and board members. A party requesting recusal of a conduct officer or conduct/appeals board member must demonstrate good cause. The request must be made in writing no later than five calendar days prior to the date of the conduct hearing or appeals board meeting. For conduct board members, the presiding officer is responsible for granting or denying requests. For conduct officers and appeals board members, the vice president for student affairs or designee is responsible for granting or denying requests.

(3) Presiding officer. Requests for recusal of the presiding officer are governed by the model rules of procedure, WAC 10-08-050(2).

(4) Self-recusal in the event of conflict of interest. Conduct officers and board members must be trained in conflict of interest. For any matter in which they are participating, if they identify a potential conflict of interest, appeals board members and conduct officers must promptly notify and consult with the vice president for student affairs or designee, while conduct board members must promptly notify and consult with the presiding officer. Conduct officers and board members must recuse themselves if, after consultation, an actual conflict is determined to exist. If a potential conflict is identified but is determined by the vice president or designee or presiding officer, as applicable, to be insufficient to justify removal of the person, the parties must be notified of the potential conflict and reasons for determining that it does not pose an actual conflict. For purposes of this subsection, a conflict of interest is defined as a personal interest, financial, familial, or otherwise, that might impair, or reasonably appear to an objective, outside observer to impair, a person's independent unbiased judgment in the discharge of their official responsibilities.

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PART III
PROHIBITED CONDUCT

AMENDATORY SECTION (Amending WSR 15-01-080, filed 12/15/14, effective 1/15/15)

WAC 504-26-201 Misconduct—Rules and regulations. Any student or recognized or registered student organization found to have committed, assisted, conspired, or attempted to commit the following misconduct (WAC 504-26-202 through 504-26-230) is subject to the disciplinary sanctions outlined in WAC 504-26-405.
[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-201, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-201, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-201, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-201, filed 11/22/06, effective 12/23/06.]

WAC 504-26-202 Acts of dishonesty. Acts of dishonesty include, but are not limited to, those listed in this chapter:

(1) Academic integrity violations including, but not limited to, cheating as defined in WAC 504-26-010.

(2) Knowingly furnishing false information to any person, including university officials, faculty members, or administrators.

(3) Forgery, alteration, or misuse of any university document or record, or instrument of identification whether issued by the university or other state or federal agency.

(4) Fraud or misrepresentation.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-202, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-202, filed 2/6/08, effective 3/8/08; WSR 07-11-030, § 504-26-202, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-202, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 07-11-030, filed 5/8/07, effective 6/8/07)

WAC 504-26-203 Disruption or obstruction. Students have the right to freedom of speech, including the right to dissent or protest, but this expression may not interfere with the rights of others or disrupt the university's activities. Prohibited behavior includes: Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other university activities, including its public service functions on or off campus, or of other authorized nonuniversity activities when the conduct occurs on university

premises or is directed toward any member of the university community by any means including use of telephone, computer, or some other medium.

[Statutory Authority: RCW 28B.30.150. WSR 07-11-030, § 504-26-203, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-203, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 15-01-080, filed 12/15/14, effective 1/15/15)

WAC 504-26-204 Abuse of others or disruption or interference with the university community. Abuse of others or disruption or interference with the university community includes, but is not limited to:

(1) Physical abuse, threats, intimidation, and/or other conduct that threatens, endangers, harms, or undermines the health, safety, or welfare of the university community or any person, including, but not limited to, domestic or intimate partner violence.

(2) Conduct that disrupts the university community or prevents any member of the university community from completing their duties.

(3) Conduct that interferes with or disrupts the university's mission, operations, or activities.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-204, filed 12/15/14, effective 1/15/15; WSR 14-11-025, § 504-26-204, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-204, filed 11/22/06, effective 12/23/06.]

WAC 504-26-205 Theft or damage to property. Theft of and/or the intentional or reckless damage to the property of another.

[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-205, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-206 Hazing. (1) No student or recognized or registered student organization at Washington State University may conspire to engage in hazing or participate in hazing of another.

(a) Hazing includes any activity expected of someone joining a group (or maintaining full status in a group) that causes or is likely to cause a risk of mental, emotional and/or physical harm, regardless of the person's willingness to participate.

(b) Hazing activities may include, but are not limited to, the following: Abuse of alcohol during new member activities; striking another person whether by use of any object or one's body; creation of

excessive fatigue; physical and/or psychological shock; morally degrading or humiliating games or activities that create a risk of bodily, emotional, or mental harm.

(c) Hazing does not include practice, training, conditioning and eligibility requirements for customary athletic events such as intramural or club sports and NCAA athletics, or other similar contests or competitions, but gratuitous hazing activities occurring as part of such customary athletic event or contest are prohibited.

(2) Washington state law also prohibits hazing which may subject violators to criminal prosecution. As used in RCW 28B.10.901 and 28B.10.902, "hazing" includes any method of initiation into a recognized or registered student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student or other person attending a public or private institution of higher education or other postsecondary education institution in this state.

(3) Washington state law (RCW 28B.10.901) also provides sanctions for hazing:

(a) Any person who violates this rule, in addition to other sanctions that may be imposed, forfeits any entitlement to state-funded grants, scholarships, or awards for a period of time determined by the university.

(b) Any recognized or registered student organization that knowingly permits hazing by its members or others subject to its direction or control must be deprived of any official recognition or approval granted by the university.

[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-206, filed 11/22/06, effective 12/23/06.]

WAC 504-26-207 Failure to comply with university officials or law enforcement officers. Failure to comply with lawful directions of university officials and/or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-207, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-207, filed 11/22/06, effective 12/23/06.]

WAC 504-26-208 Unauthorized keys or unauthorized entry. Unauthorized possession, duplication, or use of keys, including cards or alphanumeric pass-codes, to any university premises or unauthorized entry to or use of university premises.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-208, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-208, filed 11/22/06, effective 12/23/06.]

WAC 504-26-209 Violation of university policy, rule, or regulation. Violation of any university policy, rule, or regulation published electronically on the university web site or in hard copy including, but not limited to, Washington State University's alcohol and drug policy, executive policy 15 (policy prohibiting discrimination, sexual harassment and sexual misconduct), and housing and residence life policy.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-209, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-209, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-209, filed 11/22/06, effective 12/23/06.]

WAC 504-26-210 Violation of law. Conduct which would constitute violation of any federal, state, or local law.

[Statutory Authority: RCW 28B.30.150. WSR 07-11-030, § 504-26-210, filed 5/8/07, effective 6/8/07; WSR 06-23-159, § 504-26-210, filed 11/22/06, effective 12/23/06.]

WAC 504-26-211 Drugs and drug paraphernalia. Use, possession, manufacture, or distribution of marijuana, narcotics, or other controlled substances, and drug paraphernalia except as permitted by federal, state, and local law.

[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-211, filed 11/22/06, effective 12/23/06.]

WAC 504-26-212 Alcohol. Use, possession, manufacture, or distribution of alcoholic beverages (except as expressly permitted by university regulations, and federal, state, and local laws), or public intoxication. Alcoholic beverages may not, in any circumstance, be used by, possessed by, or distributed to any person not of legal age.

[Statutory Authority: RCW 28B.30.150. WSR 15-11-041, § 504-26-212, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-212, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-212, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-213 Firearms and dangerous weapons. No student may carry, possess, or use any firearm, explosive (including fireworks), dangerous chemical, or any dangerous weapon on university premises or in university-approved housing. Airsoft guns and other items that shoot projectiles are not permitted in university-approved housing. Students wishing to maintain a firearm on campus for hunting or

sporting activities must store the firearm with the Washington State University department of public safety.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-213, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-213, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 06-23-159, filed 11/22/06, effective 12/23/06)

WAC 504-26-214 Disruptive activity. Participating in an on-campus or off-campus riot or unlawful assembly that disrupts the normal operations of the university and/or infringes on the rights of other members of the university community; leading or inciting others to disrupt scheduled and/or normal activities within any university premises. For peaceful demonstrations, students should consult with university police for safety guidelines.

[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-214, filed 11/22/06, effective 12/23/06.]

WAC 504-26-215 Obstruction. Obstruction of the free flow of persons, including pedestrian or vehicular traffic on university premises or at university-sponsored or supervised functions.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-215, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-215, filed 11/22/06, effective 12/23/06.]

WAC 504-26-216 Disorderly conduct. Conduct that is disorderly, lewd, or indecent; disturbing the peace; or assisting or encouraging another person to disturb the peace.

[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-216, filed 12/15/14, effective 1/15/15; WSR 06-23-159, § 504-26-216, filed 11/22/06, effective 12/23/06.]

WAC 504-26-217 Unauthorized use of electronic or other devices. Unauthorized use of electronic or other devices: Making an audio or video record of any person while on university premises without his or her prior knowledge, or without his or her effective consent when such a recording is of a private conversation or of images taken of a person(s) at a time and place where she or he would reasonably expect privacy and where such images are likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom, but does not include taking pictures of persons in areas which are considered by

the reasonable person to be open to public view, such as Martin Stadium or the Glenn Terrell Mall.
[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-217, filed 11/22/06, effective 12/23/06.]

WAC 504-26-218 Computer abuses or theft. Theft or other abuse of computer facilities and resources, including but not limited to:

- (1) Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose.
- (2) Unauthorized transfer of a file.
- (3) Unauthorized use of computer hardware.
- (4) Use of another individual's identification and/or password.
- (5) Use of computing facilities and resources to interfere with the work of another student, faculty member, or university official.
- (6) Use of computing facilities and resources to send obscene, harassing, or threatening messages.
- (7) Use of computing facilities and resources to interfere with normal operation of the university computing system.
- (8) Use of computing facilities and resources in violation of any law, including copyright laws.
- (9) Any violation of the university computer use policy found in the university's executive policy 4 (electronic communication policy).
[Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-218, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-218, filed 1/30/12, effective 3/1/12; WSR 08-05-001, § 504-26-218, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-218, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 15-01-080, filed 12/15/14, effective 1/15/15)

WAC 504-26-219 Abuse of the student conduct system. Abuse of the student conduct system including, but not limited to:

- (1) Failure to obey any notice from a university conduct board or other university official to appear for a meeting or hearing as part of the student conduct system.
- (2) Willful falsification, distortion, or misrepresentation of information before a university conduct proceeding.
- (3) Disruption or interference with the orderly conduct of a university conduct board proceeding.
- (4) Filing fraudulent charges or initiating a university conduct proceeding in bad faith.
- (5) Attempting to discourage an individual's proper participation in, or use of, the student conduct system.
- (6) Attempting to influence the impartiality of a member of the university conduct system prior to, and/or during the course of, any university conduct board proceeding.

(7) Harassment (verbal, written, or physical) and/or intimidation of a member of a university conduct board, any individual involved in the conduct process, or any conduct officer before, during, and/or after any university conduct proceeding.

(8) Failure to comply with or failure to complete any term or condition of any disciplinary sanction(s) imposed under the standards of conduct.

(9) Influencing or attempting to influence another person to commit an abuse of the university conduct system.

(10) Violation of probation or any probationary conditions. [Statutory Authority: RCW 28B.30.150. WSR 15-01-080, § 504-26-219, filed 12/15/14, effective 1/15/15; WSR 08-05-001, § 504-26-219, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-219, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 14-11-025, filed 5/12/14, effective 6/12/14)

WAC 504-26-220 Discrimination and discriminatory harassment.

Discrimination or discriminatory harassment on the basis of race; sex/gender; sexual orientation; gender identity/expression; religion; age; color; creed; national or ethnic origin; physical, mental, or sensory disability (including disability requiring the use of a trained service animal); marital status; genetic information; and/or status as an honorably discharged veteran or member of the military; and as defined in Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

[Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-220, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-220, filed 11/22/06, effective 12/23/06.]

WAC 504-26-221 Sexual misconduct. (1) Sexual misconduct is an

egregious form of sex discrimination/sexual harassment. A number of acts may be regarded as sexual misconduct including, but not limited to, nonconsensual sexual contact (including sexual intercourse) and sexual exploitation. Sexual misconduct includes sexual assault and other sexual violence.

(2) Consent. Consent to any sexual activity must be clear, knowing, and voluntary. Anything less is equivalent to a "no." Clear, knowing, and voluntary consent to sexual activity requires that, at the time of the act, and throughout the sexual contact, all parties actively express words or conduct that a reasonable person would conclude demonstrates clear permission regarding willingness to engage in sexual activity and the conditions of such activity. Consent is active; silence or passivity is not consent. Even if words or conduct alone seem to imply consent, sexual activity is nonconsensual when:

(a) Force or coercion is threatened or used to procure compliance with the sexual activity.

(i) Force is the use of physical violence, physical force, threat, or intimidation to overcome resistance or gain consent to sexual activity.

(ii) Coercion is unreasonable pressure for sexual activity. When an individual makes it clear through words or actions that the individual does not want to engage in sexual contact, wants to stop, or does not want to go past a certain point of sexual interaction, continued pressure beyond that point may be coercive. Other examples of coercion may include using blackmail or extortion to overcome resistance or gain consent to sexual activity.

(b) The person is asleep, unconscious, or physically unable to communicate his or her unwillingness to engage in sexual activity; or

(c) A reasonable person would or should know that the other person lacks the mental capacity at the time of the sexual activity to be able to understand the nature or consequences of the act, whether that incapacity is produced by illness, defect, the influence of alcohol or another substance, or some other cause. When alcohol or drugs are involved, a person is considered incapacitated or unable to give valid consent if the individual cannot fully understand the details of the sexual interaction (i.e., who, what, when, where, why, and how), and/or the individual lacks the capacity to reasonably understand the situation and to make rational, reasonable decisions.

(3) Nonconsensual sexual contact is any intentional sexual touching, however slight, with any object or body part, by one person against another person's intimate parts (or clothing covering any of those areas), or by causing another person to touch his or her own or another person's intimate body parts without consent and/or by force. Sexual contact also can include any intentional bodily contact in a sexual manner with another person's nonintimate body parts. It also includes nonconsensual sexual intercourse.

(4) Sexual exploitation occurs when a person takes nonconsensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses explained above. Examples of sexual exploitation may include, but are not limited to:

(a) Causing or attempting to cause the incapacitation of another person to gain sexual advantage over such other person;

(b) Invading another person's sexual privacy;

(c) Prostituting another person;

(d) Engaging in voyeurism. A person commits voyeurism if, for the purpose of arousing or gratifying the sexual desire of any person, he or she knowingly views, photographs, records, or films another person, without that person's knowledge and consent, while the person being viewed, photographed, recorded, or filmed is in a place where he or she has a reasonable expectation of privacy;

(e) Knowingly or recklessly exposing another person to a significant risk of sexually transmitted disease or infection;

- (f) Exposing one's intimate parts in nonconsensual circumstances;
- (g) Sexually based stalking and/or bullying.

(5) Use of alcohol or other drugs is not a valid defense to a violation of this policy.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-221, filed 6/15/17, effective 7/16/17; WSR 14-11-025, § 504-26-221, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-221, filed 11/22/06, effective 12/23/06.]

WAC 504-26-222 Harassment (other than sexual harassment or discriminatory harassment). Harassment is conduct by any means that is severe, persistent, or pervasive, and is of such a nature that it would cause a reasonable person in the victim's position substantial emotional distress and undermine his or her ability to work, study, or participate in his or her regular life activities or participate in the activities of the university, and/or actually does cause the victim substantial emotional distress and undermines the victim's ability to work, study, or participate in the victim's regular life activities or participate in the activities of the university.

[Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-222, filed 5/12/14, effective 6/12/14; WSR 06-23-159, § 504-26-222, filed 11/22/06, effective 12/23/06.]

WAC 504-26-223 Stalking. (1) Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- (a) Fear for his or her safety or the safety of others;
- (b) Fear for harm to his or her property or the property of others; or
- (c) Suffer substantial emotional distress.

(2) Stalking includes, but is not limited to, conduct occurring in person, electronically, or through a third party.

[Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-223, filed 5/12/14, effective 6/12/14; WSR 11-11-031, § 504-26-223, filed 5/11/11, effective 6/11/11; WSR 06-23-159, § 504-26-223, filed 11/22/06, effective 12/23/06.]

WAC 504-26-224 Reckless endangerment. Engaging in conduct that creates an unreasonable risk of harm to another person or property.
[Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-224, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 08-05-001, filed 2/6/08, effective 3/8/08)

WAC 504-26-225 Trespassing. Knowingly entering or remaining unlawfully in or on university premises or any portion thereof. Any person who has been given notice by a university official of the university's decision to exclude them from all or a portion of the university premises is not licensed, invited, or otherwise privileged to enter or remain on the identified portion of university premises, unless given prior explicit written permission by university administration.

[Statutory Authority: RCW 28B.30.150. WSR 08-05-001, § 504-26-225, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-225, filed 11/22/06, effective 12/23/06.]

WAC 504-26-226 Violation of a disciplinary sanction. Violation of any term or condition of any disciplinary sanction constitutes a new violation and may subject the student to additional sanctions. [Statutory Authority: RCW 28B.30.150. WSR 06-23-159, § 504-26-226, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 14-11-025, filed 5/12/14, effective 6/12/14)

WAC 504-26-227 Sexual harassment. Sexual harassment includes behavior defined in Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct. [Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-227, filed 5/12/14, effective 6/12/14.]

AMENDATORY SECTION (Amending WSR 14-11-025, filed 5/12/14, effective 6/12/14)

WAC 504-26-230 Retaliation. Retaliation includes any act that would dissuade a reasonable person from making or supporting a complaint, or participating in an investigation, under the standards of conduct (this chapter). Retaliatory behavior includes action or threat of action that could negatively affect another's employment, education, reputation, or other interest. It also includes retaliation as defined in Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct. [Statutory Authority: RCW 28B.30.150. WSR 14-11-025, § 504-26-230, filed 5/12/14, effective 6/12/14.]

PART IV
PROCEDURES

WAC 504-26-401 Initiating conduct proceedings. (1) Complaints. Any member of the university community may submit a complaint that a student or recognized or registered student organization violated the standards of conduct. In addition, the university may initiate conduct proceedings when it receives any direct or indirect report of conduct that may violate the standards of conduct.

(2) Decision not to refer the matter for hearing. After reviewing the initial information, if the conduct officer determines that further conduct proceedings are not warranted, the conduct officer dismisses the matter. If the conduct officer decides not to initiate a conduct proceeding when requested by a complainant, the conduct officer must notify the complainant in writing of the decision, the reasons for the decision, and how to seek review of the decision. Conduct matters may be reopened if new relevant information becomes known.

(3) Notice of informational meeting. After reviewing initial information regarding a possible student conduct violation, if the student conduct officer decides conduct proceedings are warranted, the student conduct officer sends the respondent, or parties as appropriate, written notice of an informational meeting. The notice must, at a minimum, briefly describe the factual allegations or issues involved, the specific standard of conduct provision(s) the respondent is alleged to have violated, the range of possible sanctions for such violations, and the time, date, and place of the meeting. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-504 (Interpretation—Policies, procedures, and guidelines) must be provided. Any request to change or extend the time or date of the informational meeting should be addressed to the conduct officer.

(4) Purpose of informational meeting. The purpose of the informational meeting is to provide the respondent with information on the conduct process and their rights and responsibilities, and to determine next steps, if any, in resolving the matter. During the informational meeting, the respondent may provide names of witnesses to the conduct officer to potentially contact. In cases involving Title IX, an informational meeting is also offered to a complainant.

(5) Agreement and alternative dispute resolution. A conduct officer may resolve a matter by agreement. Agreements may be reached directly or through alternative dispute resolution. In cases where agreement is not reached directly, before referring the matter to a hearing, the conduct officer must consider, and make a written determination, whether alternative dispute resolution is appropriate to resolve the matter. Alternative dispute resolution must not be used in matters involving sexual misconduct or sexual harassment. When resolution of a matter is reached by agreement or alternative dispute resolution, the agreement must be in writing and signed by the parties

and the conduct officer. In the agreement, the parties must be advised in writing that:

(a) The disposition is final and they are waiving any right to a hearing on the matter, including any right to appeal; and

(b) If any party decides not to sign the agreement, and the matter proceeds to a hearing, neither the agreement nor a party's refusal to sign will be used against either party at the hearing.

(6) Referral for adjudication. After the informational meeting, if the conduct officer determines that a conduct hearing is warranted, and the matter is not resolved through agreement or alternative dispute resolution, the matter is handled through either a conduct officer hearing (brief adjudication) in accordance with WAC 504-26-402, or conduct board hearing (full adjudication) in accordance with WAC 504-26-403. In determining which process is appropriate, the conduct officer considers factors including, but not limited to, the nature and severity of the allegations, the respondent's past contacts with the center for community standards, and the range of possible sanctions that could be imposed. A student may request that a conduct board hear the case, but the final decision regarding whether to refer the matter to the conduct board for hearing is made by the conduct officer and is not subject to appeal.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-401, filed 6/15/17, effective 7/16/17; WSR 15-11-041, § 504-26-401, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-401, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-401, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-401, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-401, filed 11/22/06, effective 12/23/06.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-26-402 Conduct officer hearings (brief adjudications).

(1) The majority of student conduct matters are adjudicated through conduct officer hearings. However, conduct officer hearings are not used to adjudicate matters in which the respondent faces possible sanctions of suspension for more than ten instructional days, expulsion, or revocation of degree or when a recognized or registered student organization faces possible loss of recognition. In addition, conduct officer hearings generally are not used to adjudicate matters in which the respondent faces allegations of sexual misconduct, as that term is defined in WAC 504-26-221.

(2) Notice of hearing. The conduct officer must provide the parties with written notice no later than ten calendar days prior to the conduct officer hearing. The notice must, at a minimum, briefly describe the factual allegations or issues involved, the specific standard of conduct provision(s) the respondent is alleged to have violated, the range of possible sanctions for such violations, and the

time, date, and place of the hearing. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-504 must be provided. The notice must also include:

(a) A jurisdiction statement if the alleged behavior occurred off campus and information regarding the right to challenge jurisdiction in accordance with WAC 504-26-015;

(b) Information regarding the right to request recusal of a conduct officer under WAC 504-26-125; and

(c) Any request to extend the time or date of the conduct officer conference/hearing should be addressed to the conduct officer.

(3) Hearing and possible outcomes. Conduct officer hearings are brief adjudications conducted in accordance with RCW 34.05.482 through 34.05.494. The hearing allows the conduct officer to review available information, hear the parties' view of the matter, render a decision regarding responsibility, and impose sanctions, as appropriate.

(a) Before the hearing begins, the conduct officer must inform the respondent that:

(i) All respondents are presumed "not responsible" for pending charges;

(ii) The university must prove all violations by a preponderance of the evidence, meaning that it is more likely than not that the violation occurred; and

(iii) The parties have the right to have an advisor present at the hearing.

(b) Upon conclusion of the hearing, the conduct officer may take any of the following actions:

(i) Terminate the proceeding and enter a finding that the respondent is not responsible for the alleged conduct violation;

(ii) Dismiss the matter with no finding regarding responsibility, in which case the matter may be reopened at a later date if relevant new information becomes known;

(iii) Find the respondent responsible for any violations and impose sanctions within the limitations described in subsection (1) of this section; or

(iv) Refer the matter to the conduct board.

(4) Notice of decision and right to appeal. The conduct officer notifies the parties in writing of the decision within ten calendar days of the conduct officer hearing. This is the initial order of the university and includes information regarding the parties' right to appeal under WAC 504-26-420.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-26-402, filed 6/15/17, effective 7/16/17; WSR 16-08-014, § 504-26-402, filed 3/28/16, effective 4/28/16; WSR 15-01-080, § 504-26-402, filed 12/15/14, effective 1/15/15; WSR 12-04-049, § 504-26-402, filed 1/30/12, effective 3/1/12; WSR 11-11-031, § 504-26-402, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-402, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-402, filed 11/22/06, effective 12/23/06.]

WAC 504-26-403 Conduct board hearings (full adjudications). (1)

Conduct board hearings are used in matters in which the respondent faces possible sanctions of suspension for more than ten instructional days, expulsion, or revocation of degree and matters in which a recognized or registered student organization faces possible loss of recognition. In addition, conduct board hearings are generally used to adjudicate matters in which the respondent faces allegations of sexual misconduct, as that term is defined in WAC 504-26-221. Other matters may be referred to a conduct board in the discretion of the conduct officer.

(2) Adoption of model rules of procedure. Conduct board hearings are full adjudications governed by the Administrative Procedure Act, RCW 34.05.413 through 34.05.476, and chapter 10-08 WAC, Model rules of procedure, except as otherwise provided in this chapter. In the event of a conflict between the rules in this chapter and the model rules, this chapter governs.

(3) Notice of hearing. Notice to the parties of a conduct board hearing must comply with model rule WAC 10-08-040 and standards of conduct rule WAC 504-26-035. In addition, information regarding the student conduct process and student rights, as required by WAC 504-26-504 must be provided.

(4) Time for conduct board hearings. The conduct board hearing is scheduled not less than ten calendar days after the parties have been sent notice of the hearing.

In accordance with WAC 10-08-090, requests to extend the time and/or date for hearing must be addressed to the presiding officer. A request for extension of time is granted only upon a showing of good cause.

(5) Subpoenas. Subpoenas may be issued and enforced in accordance with model rule WAC 10-08-120. In determining whether to issue, quash, or modify a subpoena, the presiding officer must give due consideration to state and federal legal requirements including, but not limited to, Title IX, its implementing regulations, and guidance issued by the federal Office for Civil Rights. The party requesting the subpoena has the burden of showing that a subpoena is necessary for full disclosure of all the relevant facts and issues.

(6) Discovery. Depositions, interrogatories, and physical or medical examinations of parties are not permitted in adjudications of student conduct matters. Other forms of discovery may be permitted at the discretion of the presiding officer; however, discovery should be limited to help ensure the prompt completion of the adjudication process.

(7) Cross-examination. As required by RCW 34.05.449, cross-examination of witnesses is permitted to the extent necessary for full disclosure of all relevant facts and issues. The preferred method of cross-examination in all student conduct matters is through written

questions submitted to, and asked by, the presiding officer. Regardless, in no circumstance may the complainant or respondent be permitted to cross-examine each other directly in person or through their representative. The presiding officer may decline to ask cross-examination questions that are irrelevant, immaterial, or unduly repetitious. All questions submitted by the parties must be retained as part of the agency record, in accordance with RCW 34.05.566.

(8) Decision requirements. Decisions regarding responsibility and sanctions are made by a majority of the conduct board hearing the matter, except that any sanction of expulsion, revocation of degree, or loss of recognition of a recognized or registered student organization requires a supermajority consisting of no more than one "no" vote.

(9) Notice of decision and right to appeal. Within ten calendar days of the completion of the hearing, the conduct board must issue a decision, which is the initial order of the university and must contain the following:

(a) Appropriately numbered findings of fact and conclusions;

(b) The sanction(s) to be imposed, if any, and the rationale for the sanction(s);

(c) Information regarding the parties' right to appeal according to WAC 504-26-420, including the time frame for seeking review; and

(d) Notice that the initial order becomes final unless an appeal is filed within twenty-one calendar days of service of the initial order.

[Statutory Authority: RCW 28B.30.150. WSR 16-08-014, § 504-26-403, filed 3/28/16, effective 4/28/16; WSR 15-11-041, § 504-26-403, filed 5/14/15, effective 6/14/15; WSR 15-01-080, § 504-26-403, filed 12/15/14, effective 1/15/15; WSR 11-11-031, § 504-26-403, filed 5/11/11, effective 6/11/11; WSR 08-05-001, § 504-26-403, filed 2/6/08, effective 3/8/08; WSR 06-23-159, § 504-26-403, filed 11/22/06, effective 12/23/06.]

NEW SECTION

WAC 504-26-409 Emergency suspension. (1) Definition. An emergency suspension is a temporary exclusion of a student from all or specified portions of university premises, programs, or activities pending an investigation or student conduct proceeding relating to alleged standards of conduct violations. An emergency suspension may be imposed at any time prior to the issuance of the university's final order in the matter.

(2) Circumstances warranting emergency suspension. Emergency suspension may be imposed only in situations when the vice president for student affairs or campus chancellor (in consultation with the center for community standards), or their designee, has cause to believe that the student:

(a) Has violated any provision of the standards of conduct; and

(b) Presents an immediate danger to the health, safety, or welfare of any part of the university community or the public at large. Conduct that creates an ongoing disruption of, or interference with, the operations of the university and that prevents other students, employees, or invitees from completing their duties or accessing their education or the educational environment, is conduct harmful to the welfare of members of the university community.

(3) Procedure. The vice president for student affairs or campus chancellor, or their designee, ordering an emergency suspension must send the student a written notice of emergency suspension. The notice must contain the reasons for the decision (both the factual basis and the conclusions as to why those facts constitute a violation of the standards of conduct), and the policy reasons for the emergency suspension. The emergency suspension does not replace the regular hearing process, which must proceed to a conduct officer hearing or conduct board hearing, as applicable, as quickly as feasible. Once a final order is entered, any emergency suspension is lifted and the sanction, if any, set forth in the final order is imposed.

[]

NEW SECTION

WAC 504-26-415 Procedure for academic integrity violations. (1) Initial hearing.

(a) When a responsible instructor finds that a violation of academic integrity has occurred, the instructor must assemble the evidence and, upon reasonable notice to the student of the date, time, and nature of the allegations, meet with the student suspected of violating academic integrity policies. If the student admits violating academic integrity policies, the instructor assigns an outcome in keeping with published course policies and notifies the center for community standards in writing, including the allegations, the student's admission, and the sanctions imposed.

(b) If the instructor is unable to meet with the student or if the respondent disputes the allegation(s) and/or the outcome proposed by the instructor, the instructor must make a determination as to whether the student did or did not violate the academic integrity policies. If the instructor finds that the student was in violation, the instructor must provide the student and the center for community standards with a written determination, the evidence relied upon, and the sanctions imposed.

(c) The student has twenty-one calendar days from the date of the decision letter to request review of the instructor's determination and/or sanction(s) imposed to the academic integrity hearing board.

(2) Review.

(a) Upon timely request for review by a student who has been found by their instructor to have violated the academic integrity policies, the academic integrity hearing board must make a separate

and independent determination of whether or not the student is responsible for violating the academic integrity policies and/or whether the outcome proposed by the instructor is in keeping with the instructor's published course policies.

(b) The academic integrity hearing board is empowered to provide an appropriate remedy for a student including arranging a withdrawal from the course, having the student's work evaluated, or changing a grade where it finds that:

(i) The student is not responsible for violating academic integrity policies; or

(ii) The outcome imposed by the instructor violates the instructor's published policies.

(c) Academic integrity hearing board proceedings.

(i) Any student appealing a responsible instructor's finding of an academic integrity violation is provided written notice of an academic integrity hearing board hearing in accordance with WAC 504-26-035. The written notice must include:

(A) The specific complaint, including the university or instructor academic integrity policy or regulation allegedly violated;

(B) The approximate time and place of the alleged act that forms the factual basis for the violation;

(C) The time, date, and place of the hearing;

(D) A list of the witnesses who may be called to testify, to the extent known; and

(E) A description of all documentary and real evidence to be used at the hearing, to the extent known, including a statement that the student must have the right to inspect the documentation.

(ii) Time for hearings.

(A) Academic integrity hearing board hearings are scheduled not less than seven calendar days after the student has been sent notice of the hearing.

(B) Requests to extend the time and/or date for hearing must be addressed to the chair of the academic integrity hearing board, and must be copied to the center for community standards. A request for extension of time is granted only upon a showing of good cause.

(iii) Academic integrity hearing board hearings are conducted according to the following procedures, except as provided by (c)(iv) of this subsection:

(A) Academic integrity hearing board hearings are conducted in private.

(B) The instructor, respondent, and their advisor, if any, are allowed to attend the entire portion of the hearing at which information is received (excluding deliberations). Admission of any other person to the hearing is at the discretion of the academic integrity hearing board chair.

(C) In academic integrity hearings involving more than one respondent, the academic integrity hearing board chair may permit joint or separate hearings at the chair's discretion.

(D) In hearings involving graduate students, board memberships are comprised to include graduate students and graduate teaching faculty to the extent possible.

(E) The responsible instructor and the respondent may arrange for witnesses to present relevant information to the academic integrity hearing board. Witnesses must provide written statements to the conduct officer at least two weekdays before the hearing. The respondent is responsible for informing their witnesses of the time and place of the hearing. Witnesses provide information to and answer questions from the academic integrity hearing board, the responsible instructor, and the respondent, as appropriate. The respondent and/or responsible instructor may suggest written questions to be answered by each other or by other witnesses. Written questions are submitted to, and asked by, the academic integrity hearing board chair. This method is used to preserve the educational tone of the hearing and to avoid creation of an unduly adversarial environment, and to allow the board chair to determine the relevancy of questions. Questions concerning whether potential information may be received are resolved at the discretion of the academic integrity hearing board chair, who has the discretion to determine admissibility of information.

(F) Pertinent records, exhibits, and written statements may be accepted as information for consideration by an academic integrity hearing board at the discretion of the chair.

(G) Questions related to the order of the proceedings are subject to the final decision of the chair of the academic integrity hearing board.

(H) After the portion of the hearing concludes in which all pertinent information is received, the academic integrity hearing board determines (by majority vote) whether or not the respondent is responsible for violating the academic integrity policy and/or whether the outcome proposed by the instructor is in keeping with the instructor's published course policies.

(I) The respondent is notified of the academic integrity hearing board's decision within twenty calendar days from the date the matter is heard. The respondent must receive written notice of the decision, the reasons for the decision (both the factual basis therefore and the conclusions as to how those facts apply to the academic integrity policies), and the sanction.

(iv) If a respondent to whom notice of the hearing has been sent (in the manner provided above) does not appear at the hearing, the information in support of the complaint is presented and considered in the respondent's absence, and the board may issue a decision based upon that information.

(v) The academic integrity hearing board may for convenience, or to accommodate concerns for the personal safety, well-being, and/or fears of confrontation of any person, provide separate facilities, and/or permit participation by telephone, audio tape, written statement, or other means, as determined in the sole judgment of the chair of the academic integrity hearing board to be appropriate.

(vi) The written decision of the academic integrity hearing board is the university's final order. There is no appeal from findings of responsibility or outcomes assigned by university or college academic integrity hearing boards.

(3) If the reported violation is the respondent's first offense, the center for community standards ordinarily requires the respondent to attend a workshop separate from, and in addition to, any academic outcomes imposed by the instructor. A hold is placed on the respondent's record preventing registration or graduation until completion of the workshop.

(4) If the reported violation is the respondent's second offense, the respondent is ordinarily referred for a full adjudicative hearing in accordance with WAC 504-26-403, with a recommendation that the respondent be dismissed from the university.

(5) If the instructor or academic integrity hearing board determines that the act of academic dishonesty for which the respondent is found responsible is particularly egregious in light of all attendant circumstances, the instructor or academic integrity hearing board may direct that the respondent's case be referred for a full adjudicative hearing, with a recommendation for dismissal from the university even if it is the respondent's first offense.

(6) Because instructors and departments have a legitimate educational interest in the outcomes, reports of academic integrity hearing board and/or conduct board hearings must be reported to the responsible instructor and the chair or dean.

[]

NEW SECTION

WAC 504-26-420 Appeals. (1) Time for appeals. Decisions made by a conduct officer or conduct board become final twenty-one calendar days after the date the decision is sent to the parties, unless an appeal is submitted before that date.

(2) Effect of appeal - Stay. Except in extraordinary circumstances, which must be explained in writing in the conduct officer's or conduct board's initial order, the implementation of an initial order imposing sanctions must be stayed pending the time for filing an appeal and the issuance of the university's final order.

(3) Appeals of conduct officer decisions. Upon receipt of a timely appeal, the appeals board provides the other parties, if applicable, with a copy of the appeal and an opportunity to respond, and conducts a limited review as described below.

(a) Scope of review. Except as required to explain the basis of new information, appeal of a conduct officer decision is limited to a review of the record for one or more of the following purposes:

(i) To determine whether the conduct officer hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures; deviations from

designated procedures are not a basis for sustaining an appeal unless significant prejudice results;

(ii) To determine whether the decision reached was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the standards of conduct occurred;

(iii) To determine whether the sanction(s) imposed were appropriate for the violation of the standards of conduct that the respondent was found to have committed; or

(iv) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original conduct officer hearing, because such information and/or facts were not known to the person appealing at the time of the original conduct officer hearing.

(b) Conversion to conduct board hearing. The appeals board makes any inquiries necessary to ascertain whether the proceeding must be converted to a conduct board hearing in accordance with WAC 504-26-403.

(4) Appeals of conduct board decisions. Upon receipt of a timely appeal, the appeals board provides the other parties, if applicable, with a copy of the appeal and an opportunity to respond.

(a) The appeals board must have and exercise all the decision-making power that the conduct board had, except that the appeals board must give due regard to the conduct board's opportunity to observe the witnesses, if applicable. The appeals board members must personally consider the whole record or such portions of it as may be cited by the parties.

(b) Scope of review. The appeals board conducts a full review in accordance with RCW 34.05.464.

(5) University's right to initiate appeal. The university president or designee, at their own initiative, may request that the appeals board review any initial order. Prior to taking action, the appeals board must notify the parties and allow them an opportunity to explain the matter.

(6) Appeals board decisions.

(a) Actions. After reviewing the record and any information provided by the parties, the appeals board may take the following actions:

(i) Affirm, reverse, or modify the conduct board's or conduct officer's decision, or any part of the decision;

(ii) Affirm, reverse, or modify the sanctions imposed by the conduct board or conduct officer, or any part of the sanctions; or

(iii) Set aside the findings or sanctions, or any part of the findings or sanctions, and remand the matter back to the conduct board or conduct officer with instructions for further proceedings.

(b) Content of decision. The decision includes the outcome, any sanction, and a brief statement of the reasons for the decision. The letter must advise the parties that judicial review may be available. For appeals of conduct board hearings, the decision includes, or

incorporates by reference to the conduct board's decision, all matters as set forth in WAC 504-26-403.

(c) Service and effective date of decision. For appeals of conduct officer decisions, the appeals board's decision must be sent to the parties within twenty calendar days of receipt of the appeal. For appeals of conduct board decisions, the appeals board's decision must be sent to the parties within thirty calendar days of receipt of the appeal, unless the appeals board notifies the parties in writing that additional time (up to ninety calendar days) is needed. The appeals board's decision is the final order of the university, except in the case of remand, and is effective when sent.

(7) Reconsideration of final orders. Within ten calendar days of service of a final order, any party may submit a request for reconsideration. The request must be in writing, directed to the appeals board, and must state the reasons for the request. The request for reconsideration does not stay the effective date of the final order. However, the time for filing a petition for judicial review does not commence until the date the appeals board responds to the request for reconsideration or twenty-one calendar days after the request has been submitted, whichever is sooner. If the appeals board does not respond to the request for reconsideration within twenty-one calendar days, the request is deemed to have been denied.

(8) Stay. A party may request that the university delay the date that the final order becomes effective by requesting a stay in writing to the appeals board within ten calendar days of the date the order was served.

[]

NEW SECTION

WAC 504-26-425 Sanctions. (1) Publication of guidelines for sanctioning. Sanctioning guidelines and other information regarding sanctioning must be published on the center for community standards web site. Guidelines must explain in plain language the types of sanctions that a respondent may face for a particular violation and the factors that are used to determine the sanction(s) imposed for a particular violation. Factors must include, but not be limited to, the following:

(a) Conduct record. Any record of past violations of the standards of conduct, and the nature and severity of such past violations;

(b) Malicious intent. If a respondent is found to have intentionally selected a victim based upon the respondent's perception of the victim's race, color, religion, national or ethnic origin, age, sex/gender, marital status, status as an honorably discharged veteran or member of the military, sexual orientation, genetic information, gender identity/expression, or mental, physical, or sensory disability (including disability requiring the use of a trained service animal),

such finding is considered an aggravating factor in determining a sanction for such conduct; and

(c) Impact on victim and/or university community.

(2) Effective date of sanctions. Except as provided in WAC 504-26-420(2), sanctions are implemented when a final order becomes effective. If no appeal is filed, an initial order becomes a final order on the day after the period for requesting review has expired. (See WAC 504-26-420.)

(3) Types of sanctions. The following sanctions may be imposed upon any respondent found to have violated the standards of conduct. More than one of the sanctions listed below may be imposed for any single violation:

(a) Warning. A notice in writing to the respondent that the respondent is violating or has violated institutional regulations.

(b) Probation. Formal action placing conditions upon the respondent's continued attendance, recognition, or registration at the university. Probation is for a designated period of time and warns the student or recognized or registered student organization that suspension, expulsion, loss of recognition, or any other sanction outlined in this section may be imposed if the student or recognized or registered student organization is found to have violated any institutional regulation(s) or fails to complete any conditions of probation during the probationary period. A student on probation is not eligible to run for or hold an office in any recognized or registered student group or organization; they are not eligible for certain jobs on campus including, but not limited to, resident advisor or orientation counselor; and they are not eligible to serve on the university conduct or appeals board.

(c) Loss of privileges. Denial of specified privileges for a designated period of time.

(d) Restitution. Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.

(e) Education. The university may require the respondent to successfully complete an educational project designed to create an awareness of the respondent's misconduct.

(f) Community service. Imposition of service hours (not to exceed eighty hours per student or per member of a recognized or registered student organization).

(g) University housing suspension. Separation of the student from a residence hall or halls for a definite period of time, after which the student may be eligible to return. Conditions for readmission may be specified.

(h) University housing expulsion. Permanent separation of the student from a residence hall or halls.

(i) University suspension. Separation of the student from the university for a definite period of time, after which the student is eligible to request readmission. Conditions for readmission may be specified.

(j) University expulsion. Permanent separation of the student from the university. Also referred to as university dismissal. The terms are used interchangeably throughout this chapter.

(k) Revocation of admission and/or degree. Admission to or a degree awarded from the university may be revoked for fraud, misrepresentation, or other violation of law or standard of conduct in obtaining the degree, or for other serious violations committed by a student before awarding of the degree.

(l) Withholding degree. The university may withhold awarding a degree otherwise earned until the completion of the process set forth in these standards of conduct, including the completion of all sanctions imposed, if any.

(m) Trespass. A student may be restricted from any or all university premises based on their misconduct.

(n) Loss of recognition. A recognized or registered student organization's recognition (or ability to register) may be withheld permanently or for a specific period of time. A fraternity or sorority may be prohibited from housing first year students. Loss of recognition is defined as withholding university services, privileges, or administrative approval from a recognized or registered student organization. Services, privileges, and approval to be withdrawn include, but are not limited to, intramural sports (although individual members may participate), information technology services, university facility use and rental, student involvement office organizational activities, and center for fraternity and sorority life advising.

(o) Hold on transcript and/or registration. A hold restricts release of a student's transcript or access to registration until satisfactory completion of conditions or sanctions imposed by a conduct officer or university conduct board. Upon proof of satisfactory completion of the conditions or sanctions, the hold is released.

(p) No contact order. A prohibition of direct or indirect physical, verbal, and/or written contact with another individual or group.

(q) Fines. Previously established and published fines may be imposed. Fines are established each year prior to the beginning of the academic year and are approved by the vice president for student affairs.

(r) Additional sanctions for hazing. In addition to other sanctions, a student who is found responsible for hazing forfeits any entitlement to state-funded grants, scholarships, or awards for a specified period of time, in accordance with RCW 28B.10.902.

(4) Academic integrity violations. No credit need be given for work that is not a student's own. Thus, in academic integrity violations, the responsible instructor has the authority to assign a grade and/or educational sanction in accordance with the expectations set forth in the relevant course syllabus. The instructor's choices may include, but are not limited to, assigning a grade of "F" for the assignment and/or assigning an educational sanction such as extra or

replacement assignments, quizzes, or tests, or assigning a grade of "F" for the course.

[]

PART V
ADMINISTRATION AND RECORDS

NEW SECTION

WAC 504-26-504 Interpretation—Policies, procedures, and guidelines. (1) The vice president for student affairs or designee has authority to interpret these rules and develops policies, procedures, and guidelines for the administration of the university's student conduct system that are consistent with the provisions in this chapter. These must be published, at a minimum, on the center for community standards web site and in the university's student handbook. A link to the student handbook or center for community standards web site must be provided to parties prior to any informational meeting or student conduct hearing and must provide the following information:

(a) Rights in the student conduct process;

(b) A clear explanation of what to expect during the process;

(c) Information regarding legal resources available in the community;

(d) A statement that respondents are presumed "not responsible"; and

(e) A statement regarding the right not to self-incriminate in accordance with WAC 504-26-045.

(2) Definitions from these standards are incorporated into Washington State University's executive policy 15, which prohibits discrimination, sexual harassment, and sexual misconduct.

[]

NEW SECTION

WAC 504-26-510 Good Samaritan policy. A conduct officer may elect not to initiate a conduct proceeding regarding alcohol or other drug violations against a student who, while in the course of helping another person seek medical assistance, admits to the unlawful possession or use of alcohol or drugs, provided that the possession was for personal consumption and the use did not place the health or safety of any other person at risk. In addition, a conduct officer may elect not to initiate a conduct proceeding against a complainant who admits to the possession or use of alcohol or drugs in connection with a report under this policy.

[]

NEW SECTION

WAC 504-26-515 Periodic review and assessment. At the end of each academic year, the center for community standards provides a report to the vice president for student affairs which must include, at a minimum, a numerical breakdown of the types of matters handled and the sanctions imposed. The vice president for student affairs must make the report publicly available, provided all personally identifiable or readily ascertainable student information is removed.

The standards of conduct and the student conduct system as a whole are reviewed every three years under the direction of the vice president for student affairs or designee. The student government council is asked to provide recommendations and input on proposed changes. After completion of any adjudication or other resolution of a student conduct matter, the center for community standards must send a survey to all parties requesting feedback on the process. Feedback results must be reviewed, at a minimum, every three years in connection with the periodic review and assessment.

[]

NEW SECTION

WAC 504-26-520 Conduct hold on student record. When a student leaves the university or completes course work required for a degree after an incident occurs that could result in violations of the standards of conduct, the center for community standards may place a conduct hold on the student's record. A conduct hold may also be placed on the student's account if the student has failed to adequately complete sanctions by the proscribed timeline. A conduct hold may restrict the student from adding or dropping classes, requesting an official transcript, or receiving a degree from the university until the hold is removed. The center for community standards must advise the student of the hold and the process for challenging the hold. A conduct hold under these circumstances is not a sanction and does not imply or assume responsibility for a violation of the standards of conduct.

[]

NEW SECTION

WAC 504-26-525 Good standing. The award of a degree and/or diploma is conditioned upon the student's good standing in the university and satisfaction of all university graduation requirements. "Good standing" means the student has resolved any acts of academic or behavioral misconduct and complied with all sanctions imposed as a

result of the misconduct. The university has the sole authority in determining whether to withhold the degree and/or diploma in cases where the student is not in good standing. The university must deny the award of a degree if the student is dismissed from the university based on their misconduct. Neither diplomas nor transcripts are sent until students have resolved any unpaid fees and resolved any acts of academic or behavioral misconduct and complied with all sanctions imposed as a result of misconduct. (See also academic regulation 45 in the university general catalog.)

[]

NEW SECTION

WAC 504-26-530 Recordkeeping and confidentiality. (1) Removal of conduct record. A student may request removal from their record a single disciplinary violation relating to the possession or use of alcohol and/or marijuana, and/or other violation of the university's policies relating to alcohol and drugs. Granting such a request is discretionary, and the student must make such a request in accordance with university policies and procedures.

(2) Conduct records are maintained in accordance with the university's records retention schedule.

(3) The conduct record is confidential and is released only as authorized under the Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. Sec. 1232g; 34 C.F.R. Part 99) and chapter 504-21 WAC, University policy on student education records.

(4) A student may request a copy of their own conduct record at their own reasonable expense by making a written request to the center for community standards.

(5) Personally identifiable student information is redacted to protect other students' privacy, except as otherwise required by law.

(6) A student may authorize release of their own conduct record to a third party in compliance with FERPA by making a written request to the center for community standards.

(7) The university may inform the complainant of the outcome of any conduct proceeding involving a crime of violence as defined by FERPA.

(8) The university informs the complainant of the outcome of any conduct proceeding alleging sexual misconduct. (34 C.F.R. 668.46 (b)(11)(vi)(B).)

(9) The university may not communicate a student's conduct record to any person or agency outside the university without the prior written consent of the student, except as required or permitted by law. Exceptions include, but are not limited to:

(a) The student's parents or legal guardians may review these conduct records if the student is a dependent for tax purposes as defined by FERPA.

(b) The university may release conduct records to another educational institution, upon request, where the student seeks or intends to enroll, as allowed by FERPA.
[]

REPEALER

The following sections of the Washington Administrative Code are repealed:

WAC 504-26-005	Good standing.
WAC 504-26-101	Convening boards.
WAC 504-26-102	Policies.
WAC 504-26-103	Decisions.
WAC 504-26-200	Jurisdiction of the standards of conduct for students.
WAC 504-26-301	Malicious intent.
WAC 504-26-302	Responsibility for guests.
WAC 504-26-303	International and national exchange programs.
WAC 504-26-304	Recognized student organization conduct.
WAC 504-26-305	Violation of law and university discipline.
WAC 504-26-4031	Procedure for formal (full) adjudicative proceedings.
WAC 504-26-404	Procedure for academic integrity violations.
WAC 504-26-405	Sanctions.
WAC 504-26-406	Interim suspension.
WAC 504-26-407	Review of decision in brief adjudications.
WAC 504-26-408	Interim measures.
WAC 504-26-501	Records.
WAC 504-26-601	Interpretations.
WAC 504-26-602	Periodic review.

ACTION ITEM #2

Proposed Revision to WAC 504-04 Practice and Procedure (Mary Jo Gonzales/Danielle Hess)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU All Campuses, Revision to WAC 504-04 Practice and Procedure

PROPOSED: That the Board of Regents adopt revisions to WAC 504-04 Practice and Procedure

SUBMITTED BY: Mary Jo Gonzales, Vice President for Student Affairs

SUPPORTING
INFORMATION:

In January 2017, WSU drafted and filed emergency rules modifying its student conduct process as a result of the *Arishi vs. WSU* decision, which was issued by the Washington Court of Appeals in December 2016. The rules provided for formal adjudicative hearings in certain serious student conduct matters and were codified in WAC 504-04. These were later made permanent.

With the upcoming implementation of new rules resulting from the student conduct task force process, the procedures for formal adjudications of student conduct matters will be moved out of WAC 504-04 and into WAC 504-26 (Standards of Conduct for Students). This will ensure that the student conduct process is integrated into one chapter of the WAC.

The proposed changes to 504-04 remove the procedures pertaining to student conduct adjudications and refer the reader to WAC 504-26. There also are some minor updates throughout the chapter to conform to current practices. A copy of the proposed rules is attached.

A public hearing on the proposed rules was held on November 6, 2018. The rules are now ready for approval by the Regents. If approved, the changes to WAC 504-04 will be effective in Spring 2019, at the same time as the changes to WAC 504-26.

WAC 504-04-010 Matters subject to brief adjudication. The following proceedings are matters to be treated as brief adjudications pursuant to RCW 34.05.482 through 34.05.491:

(1) Student conduct proceedings (~~((Student conduct proceedings under chapter 504-26 WAC are treated as brief adjudications, except for matters involving sanctions of suspension for greater than ten instructional days, expulsion, revocation of degree, or loss of recognition of a student organization, which shall be referred for a full (formal) adjudication in accordance with this chapter))~~), except for matters involving sanctions of suspension for greater than ten instructional days, expulsion, revocation of degree, or loss of recognition of a recognized or registered student organization. The procedural rules of chapter 504-26 WAC apply to all student conduct proceedings.

(2) Appeals of residency determinations. If a hearing is required by law or constitutional right, appeals of residency determinations under RCW 28B.15.013 are brief adjudicative proceedings conducted by the office of (~~(admissions)~~) the registrar.

(3) Appeals of parking violations. Appeals of parking violations are brief (~~(adjudicatory)~~) adjudicative proceedings conducted pursuant to applicable rules. See WAC 504-13-860, 504-14-860, 504-15-860, and 504-19-860.

(4) Hearings on student records. Hearings pursuant to the Family Educational Rights and Privacy Act, 20 U.S.C. (~~(§)~~) Sec. 1232g are to be brief adjudicative proceedings conducted pursuant to the rules of chapter 504-21 WAC.

(5) Hearings on denial of financial aid. Any hearings required by state or federal law regarding granting, modification or denial of financial aid are brief adjudicative proceedings conducted by the office of (~~(scholarships and)~~) student financial (~~(aid)~~) services.

(6) (~~(Emergency withdrawal of students. Proceedings to disenroll students for medical or psychological reasons are brief adjudicative proceedings conducted by the office of student affairs.~~

~~(7))~~) Discipline and termination of student employees. When required by law, hearings for the termination of or imposition of disciplinary measures on student employees (~~(shall be)~~) are brief adjudicative proceedings.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-010, filed 6/15/17, effective 7/16/17; WSR 13-16-089, § 504-04-010, filed 8/6/13, effective 9/6/13; WSR 07-02-034, § 504-04-010, filed 12/26/06, effective 1/26/07. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-010, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-020 Appointment of presiding officers for all adjudicative proceedings. The president of Washington State University or his or her designee (~~((shall have))~~) has the power to appoint members of the faculty, staff, and student body; administrative law judges; members in good standing of the Washington state bar association; the president or his or her designee; a person or entity with whom the university contracts; or any combination of the above to be presiding officers for formal and brief adjudicative proceedings. When more than one individual is designated to be the presiding officer, one person shall be designated by the president or (~~((president's))~~) designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters. The term "presiding officer" as used in this chapter (~~((shall be))~~) is read in the plural when the context demands. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-020, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-020, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-110 Adoption of model rules of procedure for formal (full) (~~((proceedings))~~) adjudications—Exceptions. In formal (~~((proceedings))~~) adjudications (also referred to as full adjudications) pursuant to RCW 34.05.413 through 34.05.476, Washington State University follows the Administrative Procedure Act (chapter 34.05 RCW) and hereby adopts the model rules of procedure adopted by the office of administrative hearings, chapter 10-08 WAC, with the following exceptions (~~((and modifications))~~):

(1) WAC 10-08-190 Adjudicative proceedings—Cameras—Recording devices.

See WAC 504-04-120 which determines the use of cameras and recording devices at adjudicative proceedings.

(2) (~~((WAC 10-08-040 Adjudicative proceedings Notice of hearing. In addition to this model rule regarding notice, the provisions in WAC 504-26-401(5) and 504-26-403 (1) and (2) apply.~~

(3) ~~The parties in a student conduct matter implicating Title IX of the Civil Rights Act of 1964 (Title IX) shall include the complainant(s) if the complainant(s) notifies the university that she/he wishes to participate as a party.~~

(4) ~~WAC 10-08-120 Adjudicative proceedings—Subpoenas. In determining whether to issue, quash, or modify a subpoena to a complainant/witness in a student conduct matter implicating Title IX,~~

~~the presiding officer shall give due consideration to state and federal legal requirements including, but not limited to, Title IX, its implementing regulations, and guidance issued by the federal office for civil rights. In such cases, the party requesting the subpoena has the burden of showing that a subpoena is necessary for full disclosure of all the relevant facts and issues.~~

~~(5) Cross examination. As required by RCW 34.05.449, cross examination of witnesses shall be permitted to the extent necessary for full disclosure of all relevant facts and issues. However, in a student conduct matter implicating Title IX, the complainant and respondent shall not be permitted to cross examine each other directly. The preferred method of cross examination in all student conduct matters is through written questions submitted to, and asked by, the presiding officer. The presiding officer may decline to ask cross examination questions that are irrelevant, immaterial, or unduly repetitious. In accordance with evidence rule 412, a complainant's sexual history generally will not be admissible. All questions submitted by the parties will be retained as part of the agency record. At the request of either participating party in a student conduct matter implicating Title IX, the requesting party shall be permitted to participate remotely, or in a different room, in accordance with chapter 504-26 WAC.~~

~~(6) Discovery. Depositions, interrogatories, and medical examinations of parties as part of discovery are not permitted in adjudications of student conduct matters. Other forms of discovery may be permitted at the discretion of the presiding officer; however, discovery should be limited to help ensure the prompt completion of the adjudication process, in accordance with RCW 34.05.446.~~

~~(7) Standard of proof. The standard of proof in student conduct proceedings is preponderance of the evidence.~~

~~(8) Administrative review in full adjudications. Within twenty days of service of an initial order resulting from a full adjudication in a student conduct proceeding, or a different time period as specified in the initial order, a student or student organization may appeal the decision to the university president or designee, who reviews the matter in accordance with RCW 34.05.464. Complainants in student conduct matters shall be afforded the same right to appeal as respondents. The university president or designee, of his or her own initiative, may review any initial order resulting from a full adjudication. The decision of the president shall be the final order of the university. If no appeal is initiated, the initial order following a full adjudication becomes the final order of the university after twenty-one days, or the day after the appeal period specified in the initial order, whichever is sooner.)) Chapter 504-26 WAC sets forth exceptions and modifications to the model rules of procedure for formal hearings involving student discipline.~~

(3) The university's faculty manual sets forth exceptions and modifications to the model rules of procedure for formal hearings involving faculty discipline.

(4) Other procedural rules adopted in this title and this chapter are supplementary to the model rules. In the case of a conflict between the model rules and procedural rules adopted by Washington State University, the procedural rules adopted by the university (~~shall~~) govern.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-110, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-110, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-120 Confidentiality of student, faculty, and staff formal adjudicative proceedings. In formal adjudicative proceedings, the presiding officer (~~shall have~~) has the power to close all or part of the hearing to public observation. The presiding officer (~~shall have~~) has the power to impose reasonable conditions upon observation of the proceeding. The presiding officer also (~~shall have~~) has the power to regulate the use of photographic and recording equipment. In the case of hearings involving discipline, termination, or (~~medical withdrawal~~) administrative cancellation of enrollment, hearings (~~will~~) are normally (~~be~~) closed to public observation. In student conduct matters, including those implicating Title IX, hearings (~~will be~~) are closed to public observation in accordance with WAC 504-26-025.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-120, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-120, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-130 Advising and representation of parties. Any person whose rights are in issue in a formal adjudicative proceeding (~~shall have~~) has the right to have an (~~adviser~~) advisor present during any stage of the proceedings. However, only persons admitted to the practice of law in the state of Washington, including licensed legal interns (~~pursuant to admission to practice rule 9, shall be~~), are permitted to act as (~~a~~) representatives at the proceedings. The presiding officer (~~shall have~~) has the power to impose reasonable conditions upon participation of advisors and representatives.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-130, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220,

28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-130, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-140 Discovery. Discovery in formal hearings may be permitted at the discretion of the presiding officer, (~~except as provided in WAC 504-04-110(6)~~) unless specific limitations apply. In permitting discovery, reference (~~shall~~) must be made to the civil rules applicable in court proceedings for guidance.

The presiding officer (~~shall have~~) has the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-140, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-140, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-010 Matters subject to brief adjudication. The following proceedings are matters to be treated as brief adjudications pursuant to RCW 34.05.482 through 34.05.491:

(1) Student conduct proceedings, except for matters involving sanctions of suspension for greater than ten instructional days, expulsion, revocation of degree, or loss of recognition of a recognized or registered student organization. The procedural rules of chapter 504-26 WAC apply to all student conduct proceedings.

(2) Appeals of residency determinations. If a hearing is required by law or constitutional right, appeals of residency determinations under RCW 28B.15.013 are brief adjudicative proceedings conducted by the office of the registrar.

(3) Appeals of parking violations. Appeals of parking violations are brief adjudicative proceedings conducted pursuant to applicable rules. See WAC 504-13-860, 504-14-860, 504-15-860, and 504-19-860.

(4) Hearings on student records. Hearings pursuant to the Family Educational Rights and Privacy Act, 20 U.S.C. Sec. 1232g are to be brief adjudicative proceedings conducted pursuant to the rules of chapter 504-21 WAC.

(5) Hearings on denial of financial aid. Any hearings required by state or federal law regarding granting, modification or denial of financial aid are brief adjudicative proceedings conducted by the office of student financial services.

(6) Discipline and termination of student employees. When required by law, hearings for the termination of or imposition of disciplinary measures on student employees are brief adjudicative proceedings.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-010, filed 6/15/17, effective 7/16/17; WSR 13-16-089, § 504-04-010, filed 8/6/13, effective 9/6/13; WSR 07-02-034, § 504-04-010, filed 12/26/06, effective 1/26/07. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-010, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-020 Appointment of presiding officers for all adjudicative proceedings. The president of Washington State University or his or her designee has the power to appoint members of the faculty, staff, and student body; administrative law judges; members in good standing of the Washington state bar association; the

president or his or her designee; a person or entity with whom the university contracts; or any combination of the above to be presiding officers for formal and brief adjudicative proceedings. When more than one individual is designated to be the presiding officer, one person shall be designated by the president or designee to make decisions concerning discovery, closure, means of recording adjudicative proceedings, and similar matters. The term "presiding officer" as used in this chapter is read in the plural when the context demands. [Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-020, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-020, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-110 Adoption of model rules of procedure for formal (full) adjudications—Exceptions. In formal adjudications (also referred to as full adjudications) pursuant to RCW 34.05.413 through 34.05.476, Washington State University follows the Administrative Procedure Act (chapter 34.05 RCW) and hereby adopts the model rules of procedure adopted by the office of administrative hearings, chapter 10-08 WAC, with the following exceptions:

(1) WAC 10-08-190 Adjudicative proceedings—Cameras—Recording devices.

See WAC 504-04-120 which determines the use of cameras and recording devices at adjudicative proceedings.

(2) Chapter 504-26 WAC sets forth exceptions and modifications to the model rules of procedure for formal hearings involving student discipline.

(3) The university's faculty manual sets forth exceptions and modifications to the model rules of procedure for formal hearings involving faculty discipline.

(4) Other procedural rules adopted in this title and this chapter are supplementary to the model rules. In the case of a conflict between the model rules and procedural rules adopted by Washington State University, the procedural rules adopted by the university govern.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-110, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-110, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-120 Confidentiality of student, faculty, and staff formal adjudicative proceedings. In formal adjudicative proceedings, the presiding officer has the power to close all or part of the hearing to public observation. The presiding officer has the power to impose reasonable conditions upon observation of the proceeding. The presiding officer also has the power to regulate the use of photographic and recording equipment. In the case of hearings involving discipline, termination, or administrative cancellation of enrollment, hearings are normally closed to public observation. In student conduct matters, including those implicating Title IX, hearings are closed to public observation in accordance with WAC 504-26-025.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-120, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-120, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-130 Advising and representation of parties. Any person whose rights are in issue in a formal adjudicative proceeding has the right to have an advisor present during any stage of the proceedings. However, only persons admitted to the practice of law in the state of Washington, including licensed legal interns, are permitted to act as representatives at the proceedings. The presiding officer has the power to impose reasonable conditions upon participation of advisors and representatives.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-130, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220, 28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-130, filed 11/22/89, effective 12/23/89.]

AMENDATORY SECTION (Amending WSR 17-13-049, filed 6/15/17, effective 7/16/17)

WAC 504-04-140 Discovery. Discovery in formal hearings may be permitted at the discretion of the presiding officer, unless specific limitations apply. In permitting discovery, reference must be made to the civil rules applicable in court proceedings for guidance.

The presiding officer has the power to control the frequency and nature of discovery permitted, and to order discovery conferences to discuss discovery issues.

[Statutory Authority: RCW 28B.30.150. WSR 17-13-049, § 504-04-140, filed 6/15/17, effective 7/16/17. Statutory Authority: RCW 34.05.220,

28B.30.095, 28B.30.125, 28B.10.648, 34.05.250 and 34.05.482. WSR 89-23-117, § 504-04-140, filed 11/22/89, effective 12/23/89.]

ACTION ITEM #3

WSU Pullman, Amendments to WAC Chapter 504-36-030 Spectator Events - Safety Rules (Stacy Pearson/Bill Gardner)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Pullman, Amendments to WAC Chapter 504-36-030: Spectator events - Safety rules

PROPOSED: That the Board of Regents adopt the proposed amendments to WAC Chapter 504-36-030 addressed below, relating to spectator events safety rules.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

SUPPORTING INFORMATION: The Board of Regents has authority pursuant to Chapter 28B.30 RCW and Chapter 34.05 RCW to adopt, amend, and repeal rules published in the Washington Administrative Code. WAC Chapter 504-36-030 concerns rules related to spectator event safety rules at the Pullman Campus. A summary of the proposed amendments follows, and a copy of the chapter, illustrating the specific changes, is appended as Attachment A.

These changes are necessary to meet industry best practices applicable to safety and security at PAC-12 and NCAA events. Most notable is the implementation of a "clear bag" policy which increases the security stance at events and streamlines the entry process by allowing for greater visibility and inspection of items being brought into the venue. The change also provides clarity regarding allowable seat cushions.

Summary of Proposed Spectator events - Safety rules Amendments:

- 504-36-030 (2) (h) (i-iv): describes size and clear material requirement of allowable bags.
- 504-36-030 (2) (h) (v): provides for exception related to medically necessary items.
- 504-36-030 (2) (h) (vi): provides for enforcement at various venues.
- 504-36-030 (2) (i) (i-x): lists prohibited styles of baggage, i.e. large purses, brief cases, backpacks, luggage, etc.

- 504-36-030 (2) (j): clarifies that small personal items, i.e. keys, wallet, etc., may be carried in pockets.
- 504-36-030 (2) (k): clarifies that certain supplies for babies may be carried in allowable clear bags.
- 504-36-030 (2) (l): grammatical change.
- 504-36-030 (2) (m): grammatical change.
- 504-36-030 (2) (m) (ix) (A-C): adds rigid frame seat cushions as a prohibited item, and describes the soft-sided cushions that are an allowed item.
- 504-36-030 (2) (x) and (xi): renumbering.

A notice of opportunity to make public comment on this proposal, either verbally or in writing, was published on October 8, 2018 in the All WSU Pullman Faculty, Staff, and Students—University Communications e-mail; and on October 9, 2018 in the *Daily Evergreen* and WSU Insider Daily Announcements at WSU Pullman. Notice was also published on August 1, 2018 on the WSU rule-making website, which is accessible by a direct link from the WSU home page. Each notice included notification of the time and place of the public hearing where oral comments could be provided and a request for written comments to be submitted no later than the close of business on October 17, 2018.

One employee submitted written comments to the Office of Procedures, Records, and Forms during the public comment period, and one anonymous student attended the public hearing to provide comments. A copy of the written comments and a synopsis of the oral comments are appended as Attachment B.

After full consideration of the comments received, no changes are proposed.

ATTACHMENTS: Attachment A
Attachment B

AMENDATORY SECTION (Amending WSR 17-11-010, filed 5/8/17, effective 6/8/17)

WAC 504-36-030 Spectator events—Safety rules. (1) Protection of the safety and general welfare of students, faculty and staff, performers and officials, and members of the general public attending or participating in spectator events on campus is a primary concern of Washington State University.

(2) The following rules of conduct apply to all spectator events of Washington State University. "Spectator event," for the purposes of this section, means ticketed or nonticketed athletic or entertainment events held on any portion of university property, including, but not limited to, Martin Stadium and the Beasley Coliseum (hereafter the "event site").

(a) Behavior which in the judgment of designated university officials constitutes a disruption of the event or a safety hazard for other spectators or participants is prohibited.

(b) For ticketed events, an individual is entitled to occupy only the seat for which he or she has the proper ticket.

(c) Photographing or making audio or visual recordings of a spectator event for commercial purposes is not permitted without specific written permission from the WSU athletic department (for athletic events) or the performer and applicable designated university official (for entertainment events).

(d) Aisles, walkways, and stairs must be kept clear of hazards and obstacles at all times to ensure safe and easy passage for all persons.

(e) Possession and/or consumption of illegal drugs or marijuana is prohibited. Possession and/or consumption of alcoholic beverages is permitted subject to restrictions.

(i) Any illegal drugs, marijuana, or alcoholic beverages, except for such beverages provided in accordance with (e)(ii) of this subsection, found in the possession of a spectator or otherwise found on the event site may be confiscated and delivered to the custody of designated university officials for law enforcement purposes or for disposal, as appropriate.

(ii) Alcoholic beverages may be possessed, sold, served, and consumed at event sites only under a valid permit or license issued by the Washington state liquor and cannabis board. Events at which alcoholic beverages are possessed, sold, served, and consumed must

comply with the restrictions imposed by the Washington state liquor and cannabis board and restrictions and policies imposed by the university, have restricted attendance, and be limited to specified room(s) or area(s). Possession, consumption, service, dispensation, or sale of alcohol is prohibited except to persons of legal age.

(f) Smoking and other uses of tobacco and/or nicotine products are prohibited in all areas of the Pullman campus in accordance with chapter 504-38 WAC and all areas of the Vancouver campus in accordance with chapter 504-37 WAC.

(g) Each spectator is allowed to bring one empty nondisposable water bottle into the event site, provided that the capacity of the water bottle is no more than one and one-half liters. All other beverage containers and devices used for carrying beverage containers are prohibited. All such items are subject to a visual inspection by designated university officials upon entry to the event site. If designated university officials make the determination that a given container or device is prohibited, the possessor of the container or device must remove the container or device from the event site premises or may surrender the container or device to such designated university officials for disposal.

(h) Each spectator is allowed to bring ~~((one soft sided))~~ the following sizes and styles of bags into the event site, provided ~~((such bag is no larger than fourteen inches by eight inches by fourteen inches and))~~ that, for seated events, ~~((is))~~ the bags are small enough to fit completely under the spectator's seat, where such bags must be kept. ~~((All other))~~

(i) Bags made of clear plastic, vinyl, or PVC that are no larger than fourteen inches by eight inches by fourteen inches.

(ii) Clear drawstring bags that are no larger than fourteen inches by fourteen inches.

(iii) One gallon clear plastic freezer bags (Ziploc bag or similar).

(iv) Small clutch bags, with or without a handle strap, that are no larger than four and one-half inches by six and one-half inches (the approximate size of a hand).

(v) Exceptions are made for medically necessary items after proper inspection upon entrance.

(vi) The clear bag policy is enforced at various venues at the discretion of university personnel and management. Exceptions may also be made depending on the venue.

(i) Prohibited bags and containers (~~((are prohibited.))~~) include,

but are not limited to:

(i) Purses larger than a clutch bag;

(ii) Coolers;

(iii) Briefcases;

(iv) Backpacks;

(v) Fanny packs;

(vi) Cinch bags;

(vii) Luggage of any kind;

(viii) Computer or camera bags;

(ix) Binocular cases;

(x) Any bag larger than the permissible sizes specified in subsection (h) of this section.

(j) Spectators are allowed to bring personal items, e.g., keys, cellular telephones, wallet, makeup, in their pockets if they choose not to use a clear bag.

(k) Additional items such as diapers, wipes, and other supplies for babies and small children are allowed if placed in an approved clear bag.

(l) All (~~((such))~~) items are subject to a visual inspection by designated university officials upon entry into the event site. If

designated university officials make the determination that a given bag is prohibited, the possessor of the bag must remove the bag from the event site premises or may surrender the bag to such designated university officials for disposal.

((~~(i)~~)) (m) The following items are also prohibited in the event site:

(i) Fireworks, weapons, explosive devices, or artificial noisemaking devices (such as airhorns);

(ii) Items deemed dangerous or unacceptable by designated university officials;

(iii) Drones;

(iv) Laser pointers;

(v) Extension items used to hold cellular telephones or cameras in place (e.g., "selfie sticks");

(vi) Flag poles, or any items that act as an extension of an arm and have a flag or sign affixed;

(vii) Footballs, frisbees, sport balls, any kind of inflatable balls, or any other projectiles;

(viii) Umbrellas;

(ix) Seat cushions with rigid frames. Seatback cushions must:

(A) Be soft sided;

(B) Contain no pockets or zippers; and

(C) Be no wider than eighteen inches.

(x) Pets or animals, except as allowed by WAC 504-36-020 or as otherwise required by state or federal law;

((~~x~~)) (xi) Food and beverages, unless purchased from a vendor within the event site.

(3) Where there is reasonable cause to believe that a person is violating, or is attempting to violate, the requirements identified in subsection (2) of this section, such person is denied license or privilege to enter or remain in or upon the event site premises, and designated university officials may take necessary action to deny entry or to remove such persons from the event site premises.

Prohibited items found in the possession of a spectator or otherwise found on the event site are to be confiscated and delivered to the custody of designated university officials for law enforcement purposes or for disposal, as appropriate. Violation of the requirements identified in subsection (2) of this section or failure to vacate the event site premises upon request of designated university officials may result in university disciplinary action (if applicable) and/or subsequent legal proceedings under federal or state law and/or the Washington Administrative Code.

(4) For purposes of this section, designated university officials include the president of the university, the vice president for finance and administration, and the following officials:

(a) Director of athletics or designee for athletic events;

(b) Director of the Beasley Coliseum or designee for Beasley Coliseum events;

(c) Director of the Compton Union Building or designee for events in the Compton Union Building;

(d) Director of the School of Music or designee for events sponsored by that school;

(e) The WSU executive director of public safety or designee;

(f) Officers of the WSU police department when (i) acting at the request of any of the above-named officials to enforce university regulations, or (ii) enforcing state laws or local ordinances;

(g) Contracted or hired security personnel and crowd management personnel when acting at the direction of the above-named officials or designees to enforce university regulations.

[Statutory Authority: RCW 28B.30.150. WSR 17-11-010, § 504-36-030, filed 5/8/17, effective 6/8/17; WSR 12-18-021, § 504-36-030, filed 8/27/12, effective 9/27/12. Statutory Authority: RCW 28B.30.125 and [28B.30.]150(1). WSR 97-20-019, § 504-36-030, filed 9/19/97, effective

9/19/97. Statutory Authority: RCW 28B.30.125 and 28B.30.150. WSR 80-07-015 (Order 80-2, Resolution 6/80-15), § 504-36-030, filed 6/11/80; Order 77-2, § 504-36-030, filed 8/3/77.]

Oral comments received at public hearing held October 17, 2018 for proposed revision of
WAC 504-36-030 Spectator Events—Safety Rules.

Anonymous WSU Student

Student: I am looking at 504-36-030 number 2. It does say "but not limited to Martin and Beasley Coliseum." That was one of my questions, but as he [Ben Clarke] just said, it looks like it's going to be at all of them eventually. So does that need to be changed to just say Martin, then? The reason I am bringing this up is I am thinking about graduation.

Ben Clarke response: They are trying to keep that flexible in the WAC.

Student: OK, can I just get clarification on that, maybe later?

Student: Then it says an individual can occupy only one seat for which he or she is the ticket holder. I have seen this on an airplane where you can buy two seats if you are a bigger person. Is that something that can happen?

Ben Clarke response: Yes, a person can buy two seats. The way that is written means that one ticket holder can have one clear bag.

Bill Gardner clarified: (In response to the student's first question about the policy applying to graduation.) He reiterated that the policy applies to "spectator events" only, and graduation is not considered a spectator event because attendees are not charged for admission.

Student: [The WAC] talks about no weapons. I am curious if mace is considered a weapon, like if you are allowed to have mace on your keychain.

Bill Gardner response: It is not allowed.

Student expressed concern for not having mace available for walking home after the game. They said that is a safety issue in and of itself (especially for women who often carry mace). The student asked Bill if he had any recommendations. The student suggested maybe having the option of checking the mace in when entering the game.

Bill Gardner response: He thought that was a good question and that he would look into it.

Student Another thing I had a question about was the size [of the clear bags].

Ben Clarke gave some background on how they came to the decision to have 14x8x14 for the size of bags allowed. The reason is mainly because that size of bag was already part of the WAC, so they decided to stick with that size.

Student: The other thing I was wondering about is where it refers to "clutch bags." The student brought out a standard clutch wallet and asked if it would be too big.

Ben Clarke response: It would not be too big to bring into the stadium.

Student So, going back to number 2, I would suggest that you have a definition of what is a "drawstring" [bag] and what is a "cinch bag" because most people probably do not know what a cinch bag is.

Student: Asked about the reference to medically necessary items being allowed and they thought they had read somewhere about having to go through separate line for that. Is that true?

Ben Clarke response: The athletic website has an FAQ page and this is addressed in that. Right now, gate supervisors are told that if they are approached by a spectator with this issue, to do a thorough search of that person's bag and allow them to enter if no banned items are in the bag. They do not have to go through a separate line.

Student: So, I do not agree with the clear bag policy, and this is why. So, I have to take medication, I think a lot of people probably do. And it says you have to have it in a clear bag, or you have to fit it in your pockets. The student placed pill bottles in their pockets and said that they have to take about 3 bottles of medicine with them and look how awkward this is [pointing to pants pockets with medicine bottles]. It would be hard to jump around like people do at games. If you have it in a clear bag, people could steal your medication. Another thing is if you have birth control (can be switched with tic tacs or stolen), another thing is tampons or pads (tampon dispensaries are not always the best option). Another thing is if people have to have an inhaler or EpiPen. This is why I don't agree with the clear bag policy. You can't fit these things in your pockets and it seems like this is in violation of Title 9 a little bit because you are assuming the person has pockets and the pockets are functional. A lot of skirts and dresses don't have pockets in them. So I also don't support it for that reason.

I think you should just do what TSA does and just have metal detectors. And so the word safety confused me, like what is it trying to prevent? Is it trying to prevent a mass shooting? Is it trying to avoid people getting trampled? What is it trying to prevent? I would just say have metal detectors if that is the issue.

And the other issue is that you can't bring purses and bags, and a lot of times it is girls who have purses and bags, so I feel it might be a little biased with that just because women more likely have purses and bags. and guy's pockets are usually bigger and more functional

than girl's pockets. So, what I would like to see happen is just open this back up to discussion and have forums. And to address some of the issues that I brought up, such as feminine hygiene. . . and the mace. . . and the medication. I don't want people to know what medication I am on.

And the other thing is, with binocular cases. I think you should allow binocular cases, because you want to protect your binoculars.

Regarding the 18 inches for seat cushion. What if your butt is bigger than 18 inches? That is an issue with obesity.

I hope that these are some issues that we could address. Especially the pockets. So, is there a way that maybe we could pick a different lining for the bags, or install metal detectors? I think these are valid issues, and I hope you guys do too.

So could we have this addressed before this becomes policy?

Deb Bartlett response: Explained the process off how public comments related to WAC revisions are handled and the next steps taken in response to any comments.

Bill Gardner asked Ben Clarke if items such as medication, EpiPens, depends, etc. would be considered medically necessary and could go in an opaque bag.

Ben Clarke responded that definitely that would be the case. He added that they do want to be accommodating and shared a story about a call he recently received from an Oregon man who uses a wheelchair that wants to attend the game and how he explained the process of checking in with a gate supervisor.

Student: Another thing I am wondering about is because we have HIPPA and FERPA, are we going to have other students searching the bags?

Ben Clarke response: It is a third party that is hired to do that. They do hire students. We have told them to not put students at the student's gate.

Student asked what they thought about the use of metal detectors and if it had ever been considered.

Bill Gardner responded saying yes it has been considered, but metal detectors do create bottlenecks, so that is something they have to think about, too. In the future, that is the way we will probably go.

Subject: FW: Spectator safety rules concern
Date: Wednesday, October 10, 2018 at 9:14:07 AM Pacific Daylight Time
From: Procedures, Records and Forms
To: Bartlett, Deborah
Attachments: image001.jpg

From: "Soler, Dave" <dsoler@wsu.edu>
Date: Tuesday, October 9, 2018 at 3:58 PM
To: "Procedures, Records and Forms" <prf.forms@wsu.edu>
Subject: Spectator safety rules concern

Hello,

The WSU Creamery has a concern that one of the items in the Spectator Events - Safety Rules notice sent for review is not consistent with guidance that we have been provided by the athletics department and has the potential to inadvertently have a very negative impact on the Creamery as well as the alumni spectator experience.

Item xi indicates that food and beverages are not allowed unless purchased from a vendor within the event site.

The guidance that we have gotten from the athletics department is that cans of cheese will not be allowed into the football stadium (because of the safety risk that they could be thrown, causing injury) but that cheese packaged in plastic (bags of cheese curd or snack packs of cut cheese for example) posed no such risk and would be allowed in. We have relayed that message to our customers, and have many who specifically purchase our ready-to-eat products to enjoy during the game. Ferdinand's is open for the 4 hours prior to every kickoff to serve those clientele, and we regularly have a line of alumni out the door happily waiting to spending money that goes directly back into the School of Food Science and CAHNRS on our products. Enjoying quality cheese products produced by WSU students during WSU football games is part of the cumulative experience that alumni come back to Pullman for and needs consideration in this rule.

We would ask for clarification on the prohibition of food allowed into the event site to specifically note that cheese in a can is not allowed, but that cheese packaged in plastic and purchased at Ferdinand's is acceptable to bring into the game.

Thank you for your consideration.

Dave

Dave Soler
Creamery Assistant Manager
(509) 335-5733



ACTION ITEM #4

2020 Board of Regents Meeting Schedule (Kirk Schulz)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Establishment of the 2020 Board of Regents Meeting Schedule

SUBMITTED BY: Kirk H. Schulz, President

PROPOSED: That the Board of Regents approve the schedule for the 2020 Board of Regents Meetings; and delegate authority to the President of the University or his designee to select and designate appropriate meetings places, establish meeting times, establish the agenda and prepare agenda items, dispatch all official notices to meet the state Open Public Meetings Act or other notice requirements, publish minutes and maintain records of meetings, and take other necessary action as required for the orderly conduct of Board Meetings.

SUPPORTING INFORMATION: Proposed meeting dates are as follows:

2020	
<u>Date</u>	<u>Location</u>
January 23-24, 2020 (Retreat)	TBD
March 12-13, 2020	Tri-Cities
May 7-8, 2020	Spokane
June 4-5, 2020 (Retreat)	TBD
September 17-18, 2020	Pullman
November 12-13, 2020	Vancouver

ACTION ITEM #5
Regents' Distinguished Alumnus/a Award
(Kirk H. Schulz/Tim Pavish)

November 16, 2018

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Regents' Distinguished Alumnus/a Award for 2019

PROPOSED: That the Board of Regents designate the recipient of the Regents' Distinguished Alumnus/a Award for 2019.

SUBMITTED BY: Kirk H. Schulz, President

SUPPORTING INFORMATION: The Regents' Distinguished Alumnus/a Award Committee, Chaired by George Barrington, DVM, Ph.D., Diplomate ACVIM, College of Veterinary Medicine, met to review fifteen nominations. After careful deliberation, the committee respectfully recommends Candidate A for consideration for the 2019 Regents' Distinguished Alumnus/a Award.

Request for State Attorney General's Office
To Provide Defense for University Employees
(Danielle Hess)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Request for State Attorney General's Office to Provide Defense for Washington State University (WSU) Employees

PROPOSED: That the Board of Regents approve the request for defense by Martin Maquivar, Clinical Assistant Professor

SUBMITTED BY: Danielle Hess, Senior Assistant Attorney General

SUPPORTING

INFORMATION: The complaint in the case of *Amber Frary v. Martin Maquivar, Washington State University, Washington State*, Whitman County Superior Court No. 18-2-00221-38, names Dr. Maquivar as a defendant, thus exposing him to a risk of personal liability.

A statutory procedure exists authorizing WSU employees to request that the Attorney General's Office represent them in such cases and that any judgment obtained be paid from state funds. This procedure requires that the Board of Regents take action by resolution finding that the University employee involved was acting within the scope of his duties and in good faith. The Board's determination must be made upon the facts available to it at the time of request for defense and indemnification.

I have reviewed the claim and conducted a preliminary investigation of the facts of this case. It is my opinion that Dr. Maquivar was acting within the scope of his duties and in good faith when taking the actions from which this lawsuit arose. I therefore recommend defense by the Attorney General's Office and indemnification by the state.

A proposed Board Resolution is attached.

BOARD OF REGENTS
Washington State University

Resolution #181116-592

WHEREAS, a legal action has been commenced in Whitman County Superior Court by Amber Frary against Martin Maquivar; and

WHEREAS, Senior Assistant Attorney General Danielle Hess, serving as legal counsel to the University, has reviewed the claim, conducted a preliminary investigation of the facts of the case, and, based upon existing information and belief, has advised the Board of Regents that this claim arose out of activities performed in good faith and within the scope of employment; and

WHEREAS, RCW 28B.10.842 authorizes the Board of Regents to request the Attorney General to defend legal actions against employees, officials, and agents of Washington State University, and to authorize payment of any obligation arising from such actions from the state tort liability account pursuant to the provisions of RCW 4.92.130 through RCW 4.92.160;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents hereby finds that Clinical Assistant Professor Martin Maquivar, who is named individually as a defendant in the legal action brought by Amber Frary in Whitman County Superior Court Cause No. 18-2-00221-38, acted within the scope of his duties and in good faith with regard to conduct alleged by the plaintiff. Further, the Board of Regents hereby specifically requests, pursuant to RCW 28B.10.842, that the Attorney General's Office defend the above-named WSU employee against the claim brought by the plaintiff in the above-referenced legal action, or any other claim or legal action commenced by the plaintiff in any state or federal court or administrative or other proceeding arising out of the facts alleged in this lawsuit, and that any obligation for payment arising from the above-referenced actions, or any other claim or legal action by the plaintiff, be paid from the state tort liability account pursuant to the provisions of RCW 4.92.130 through RCW 4.92.160.

DATED this ____ day of November, 2018.

Chair, Board of Regents

Secretary, Board of Regents

Request for State Attorney General's Office
To Provide Defense for University Employees
(Danielle Hess)

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Request for State Attorney General's Office to Provide Defense for Washington State University (WSU) Employees

PROPOSED: That the Board of Regents approve the requests for defense by Daniel Bernardo, Provost and Executive Vice President; Ron Mittelhammer, former Dean of the College of Agricultural, Human, and Natural Resource Sciences and Regents Professor in the School of Economic Sciences; and James Moyer, former Associate Dean of Research in the College of Agricultural, Human, and Natural Resource Sciences and Professor Emeritus

SUBMITTED BY: Danielle Hess, Senior Assistant Attorney General

SUPPORTING

INFORMATION: The complaint in the case of *Norman Lewis v. Washington State University, James Moyer, Ron Mittelhammer and Daniel Bernardo*, Thurston County Superior Court No. 18-2-05236-34, names Dr. Bernardo, Dr. Mittelhammer, and Dr. Moyer as defendants, thus exposing them to a risk of personal liability.

A statutory procedure exists authorizing WSU employees to request that the Attorney General's Office represent them in such cases and that any judgment obtained be paid from state funds. This procedure requires that the Board of Regents take action by resolution finding that the University employee involved was acting within the scope of his duties and in good faith. The Board's determination must be made upon the facts available to it at the time of request for defense and indemnification.

I have reviewed the claim and conducted a preliminary investigation of the facts of this case. It is my opinion that Dr. Bernardo, Dr. Mittelhammer, and Dr. Moyer were acting within the scope of their duties and in good faith when taking the actions from which this lawsuit arose. I therefore recommend defense by the Attorney General's Office and indemnification by the state.

A proposed Board Resolution is attached.

BOARD OF REGENTS
Washington State University

Resolution #181116-593

WHEREAS, a legal action has been commenced in Thurston County Superior Court by Norman Lewis against Daniel Bernardo, Ron Mittelhammer, and James Moyer; and

WHEREAS, Senior Assistant Attorney General Danielle Hess, serving as legal counsel to the University, has reviewed the claim, conducted a preliminary investigation of the facts of the case, and, based upon existing information and belief, has advised the Board of Regents that this claim arose out of activities performed in good faith and within the scope of employment; and

WHEREAS, RCW 28B.10.842 authorizes the Board of Regents to request the Attorney General to defend legal actions against employees, officials, and agents of Washington State University, and to authorize payment of any obligation arising from such actions from the state tort liability account pursuant to the provisions of RCW 4.92.130 through RCW 4.92.160;

NOW, THEREFORE, BE IT RESOLVED that the Board of Regents hereby finds that Provost and Executive Vice President Daniel Bernardo; former Dean of the College of Agricultural, Human, and Natural Resource Sciences and Regents Professor in the School of Economic Sciences Ron Mittelhammer; and former Associate Dean of Research in the College of Agricultural, Human, and Natural Resource Sciences and Emeritus Professor James Moyer, who are named individually as defendants in the legal action brought by Norman Lewis in Thurston County Superior Court, Number 18-2-05236-34, acted within the scope of their duties and in good faith with regard to conduct alleged by the plaintiff. Further, the Board of Regents hereby specifically requests, pursuant to RCW 28B.10.842, that the Attorney General's Office defend the above-named WSU employees against the claim brought by the plaintiff in the above-referenced legal action, or any other claim or legal action commenced by the plaintiff in any state or federal court or administrative or other proceeding arising out of the facts alleged in this lawsuit, and that any obligation for payment arising from the above-referenced actions, or any other claim or legal action by the plaintiff, be paid from the state tort liability account pursuant to the provisions of RCW 4.92.130 through RCW 4.92.160.

DATED this ____ day of November, 2018.

Chair, Board of Regents

Secretary, Board of Regents

MINUTES
Board of Regents
January 25, 2019

The Board of Regents of Washington State University (WSU) met pursuant to call in Open Meeting at 8:00 a.m., Friday, January 25, 2019, at the Cedarbrook Lodge, SeaTac, Washington.

Present: Regent Ron Sims, Chair; Regents Ted Baseler, Brett Blankenship, Marty Dickinson, Jordan Frost, Lura Powell, Heather Redman, Lisa Schauer and Mike Worthy. Also present was WSU Faculty Representative to the Board Judith McDonald and WSU staff members President Kirk Schulz, Provost and Executive Vice President Daniel Bernardo, WSU Everett Chancellor Paul Pitre, WSU Tri-Cities Chancellor Sandra Haynes, WSU Vancouver Chancellor Mel Netzhammer, Vice President for Finance and Administration Stacy Pearson, Vice President for Student Affairs Mary Jo Gonzales, Vice President for Research Chris Keane, Vice President for Marketing and Communications Phil Weiler, Vice President for Academic Outreach and Innovation Dave Cillay, Vice President for Information Technology Services and CIO Sasi Pillay, Vice President for External Affairs and Government Relations & Chief Legislative Officer Colleen Kerr, Associate Vice President and Chief Human Resource Officer Theresa Elliot-Cheslek, Vice President for International Programs Asif Chaudhry, Senior Associate Director of Athletics John Johnson, Senior Assistant Attorney General Danielle Hess, Chief of Staff Christine Hoyt, and Executive Assistant to the Board of Regents Desiree Jacobsen.

Chair Ron Sims opened the meeting and announced that the Regents would convene in executive session to discuss with the University's legal counsel matters relating to pending or potential litigation involving the University and to review the performance of a public employee. He further instructed the session would be closed and said it would conclude at 9:00 a.m., unless it was extended by further announcement. Chair Sims stated, if any action were taken as a result of these discussions, it would be taken during open session later in the day. Chair Sims ask that everyone but legal counsel leave the room. The executive Session was extended and concluded at 9:30 a.m.

At the conclusion of the executive session the Regents reconvened in open session.

The following presentations were given:

- Student Success provided by Vice President Mary Jo Gonzales
- Leadership Development and Strategic Planning Initiatives provided by consultant to WSU, Jean Frankel
- WSU System and Strategic Planning provided by Jean Frankel

Following the presentations, Vice President for Finance and Administration Stacy Pearson submitted the following three Action Items for the Regents consideration:

Action Item 1: WSU Pullman, Baseball Clubhouse, Design and Construction. Following Board discussion, it was moved and seconded that the Board of Regents adopt resolution #190125-594 and approve the WSU Pullman, Baseball Clubhouse project with a total budget not to exceed \$10,000,000, authorize the project to proceed to

design and construction using the Design-Build (DB) process pursuant to RCW 39.10, and further delegate authority to the President or his designee to enter into any and all contracts necessary to complete the project, within the budgeted amount as proposed. Carried. *(Exhibit A)*

Action Item 2: WSU Pullman, Baseball Stadium Renovation and Enhancement Project Financing Plan. Following Board discussion, it was moved and seconded that the Board of Regents adopt resolution #190125-595 and approve the General Revenue Obligation Resolution to authorize the issuance and sale of bonds or other obligations, in one or more series, to be used for the Baseball Clubhouse; with proceeds for the project not to exceed \$3,500,000, a maximum term of not exceed 5.5 percent and delegate authority to the President or his designee to sell bonds or other obligations, including determining the final bond size, maturity schedule, redemption provisions, and timing of sale as proposed. Carried. *(Exhibit B)*

Action Item 3: Increasing Market Demand for Cosmic Crisp®. Follow Board discussion, it was moved and seconded that the Board of Regents adopt resolution #190125-596 and authorize and delegate authority to the President or his designee to enter into a contract to support marketing of the WSU apple Cosmic Crisp® with a four-year term, and not to exceed the value of \$10,100,000 as proposed. Carried. *(Exhibit C)*

Other Business:

Chair Ron Sims reported the Regents met in Executive Session with legal counsel to discuss litigation or potential litigation involving the University. Related to that discussion he submitted the following Action Item for the Board's consideration and moved to adopt resolution #190125-597 delegating authority to the President or designee to approve and execute a settlement agreement, with a potential maximum cost of \$5,263,000, which will be covered by the university's state and private insurers, and resolve all matters related to the litigation in King County Superior Court case no. 17-2-23244-1 SEA. Carried *(Exhibit D)*

Public Comment: No public comments were made.

The meeting adjourned at 3:45 pm.

Approved by the Board of Regents at its meeting held March 8, 2019, at Everett, Washington.

Chair, Board of Regents

Secretary, Board of Regents

ACTION ITEM #1

WSU Pullman, Baseball Clubhouse, Design and Construction (Stacy Pearson)

January 25, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Pullman, Baseball Clubhouse, Design and Construction

PROPOSED: That the Board of Regents approve the WSU Pullman, Baseball Clubhouse with a total budget not to exceed \$ 10,000,000, authorize the project to proceed to design and construction, using the Design-Build (DB) process pursuant to RCW 39.10, and further delegate authority to the President or his designee to enter into any and all contracts necessary to complete the project, within the budgeted amount.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

SUPPORTING INFORMATION: The new baseball clubhouse will provide a home for the Cougar baseball program in the same footprint as the current Bailey-Brayton Field. With no current locker room, meeting space, or training area located at the field where the team practices daily, athletes and coaches are required to travel back and forth between Bailey-Brayton Field and the Bohler Athletic Complex for functions such as team meetings, sports medicine appointments pre and post practice, strength conditioning, etc. The project will accommodate the needs of the baseball program and enhance the game day experience for players, coaches and fans. The state-of-the-art facility will include a locker room, pitching lab, academic area, team meeting rooms, and areas for Cougar equipment and training areas. In addition, the facility will include improved ingress and egress. This facility is considered critical to allow WSU to continue to compete at the highest level with peer programs in the PAC 12 Conference.

Project Schedule:

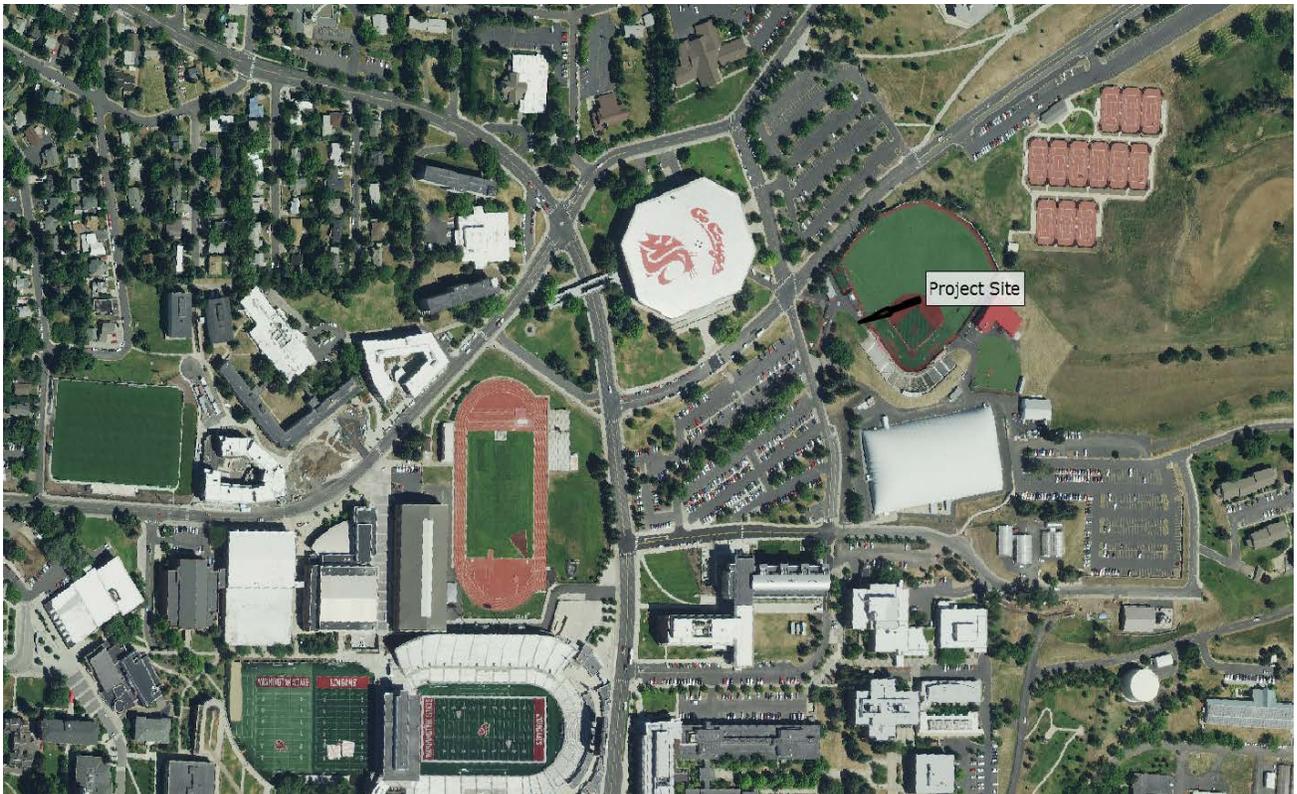
Regents Approval of Design and Construction	January, 2019
Design	January 2019 – September 2019
Construction	August 2019 – August 2020

Project Budget:

Construction (including contingency & sales tax)	\$ 8,000,000
Professional Services	\$ 700,000
Project Management	\$ 440,000
Moveable Equipment/Furnishings	<u>\$ 860,000</u>
Total Project Budget	\$10,000,000

The project financing plan and schedule are provided in the next agenda item.

Project Site Aerial View



BOARD OF REGENTS

WSU Pullman, Baseball Clubhouse, Design and Construction

Resolution #190125-594

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents approve the WSU Pullman, Baseball Clubhouse with a total budget not to exceed \$ 10,000,000, authorize the project to proceed to design and construction, using the Design-Build (DB) process pursuant to RCW 39.10, and further delegate authority to the President or his designee to enter into any and all contracts necessary to complete the project, within the budgeted amount.

Dated this 25th day of January, 2019.

Chair, Board of Regents

Secretary, Board of Regents

ACTION ITEM #2

Baseball Stadium Renovation and Enhancement Project Financing Plan (Stacy Pearson)

January 25, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Financing plan and proposed authorizing Resolution for financing of a Baseball Clubhouse (Pearson)

PROPOSED: That the Board of Regents approve a General Revenue Obligation Resolution to authorize the issuance and sale of bonds or other obligations, in one or more series, to be used for the Baseball Clubhouse; with proceeds for the project not to exceed \$3,500,000, a maximum term not to exceed 5.5 years, and a maximum interest rate not to exceed 5.5%; and delegate authority to the President or his designee to sell bonds, or other obligations including determining the final bond size, maturity schedule, redemption provisions and timing of sale.

SUPPORTING INFORMATION: The Board of Regents has legal authority to incur debt for various purposes through issuance of revenue bonds or notes ("obligations") secured by general revenues of the University.

The University estimates total project cost of \$10 million for the Baseball Clubhouse (the "Project"). The Project will be funded from available donated cash on hand for WSU Athletics, and pledges from various donors. The remaining pledged gifts are anticipated to be collected over a 5 year horizon, requiring some bridge financing to cover construction costs until the pledges are received. Given the projected timing and amounts of gifts, the University estimates that approximately \$3.5 million (conservative case) of the Project cost will need to be funded with debt. The pro-forma funding plan is shown below:

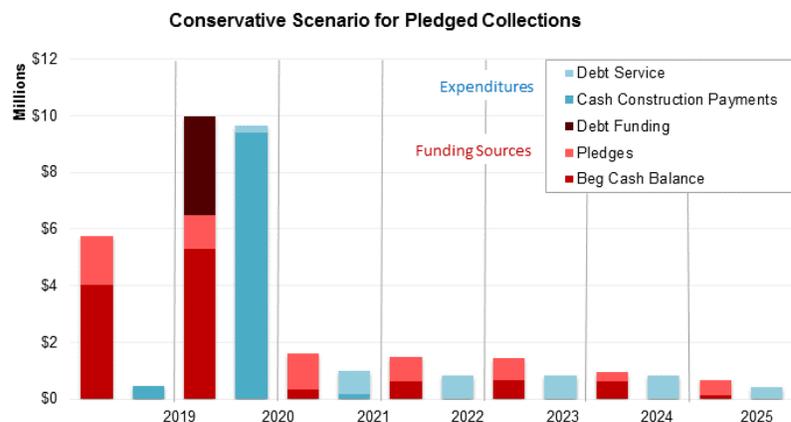
	(millions)
Donated Cash on Hand (as of 9/2018)	\$4.0
Pledges Receivable (10/2018-9/2019)	\$2.5
Debt Financing	\$3.5
Total	\$10.0

The bridge financing will be secured with General Revenues of the University but the debt service is obligated to be paid from the collected gift revenues in Athletics. While the University has pledge agreements in place specifying the timing of the gifts, the timing of the actual cash receipts may differ. Since WSU plans to fund the pledges with a bridge financing, there is risk that gifts will not be collected in time to make the debt payments. To mitigate this risk, WSU Office of Finance and Administration has established a project checkpoint for August 1, 2019 to measure progress in collected pledged donations. WSU will not proceed with construction of the design until 65% (\$6.5 million) of the Project cost is collected in cash.

Proposed Repayment Sources

The \$3.5 million in net proceeds, plus associated financing and closing costs (currently estimated at \$100,000), will be repaid using pledged donation commitments for athletic facilities. The pledged donations of \$4 million (to repay principal, financing costs and interest expenses) are expected to be collected during the expected repayment period of the loan from January 2020 through June 2025.

As depicted in the graph below, the available donated cash and the gift revenue balance are projected to be sufficient to fund the Project construction and the debt service related to the bridge financing.



Proposed Financing Structure

The University is considering different financing options including a 5.5 year fixed or variable rate note, a line of credit or similar short to medium term financial product. Determining the actual form of financing will be delegated to the President or his designee, and will be based on prevailing market conditions

during fiscal year 2020 when the financing is expected to be needed.

Financial Impacts to the Athletics Budget and Operating Deficits

The WSU Athletics future operating budget will be revised to account for the increased cost of maintaining and operating the new facility, which is estimated at \$50,000 per year. The use of donated funds in the Athletics budget will further increase the cumulative operating deficit by \$4.0 million once these funds are expended on the project. This does not account for additional funds raised or other financial impacts that occur during each operating cycle.

ACTION

The Board of Regents will consider approval of the Resolution to authorize the issuance of general revenue obligations for the Project, in one or more series, and to delegate to the President or his designee the activities required for issuance of general revenue obligations to finance the Baseball Clubhouse

The delegated authority to incur the obligations is conditioned on (1) not to exceed Project proceeds (issue an amount sufficient to fund the Project and costs of issuance); (2) a maximum true interest cost (TIC); and (3) a maximum financing term, all of which will be specified in the Resolution. Furthermore, the Resolution delegates authority to the President or his designee to approve the number of series, the method of sale, the final principal amounts, dates of the obligation, interest rates, payment dates, redemption provisions, and maturity dates, and other terms and conditions of the obligations.

ATTACHMENTS:

- Attachment A: Provisions of the Resolution
- Attachment B: Bond Resolution Legal Document
- Attachment C: Market Update
- Attachment D: Summary Baseball Clubhouse Project Financing

BOARD OF REGENTS
Baseball Stadium Renovation and Enhancement Project
Financing Plan

Resolution #190125-595

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents approve a General Revenue Obligations Resolution (the "Resolution") to authorize the issuance and sale of bonds or other obligations, in one or more series, to be used for the Baseball Clubhouse; with net proceeds for the project not to exceed \$3,500,000, a maximum term not to exceed 5.5 years, and a maximum interest rate not to exceed 5.5%; and delegate authority to the President or his designee to sell bonds or other obligations including the authority to determine the final issue size, amount of capitalized interest, maturity schedule, redemption provisions and timing of sale.

Dated this 25th day of January, 2019.

Chair, Board of Regents

Secretary, Board of Regents

ATTACHMENT A: PROVISIONS TO BE INCLUDED IN THE RESOLUTION

Security Pledge:

The financing will be secured by General Revenue of the University, generally defined in the Resolution to mean all non-appropriated income, revenues, and receipts of the University if and to the extent such funds are not restricted in their use by law, regulation, or contract.

As noted above, debt service on the proposed financing will be paid from gift revenues.

Issue Size:

The Resolution will allow the financing to be sized to an amount required to finance the Project costs, not to exceed \$3,500,000 net proceeds, plus required financing costs.

Term/Maturity:

The financing is expected to have a term of up to 5.5 years.

Conditions of Delegation:

The delegated authority to incur the obligations will be conditioned on (1) maximum net proceeds for the Project; (2) a maximum true interest cost (TIC); and (3) a maximum financing term, all of which will be specified in the Bond Resolution. Furthermore, the Resolution delegates authority to the President or his designee to approve the number of series, the method of sale, the final principal amounts, dates of the obligation, interest rates, payment dates, redemption provisions, and maturity dates, and other terms and conditions of the obligations. The authority to enter into the financing obligations will terminate on a date to be specified in the Bond Resolution.

Timing of Issuance:

Assuming authorization is received in January 2019, the University expects to enter the marketplace during Fiscal Year 2020. The actual timing will be determined based on the need (timing) for funds for the Project, and market conditions.

Method of Sale:

The Resolution will delegate the method of sale, allowing for a negotiated sale, a competitive sale, or a direct bank placement.

Bond Rating:

If bond financing is used, the University will apply for bond ratings from Moody's Investors Service ("Moody's") and S&P Global Ratings ("S&P")

at the time of public bond sale. Ratings are anticipated to be consistent with the University's ratings for parity bonds, as this potential financing has been taken into account in recent bond rating updates, assuming no changes in fiscal recovery efforts or other financial measures.

The University's general revenue bonds carry ratings of Aa3 (stable outlook) and A+ (stable outlook) from Moody's and S&P, respectively, as affirmed in October 2018.

Estimated Interest Rates:

The Bond Resolution will include a maximum average interest rate ("true interest cost" or "TIC"). Current rates are estimated at 3.5% and the planning rate for the debt service shown in this document has been based on interest rates 1.5% above current market as a cushion for interest rate changes. As mentioned above, the University seeks the authority to sell the bonds in one or more series and requests flexibility for this and future series to have a maximum interest rate of 5.5%.

Estimated Debt Service:

Debt service is expected to be structured as level annual payments of approximately \$740,000 to \$850,000 per year.

Other Covenants:

Parity obligations will be secured by the General Revenues of the University, and the Bond Resolution does not include additional covenants, coverage tests, or reserves.

University's Advisors:

Bond Counsel: K&L Gates (Cynthia Weed)

Financial Advisor: PFM Financial Advisors (Thomas Toepfer and Jeremy Bass)

WASHINGTON STATE UNIVERSITY
GENERAL REVENUE OBLIGATIONS

RESOLUTION NO. 190125-595

A RESOLUTION OF THE BOARD OF REGENTS OF WASHINGTON STATE UNIVERSITY AUTHORIZING THE SALE AND ISSUANCE OF GENERAL REVENUE OBLIGATIONS IN AN AGGREGATE DOLLAR AMOUNT TO PROVIDE NOT TO EXCEED \$3,500,000 OF NET PROCEEDS (AFTER PAYMENT OF COSTS OF ISSUANCE) TO FINANCE CAPITAL PROJECTS OF THE UNIVERSITY INCLUDING A PORTION OF THE COSTS OF THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A BASEBALL CLUBHOUSE FACILITY; AUTHORIZING OFFICIAL STATEMENTS AS NECESSARY; DELEGATING AUTHORITY TO THE DESIGNATED UNIVERSITY REPRESENTATIVE TO DETERMINE THE MANNER OF SALE OF THE OBLIGATIONS; APPROVE THE NUMBER OF SERIES, THE SERIES DESIGNATION, FINAL PRINCIPAL AMOUNTS, DATE OF THE OBLIGATIONS, TAX STATUS OF EACH SERIES, DENOMINATIONS, INTEREST RATES, PAYMENT DATES, REDEMPTION PROVISIONS, AND MATURITY DATES FOR THE OBLIGATIONS UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN.

ADOPTED: January 25, 2019

Prepared by:

K&L GATES LLP
Seattle, Washington

WASHINGTON STATE UNIVERSITY
RESOLUTION NO. 190125-___

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BOARD OF REGENTS
WASHINGTON STATE UNIVERSITY

RESOLUTION NO. 190125-___

A RESOLUTION OF THE BOARD OF REGENTS OF WASHINGTON STATE UNIVERSITY AUTHORIZING THE SALE AND ISSUANCE OF GENERAL REVENUE OBLIGATIONS IN AN AGGREGATE DOLLAR AMOUNT TO PROVIDE NOT TO EXCEED \$3,500,000 OF NET PROCEEDS (AFTER PAYMENT OF COSTS OF ISSUANCE) TO FINANCE CAPITAL PROJECTS OF THE UNIVERSITY INCLUDING A PORTION OF THE COSTS OF ACQUISITION, CONSTRUCTION AND EQUIPPING OF A BASEBALL CLUBHOUSE FACILITY; AUTHORIZING OFFICIAL STATEMENTS AS NECESSARY; DELEGATING AUTHORITY TO THE DESIGNATED UNIVERSITY REPRESENTATIVE TO DETERMINE THE MANNER OF SALE OF THE OBLIGATIONS; APPROVE THE NUMBER OF SERIES, THE SERIES DESIGNATION, FINAL PRINCIPAL AMOUNTS, DATE OF THE OBLIGATIONS, TAX STATUS OF EACH SERIES, DENOMINATIONS, INTEREST RATES, PAYMENT DATES, REDEMPTION PROVISIONS, AND MATURITY DATES FOR THE OBLIGATIONS UNDER THE TERMS AND CONDITIONS SET FORTH HEREIN.

WHEREAS, the Legislature of the State of Washington, pursuant to the Bond Act (as hereinafter defined) has authorized the Board of Regents to sell and issue and incur revenue obligations to finance capital projects of the University, including a portion of the costs of the University's Baseball Stadium Renovation and Enhancement Project, including the acquisition, construction and equipping of a baseball clubhouse facility to be located at the University's campus in Pullman, Washington (the "Project"); and

WHEREAS, the Board of Regents has determined to issue one or more series of general revenue obligations in an aggregate dollar amount to provide not to exceed \$3,500,000 of net proceeds (after payment of costs of issuance) (collectively, the "Obligations") to finance all or a portion of the costs of the Project as described herein; and

WHEREAS, the Board of Regents wishes to delegate authority to the President of the University or his designee or the Vice President for Finance and Administration (hereinafter defined as the "Designated University Representative") to approve the manner of sale of such Obligations, number of series, the series designation, the final principal amounts of the obligations, date of the obligations, tax status of each series, denominations, interest rates, payment dates, redemption provisions, and maturity dates of such Obligations to be fixed under such terms and conditions as are approved by this resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF REGENTS OF WASHINGTON STATE UNIVERSITY, as follows:

Section 1. Definitions. The terms defined in this Section 1 shall, for all purposes of this resolution (including the recitals) and of any resolution supplemental hereto, have the following meanings:

Additional Obligations means one or more series of additional obligations of the University payable from General Revenues.

Approved Bid means the winning bid submitted for a series of the Obligations if such series is sold by Competitive Sale.

Available System Revenues means all auxiliary revenues of a System less operating expenses and after payment of debt service on Outstanding System Obligations of the University to which such revenues have been pledged for repayment. The terms revenues and operating expenses shall be determined in accordance with the resolution(s) of the University authorizing the Outstanding System Obligations. From and after the date that all the Outstanding System Obligations of a System have been paid or defeased, all auxiliary revenues of such System shall be included in General Revenues.

Beneficial Owner means any person that has or shares the power, directly or indirectly, to make investment decisions concerning ownership of any Obligations (including persons holding Obligations through nominees, depositories or other intermediary).

Board means the Board of Regents of the University, which exists and functions pursuant to chapter 28B.30 RCW, as heretofore and hereafter amended.

Bond Act means, collectively, RCW 28B.10.300 through RCW 28B.10.330, inclusive, chapter 28B.140 RCW and chapter 28B.142 RCW, in each case as amended from time to time.

Bond Counsel means an attorney or firm of attorneys whose opinion is accepted in the national governmental obligations capital markets as to the issuance and validity of municipal securities, which attorney or firm has been approved by, selected by or retained by the University from time to time.

Code means the Internal Revenue Code of 1986, as heretofore or hereafter amended, together with all corresponding and applicable final, temporary or proposed regulations and revenue rulings as issued or amended with respect thereto by the United States Treasury Department or the Internal Revenue Service to the extent applicable to the Obligations.

Competitive Sale means the process by which the Obligations (or a portion of them) are sold through the public solicitation of bids from underwriting firms and/or financial institutions.

Debt Register means the registration records for the Obligations maintained by the Registrar.

Debt Service Fund means the special fund designated as the General Revenue Debt Redemption Fund, _____[year of issuance][series designation], created pursuant to Section 10 hereof.

Designated University Representative means, for purposes of this resolution, the President of the University or the Vice President for Finance and Administration or any additional designee appointed by the President of the University in writing.

DTC means The Depository Trust Company of New York, as depository for the Obligations, or any successor or substitute depository for the Obligations pursuant to Section 6 hereof.

Federal Tax Certificate means the certification of the University executed and delivered in connection with the issuance of Tax-Exempt Obligations.

Fiscal Year means the University's duly adopted fiscal year.

General Revenues means all nonappropriated income, revenues, including Available System Revenues attributable to auxiliary systems established under RCW 28B.10.300, except as specifically provided below, and receipts of the University if and to the extent such funds are not restricted in their use by law, regulation, or contract. The following items are excluded:

- (1) Appropriations to the University by the State from the State's General Fund;
- (2) Income or revenue from each fund the purpose of which has been restricted in writing by the terms of the gift or grant under which such fund has been donated, or by the donor thereof;
- (3) Fees imposed upon students as a condition of enrollment at the University, including but not limited to services and activities fees, the building fee component of tuition (established pursuant to RCW 28B.15.025), and technology fees;
- (4) (a) Pursuant to RCW 28B.30.741, all moneys received from the lease or rental on account of the trust lands set apart by the enabling act for a scientific school, all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel or other valuable material thereon, except for investment income derived pursuant to RCW 43.84.080 and, less the allocation to the State investment board expense account pursuant to RCW 43.33A.160 and all moneys received as interest on deferred payments on contracts for the sale of such lands, and (b) pursuant to RCW 28B.30.742, all moneys received from the lease or rental of lands set apart by the enabling act, pursuant to federal law, for an agricultural college, all interest or income arising from the proceeds of the sale of such lands or of the timber, fallen timber, stone, gravel or other valuable material thereon, except for investment income derived pursuant to RCW 43.84.080 and, less the allocation to the state investment board expense account pursuant to RCW 43.33A.160; and all moneys received as interest on deferred payments on contracts for the sale of such lands, and identified as the Washington State University Agricultural School Trust and the Washington State University Scientific School

Trust and (c) any additional fees and revenues hereafter pledged by the University for payment of debt service on the Trust and Building Fee Revenue Bonds, Series 2009 and any obligations issued on a parity therewith or subordinate thereto as provided in Resolution No. 091009-367;

(5) (a) The gross revenues received from the ownership and operation of the comprehensive recreational facilities and amenities approved by referendum of the students of the University on April 16-17, 1997 (“Recreation Center”) and (b) the voluntary student fee approved by referendum of the students of the University on April 16-17, 1997;

(6) (a) The voluntary student fee approved by referendum of the students of the University on March 8-9, 2005 and approved and pledged by the Board as a services and activities fee to pay costs of renovating the Compton Union Building located on Wilson Road and Terrell Mall in the center of the University’s campus in Pullman, Washington (the “CUB”) and (b) all bookstore and other lease income and receipts and income derived from the operation of the CUB including room rental and vending receipts and income; and

(7) Income and revenue of the University separately pledged and used by it to pay and secure the payment of the principal of and interest on any issue or series of Special Revenue Obligations issued in the future, which income and revenue shall be excluded only for the term specified in the resolution authorizing the issuance of Special Revenue Obligations.

Unrestricted fund balances, to the extent that they were accumulated from money that was received as **General Revenues**, also are includable and available to pay obligations secured by **General Revenues**. Upon the inclusion of any source of revenue or income in General Revenues pursuant to Section 12(c) or removal of any income, revenues, or receipts from General Revenues pursuant to Section 12(d), this definition of General Revenues shall be deemed to be amended accordingly without further action by the University.

Government Obligations has the meaning given to such term in RCW Chapter 39.53, as the same may be amended from time to time, provided that such obligations are noncallable and are obligations issued or unconditionally guaranteed by the United States of America.

Housing and Dining System means the existing housing and dining system owned by the University.

Letter of Representations means the Blanket Issuer Letter of Representations from the University to DTC.

Negotiated Sale means the process by which the Obligations (or a portion of them) are sold by negotiation to one or more financial institutions or underwriting firms selected by the Designated University Representative.

Obligations means the Washington State University obligations, whether incurred in the form of notes, financing contracts or bonds, authorized to be issued by this resolution.

Official Notice of Sale means, if the Obligations shall be sold by Competitive Sale, the notice of bond sale authorized to be given in Section 9 of this resolution.

Official Statement means the Official Statement of the University pertaining to the sale of the Obligations, in either preliminary or final form.

Outstanding, when used as of a particular time with reference to the Obligations, means all Obligations delivered hereunder except:

(a) Obligations canceled by the Registrar or surrendered to the Registrar for cancellation;

(b) Obligations paid or deemed to have been paid within the meaning of this resolution; and

(c) Obligations in lieu of or in substitution for which replacement Obligations shall have been executed by the University and delivered by the Registrar hereunder.

Outstanding System Obligations mean all obligations previously issued and outstanding that are payable from and secured by auxiliary revenues of a System.

Person means any natural person, firm, joint venture, association, partnership, business trust, corporation, public body, agency or political subdivision thereof or any other similar entity.

Project means the approved capital projects of the University, including, but not limited to, the University's Baseball Stadium Renovation and Enhancement Project, which encompasses the acquisition, construction and equipping of a baseball clubhouse facility to be located at the University's campus in Pullman, Washington.

Project Fund means the fund designated by the Designated University Representative for the deposit of Obligation proceeds, including any account or subaccounts therein authorized to be created pursuant to Section 11 of this resolution for the purpose of holding a portion of the proceeds of the Obligations.

RCW means the Revised Code of Washington, as now in existence or hereafter amended, or any successor codification of the laws of the State.

Registered Owner of any Obligation means the person named as the Registered Owner of such Obligation on the Debt Register.

Registrar means, at the option of the Designated University Representative, the University or the fiscal agent of the State of Washington, whose duties include registering and authenticating the Obligations, maintaining the Debt Register, transferring ownership of the Obligations, and paying the principal of and interest on the Obligations.

Resolution means this resolution of the Board and all supplements or amendments hereto made in conformity herewith.

Rule means Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, as the same may be amended from time to time.

Sale Contract means, if the Obligations of a series shall be sold by Negotiated Sale, the purchase contract or approved term sheet relating to the Obligations between the University and the Underwriter.

Special Revenue Obligations means any issue or series of revenue bonds, revenue warrants or other revenue obligations of the University issued to directly or indirectly acquire (by purchase, lease or otherwise), construct, equip, install or improve part or all of particular facilities and which are payable from and secured in whole or in part by the income and revenue from such facilities.

State means the State of Washington.

System or **Systems** means the Housing and Dining System.

Tax-Exempt Obligations means the Obligations issued on a federally tax-exempt basis.

Term Obligations means the portion of the Obligations, if any, designated as “Term Obligations” in the Sale Contract or Approved Bid for such Obligations.

Underwriter means, the underwriter(s) of the Obligations if the Obligations are sold by a public Negotiated Sale, the financial institution if the Obligations are sold by a private Negotiated Sale or the successful bidder or proposer submitting the Approved Bid if the Obligations are sold by Competitive Sale.

University means Washington State University, a higher educational institution of the State, co-located in Pullman and Spokane, Washington, with additional campuses in Richland and Vancouver.

Rules of Interpretation. In this resolution, unless the context otherwise requires:

(a) The terms “hereby,” “hereof,” “hereto,” “herein,” “hereunder” and any similar terms, as used in this resolution, refer to this resolution as a whole and not to any particular article, section, subdivision or clause hereof, and the term “hereafter” shall mean after, and the term “heretofore” shall mean before, the date of this resolution;

(b) Words of the masculine gender shall mean and include correlative words of the feminine and neuter genders and words importing the singular number shall mean and include the plural number and vice versa;

(c) Words importing persons shall include firms, associations, partnerships (including limited partnerships), trusts, corporations and other legal entities, including public bodies, as well as natural persons;

(d) Any headings preceding the text of the several articles and sections of this resolution, and any table of contents or marginal notes appended to copies hereof, shall be solely for convenience of reference and shall not constitute a part of this resolution, nor shall they affect its meaning, construction or effect;

(e) All references herein to “articles,” “sections” and other subdivisions or clauses are to the corresponding articles, sections, subdivisions or clauses hereof;

(f) Whenever any consent or direction is required to be given by the University, such consent or direction shall be deemed given when given by a Designated University Representative or his or her designee; and

(g) Whenever any transfer is required or permitted to be made to or from a Fund under this resolution, such transfer may be authorized by a Designated University Representative or his or her designee.

Section 2. Findings. The Board hereby finds as follows:

(a) It is in the best interests of the University to finance all or a portion of the costs of the Project through the issuance of Obligations upon the terms and conditions set forth for the Obligations in this resolution.

(b) It is necessary and in the best interest of the University to issue the Obligations payable from General Revenues.

Section 3. Authorization and Purpose of Obligations. For the purpose of paying and reimbursing the University for all or a portion of the costs of the Project and paying costs of issuing the Obligations, the Board hereby authorizes the sale and issuance of general revenue obligations (the “Obligations”). The University may issue the Obligations in one or more series. The aggregate principal amount of the Obligations to be issued for each series and the maximum term for any series of Obligations under this resolution shall be determined by the Designated University Representative, pursuant to the authority granted in Section 9. The dollar amount of all Obligations to be issued under this resolution shall not exceed \$3,500,000 of net proceeds (after payment of costs of issuance).

Section 4. Obligation Details. The Obligations shall be designated with the formal designation approved by the Designated University Representative. The Obligations shall be issued in fully registered form in the denominations approved by the Designated University Representative, and shall be numbered separately in the manner and with such additional designation as the Registrar deems necessary for purposes of identification, shall be designated, by series, dated and bear interest at the per annum rates, payable on the dates and maturing in principal amounts set forth in the Sale Contract or Approved Bid, pursuant to Section 9. The Obligations shall be obligations only of the Debt Service Fund and shall be payable and secured

as provided herein. The Obligations are not general obligations of the University. The Obligations shall not constitute an indebtedness of the University within the meaning of the constitutional provisions and limitations of the State of Washington.

Section 5. Redemption and Purchase.

(a) *Optional or Extraordinary Redemption.* The Obligations shall be subject to optional and/or extraordinary redemption on the dates, at the prices and under the terms set forth in the Sale Contract or Official Notice of Sale and Approved Bid approved by the Designated University Representative pursuant to Section 9.

(b) *Mandatory Redemption.* The Obligations shall be subject to mandatory redemption to the extent, if any, set forth in the Sale Contract or Official Notice of Sale and Approved Bid and as approved by the Designated University Representative pursuant to Section 9.

(c) *Purchase of Obligations.* If not otherwise provided in the Sale Contract or Approved Bid, the University reserves the right to use at any time any General Revenues available to purchase for retirement any of the Obligations offered to the University at any price deemed reasonable to the Designated University Representative.

(d) *Effect of Optional Redemption/Purchase.* If not otherwise provided in the Sale Contract or Approved Bid, to the extent that the University shall have optionally redeemed or purchased any Term Obligations prior to the scheduled mandatory redemption of such Term Obligations, the University may reduce the principal amount of the Term Obligations to be redeemed in like aggregate principal amount. Such reduction may be applied in the year specified by the Designated University Representative.

(e) *Selection of Obligations for Redemption.* If the Obligations are called for optional redemption, the series and maturities of the Obligations to be redeemed shall be selected as provided in the Sale Contract or Official Notice of Sale and Approved Bid.

(f) *Notice of Redemption.* Unless otherwise provided in the Sale Contract or Approved Bid (in which case, notice shall be given in accordance with the Sale Contract or Approved Bid) or waived by any Registered Owner of Obligations to be redeemed, official notice of any such redemption (which notice, in the case of an optional redemption, may be conditional and also shall state that redemption is conditioned by the Registrar on the receipt of sufficient funds for redemption) shall be given by the Registrar on behalf of the University by mailing a copy of an official redemption notice by first class mail at least 20 days and not more than 60 days prior to the date fixed for redemption to each Registered Owner of the Obligations to be redeemed at the address shown on the Debt Register or at such other address as is furnished in writing by such Registered Owner to the Registrar.

All official notices of redemption shall be dated and shall state:

- (1) the redemption date,
- (2) the redemption price,
- (3) if fewer than all outstanding Obligations of a series are to be redeemed, the identification by maturity (and, in the case of partial redemption, the respective principal amounts) of the Obligations of a series to be redeemed,
- (4) that on the redemption date, provided that in the case of optional redemption the full amount of the redemption price is on deposit therefor, the redemption price will become due and payable upon each such Obligation or portion thereof called for redemption, and that interest thereon shall cease to accrue from and after said date, and
- (5) the place where such Obligations are to be surrendered for payment of the redemption price, which place of payment shall be the principal office of the Registrar.

Unless the University has revoked a notice of redemption in the case of an optional redemption, on or prior to any redemption date, the University shall deposit with the Registrar an amount of money sufficient to pay the redemption price of all the Obligations or portions of Obligations which are to be redeemed on that date.

Failure to give notice as to redemption of any Obligation or any defect in such notice shall not invalidate redemption of any other Obligation.

Notwithstanding the foregoing, if the Obligations are then held in book-entry only form, notice of redemption shall be given only in accordance with the operational arrangements then in effect at DTC but not less than 20 days prior to the date of redemption.

(g) *Effect of Notice; Obligations Due.* Unless otherwise provided in the Sale Contract or Approved Bid (in which case, notice shall be given in accordance with the Sale Contract or Approved Bid) or unless the University has revoked a notice of redemption (or unless the University provided a conditional notice and the conditions for redemption set forth therein are not satisfied), official notice of redemption having been given as aforesaid, the Obligations or portions of Obligations so to be redeemed shall, on the redemption date (unless in the case of optional redemption the University shall default in the payment of the redemption price), become due and payable at the redemption price therein specified, and from and after such date such Obligations or portions of Obligations shall cease to bear interest. Upon surrender of such Obligations for redemption in accordance with said notice, such Obligations shall be paid by the Registrar at the redemption price. Installments of interest due on or prior to a mandatory redemption date shall be payable as herein provided for payment of interest. Upon surrender for any partial redemption of any Obligation, there shall be prepared for the Registered Owner a new Obligation of the same maturity and series in the aggregate amount of the unpaid principal. All Obligations which have been redeemed shall be canceled and destroyed by the Registrar and shall not be reissued.

(h) *Additional Notice.* Unless otherwise provided in the Sale Contract or Approved Bid (in which case, notice shall be given in accordance with the Sale Contract or Approved Bid) in addition to the foregoing notice, further notice shall be given by the University as set out below, but no defect in said further notice nor any failure to give all or any portion of such further notice shall in any manner defeat the effectiveness of a call for redemption if notice thereof is given as above prescribed. Each further notice of redemption given hereunder shall contain the information required above for an official notice of redemption plus (i) the CUSIP numbers of all Obligations being redeemed; (ii) the date of issue of the Obligations as originally issued; (iii) the rate of interest borne by each Obligation being redeemed; (iv) the maturity date of each Obligation being redeemed; and (v) any other descriptive information needed to identify accurately the Obligations being redeemed. Each further notice of redemption may be sent at least 20 days before the redemption date to each party entitled to receive notice pursuant to Section 23 of this resolution under agreements for continuing disclosure information, and to the Underwriter or to its business successors, if any, and with such additional information as the Registrar deem appropriate, but such mailings shall not be a condition precedent to the redemption of such Obligations.

(i) *Use of CUSIP Numbers.* Upon the payment of the redemption price of Obligations being redeemed, each check or other transfer of funds issued for such purpose shall bear the CUSIP number, if any, identifying, by maturity, the Obligations being redeemed with the proceeds of such check or other transfer.

(j) *Amendment of Notice Provisions.* The foregoing notice provisions of this Section 5, including but not limited to the information to be included in redemption notices and the persons designated to receive notices, may be amended without the consent of any Registered Owners of Obligations by additions, deletions and changes in order to maintain compliance with duly promulgated regulations and recommendations regarding notices of redemption of municipal securities.

Section 6. Registration, Exchange and Payments.

(a) *Registrar/Debt Register.* If the Obligations are issued in the form of revenue bonds or otherwise sold by public sale, the University will utilize the system of registration approved by the Washington State Finance Committee, which utilizes the fiscal agent of the State of Washington, as registrar, authenticating agent, paying agent and transfer agent. In the alternative, if determined by the Designated University Representative, the University may act as the registrar, authenticating agent, paying agent and transfer agent (in either case, collectively, the “Registrar”). The Registrar shall keep, or cause to be kept, at its principal corporate trust office, sufficient records for the registration and transfer of the Obligations (the “Debt Register”), which shall be open to inspection by the University. The Registrar is authorized, on behalf of the University, to authenticate and deliver Obligations transferred or exchanged in accordance with the provisions of such Obligations and this resolution and to carry out all of the Registrar’s powers and duties under this resolution. The Registrar shall be responsible for its representations contained in the Certificate of Authentication on the Obligations.

(b) *Registered Ownership.* The University and the Registrar may deem and treat the Registered Owner of each Obligation as the absolute owner for all purposes, and neither the University nor the Registrar shall be affected by any notice to the contrary. Payment of any such Obligation shall be made only as described in Section 6(h) hereof, but such registration may be transferred as herein provided. All such payments made as described in Section 6(h) shall be valid and shall satisfy the liability of the University upon such Obligation to the extent of the amount or amounts so paid.

(c) *DTC Acceptance/Letter of Representations.* If the Obligations are issued in the form of revenue bonds or otherwise sold by public sale, the Obligations shall initially be held in fully immobilized form by DTC acting as depository, and the provisions of subsection (d), (e) and (f) shall be applicable. To induce DTC to accept the Obligations as eligible for deposit at DTC, the University has heretofore executed and delivered to DTC the Letter of Representations.

Neither the University nor the Registrar will have any responsibility or obligation to DTC participants or the persons for whom they act as nominees with respect to the Obligations for the accuracy of any records maintained by DTC or any DTC participant, the payment by DTC or any DTC participant of any amount in respect of the principal of or interest on Obligations, any notice that is permitted or required to be given to Registered Owners under this resolution (except such notices as shall be required to be given by the University to the Registrar or to DTC), the selection by DTC or any DTC participant of any person to receive payment in the event of a partial redemption of the Obligations, or any consent given or other action taken by DTC as the Registered Owner. For so long as any Obligations are held in fully immobilized form hereunder, DTC or its successor depository shall be deemed to be the Registered Owner for all purposes, and all references in this resolution to the Registered Owners shall mean DTC or its nominee and shall not mean the Beneficial Owners.

(d) *Use of Depository.*

(1) The Obligations shall be registered initially in the name of CEDE & Co., as nominee of DTC, with a single Obligation for each maturity of a series in a denomination equal to the total principal amount of such maturity. Registered ownership of such immobilized Obligations, or any portions thereof, may not thereafter be transferred except (A) to any successor of DTC or its nominee, provided that any such successor shall be qualified under any applicable laws to provide the service proposed to be provided by it; (B) to any substitute depository appointed by the Designated University Representative pursuant to subsection (2) below or such substitute depository's successor; or (C) to any person as provided in subsection (4) below.

(2) Upon the resignation of DTC or its successor (or any substitute depository or its successor) from its functions as depository or a determination by the University to discontinue the system of book-entry transfers through DTC or its successor (or any substitute depository or its successor), the Designated University Representative may appoint a substitute depository. Any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it.

(3) In the case of any transfer pursuant to clause (A) or (B) of subsection (1) above, the Registrar shall, upon receipt of all outstanding Obligations, together with a written request on behalf of the University, issue a single new Obligation for each maturity of a series then outstanding, registered in the name of such successor or substitute depository, or its nominee, all as specified in such written request of the University.

(4) In the event that (A) DTC or its successor (or substitute depository or its successor) resigns from its functions as depository, and no substitute depository can be obtained, or (B) the Designated University Representative determines that it is in the best interest of the Beneficial Owners of the Obligations that the Obligations be provided in certificated form, the ownership of such Obligations may then be transferred to any person or entity as herein provided, and shall no longer be held in fully immobilized form. The Designated University Representative shall deliver a written request to the Registrar, together with a supply of definitive Obligations in certificated form, to issue Obligations in any authorized denomination. Upon receipt by the Registrar of all then outstanding Obligations, together with a written request on behalf of the University to the Registrar, new Obligations of each series shall be issued in the appropriate denominations and registered in the names of such persons as are provided in such written request.

(e) *Transfer or Exchange of Registered Ownership; Change in Denominations.* The registered ownership of any Obligation may be transferred or exchanged, but no transfer of any Obligation shall be valid unless it is surrendered to the Registrar with the assignment form appearing on such Obligation duly executed by the Registered Owner or such Registered Owner's duly authorized agent in a manner satisfactory to the Registrar. Upon such surrender, the Registrar shall cancel the surrendered Obligation and shall authenticate and deliver, without charge to the Registered Owner or transferee, a new Obligation (or Obligations at the option of the new Registered Owner) of the same date, series, maturity and interest rate and for the same aggregate principal amount in any authorized denomination, naming as Registered Owner the person or persons listed as the assignee on the assignment form appearing on the surrendered Obligation, in exchange for such surrendered and canceled Obligation. Any Obligation may be surrendered to the Registrar and exchanged, without charge, for an equal aggregate principal amount of Obligations of the same date, series, maturity and interest rate, in any authorized denomination. The Registrar shall not be obligated to transfer or exchange any Obligation after the mailing of notice of the call of such Obligations for redemption.

(f) *Registrar's Ownership of Obligations.* The Registrar may become the Registered Owner or Beneficial Owner of any Obligation with the same rights it would have if it were not the Registrar, and to the extent permitted by law, may act as depository for and permit any of its officers or directors to act as member of, or in any other capacity with respect to, any committee formed to protect the rights of the Registered Owners of the Obligations.

(g) *Registration Covenant.* The University covenants that it will maintain a system for recording the ownership of each Tax-Exempt Obligation that complies with the provisions of Section 149 of the Code.

(h) *Place and Medium of Payment.* Both principal of and interest on the Obligations shall be payable in lawful money of the United States of America. For so long as all Obligations are in fully immobilized form, payments of principal and interest shall be made as provided in accordance with the operational arrangements of DTC referred to in the Letter of Representations. In the event that the Obligations are no longer in fully immobilized form, unless otherwise provided in the Sale Contract or the Approved Bid, interest on the Obligations shall be paid by check or draft mailed to the Registered Owners at the addresses for such Registered Owners appearing on the Debt Register on the 15th day of the month preceding the interest payment date, and principal of the Obligations shall be payable upon presentation and surrender of such Obligations by the Registered Owners at the principal office of the Registrar; provided, however, that if so requested in writing by the Registered Owner of at least \$1,000,000 principal amount of Obligations of a series, interest will be paid by wire transfer on the date due to an account with a bank located within the United States.

Section 7. Form of Obligations. The Obligations, if issued in the form of bonds, shall each be in substantially the following form, with appropriate or necessary insertions or series designation, depending upon the omissions and variations as permitted or required hereby. If the Obligations are no longer held in fully-immobilized form, the form of Obligations will be changed to reflect the changes required in connection with the preparation of certificated Obligations. If the Obligations are issued either in the form of notes or other type of contract, the following form shall be changed to reflect applicable changes approved by the Designated University Representative in the Sale Contract or Approved Bid.

UNITED STATES OF AMERICA

NO. _____ \$ _____

STATE OF WASHINGTON
WASHINGTON STATE UNIVERSITY

GENERAL REVENUE [BOND], _____[year of issuance][series designation]

INTEREST RATE: % MATURITY DATE: CUSIP NO.:

REGISTERED OWNER:

PRINCIPAL AMOUNT:

WASHINGTON STATE UNIVERSITY (the “University”), a state university organized and existing under and by virtue of the laws of the State of Washington (the “State”), promises to pay to the Registered Owner identified above, or registered assigns, on the Maturity Date identified above, solely from the special fund of the University known as the “General Revenue Debt Redemption Fund, _____[year of issuance][series designation]” (the “Bond Fund”) maintained by the University and General Revenues to be deposited therein pursuant to a Resolution adopted by the Board of Regents on January 25, 2019 (the “Resolution”), the Principal Amount indicated above and to pay interest thereon from the Bond Fund from _____, _____[year of issuance], or the most recent date to which interest has been paid or duly provided for or until payment of this bond at the Interest Rate set forth above, payable on _____, and semiannually thereafter on the first days of each _____ and _____. Both principal of and interest on this bond are payable in lawful money of the United States of

America. For so long as the bonds of this issue are held in fully immobilized form, payments of principal and interest thereon shall be made as provided in accordance with the operational arrangements of The Depository Trust Company (“DTC”) referred to in the Blanket Issuer Letter of Representations (the “Letter of Representations”) from the University to DTC. The fiscal agent of the State is acting as the registrar, authenticating agent and paying agent for the bonds of this issue (the “Bond Registrar”). Capitalized terms used in this bond which are not specifically defined have the meanings given such terms in the Resolution. Reference is made to the Resolution for other covenants of the University and other terms and conditions upon which this bond has been issued, which terms and conditions are made a part hereof by this reference. The University irrevocably and unconditionally covenants that it will keep and perform all of the covenants of this bond and of the Resolution.

This bond is issued pursuant to the Resolution to finance the Project and to pay costs of issuance.

This bond is payable first from General Revenues of the University, and the University does hereby pledge and bind itself to set aside from such General Revenues, and to pay into the Bond Fund the various amounts required by the Resolution to be paid into and maintained in such Fund, all within the times provided by the Resolution.

The bonds of this issue are subject to redemption prior to their scheduled maturity under the terms of the [Sale Contract][Official Notice of Sale and Approved Bid] for such obligations.

[The bonds of this issue are not private activity bonds. The bonds of this issue have [not] been designated by the University as “qualified tax-exempt obligations” for investment by financial institutions under Section 265(b) of the Internal Revenue Code of 1986, as amended.] [The University has taken no action to cause the interest on this bond to be exempt from federal income taxation.]

Except as otherwise provided in the Resolution, this bond shall not be entitled to any right or benefit under the Resolution, or be valid or become obligatory for any purpose, until this bond shall have been authenticated by execution by the Registrar of the certificate of authentication inscribed hereon.

It is hereby certified, recited and represented that the issuance of this bond and the bonds of this issue is duly authorized by law; that all acts, conditions and things required to exist and necessary to be done or performed precedent to and in the issuance of this bond and the bonds of this issue to render the same lawful, valid and binding have been properly done and performed and have happened in regular and due time, form and manner as required by law; that all acts, conditions and things necessary to be done or performed by the University or to have happened precedent to and in the adoption of the Resolution have been done and performed and have happened in regular and due form as required by law; that due provision has been made for the payment of the principal of and premium, if any, and interest on this bond and the bonds of this issue and that the issuance of this bond and the bonds of this issue does not contravene or violate any constitutional or statutory limitation.

IN WITNESS WHEREOF, Washington State University has caused this bond to be executed by the manual or facsimile signatures of the Chair and Secretary of the Board of Regents, and a facsimile corporate seal of the University to be imprinted hereon as of the _____ day of _____, _____[year of issuance].

[SEAL]

WASHINGTON STATE UNIVERSITY

By _____/s/_____
Chair, Board of Regents

ATTEST:

_____/s/_____
Secretary, Board of Regents

The Registrar’s Certificate of Authentication on the Obligations shall be in substantially the following form:

CERTIFICATE OF AUTHENTICATION

This bond is one of the Bonds described in the within mentioned Resolution and is one of the General Revenue Bonds, _____[year of issuance] of Washington State University, dated _____, _____[year of issuance].

[WASHINGTON STATE FISCAL
AGENT][UNIVERSITY], Registrar

By _____
Authorized Signer

Section 8. Execution. Unless otherwise provided in the Sale Contract or the Approved Bid, the following provisions of this Section 8 shall be applicable. The Obligations of each series shall be executed on behalf of the University with the manual or facsimile signature of the Chair of the Board of Regents, shall be attested by the manual or facsimile signature of the Secretary of the Board of Regents and shall have the seal of the University impressed or a facsimile thereof imprinted thereon.

Only such Obligations as shall bear thereon a Certificate of Authentication in the form hereinbefore recited, manually executed by the Registrar, shall be valid or obligatory for any purpose or entitled to the benefits of this resolution. Such Certificate of Authentication shall be conclusive evidence that the Obligations so authenticated have been duly executed, authenticated and delivered hereunder and are entitled to the benefits of this resolution.

In case either of the officers of the University who shall have executed the Obligations shall cease to be such officer or officers of the University before the Obligations so signed shall have been authenticated or delivered by the Registrar, or issued by the University, such Obligations may nevertheless be authenticated, delivered and issued and upon such

authentication, delivery and issuance, shall be as binding upon the University as though those who signed the same had continued to be such officers of the University. Any Bond may also be signed and attested on behalf of the University by such persons as at the actual date of execution of such Bond shall be the proper officers of the University although at the original date of such Bond any such person shall not have been such officer.

Section 9. Sale of Obligations; Official Statement.

(a) *Obligations.* The Board of Regents has determined that it would be in the best interest of the University to delegate to the Designated University Representative the authority to approve the form of the Obligations, the manner of sale, the number of series, the series designation, the final principal amounts of the Obligations, date of the Obligations, taxable or tax-exempt status of each series, interest rates, payment dates, redemption provisions, and maturity dates of such Obligations, and other terms and conditions of the Obligations in the manner provided hereafter so long as

(1) the net proceeds of sale (gross proceeds, minus costs of issuance), does not exceed \$3,500,000;

(2) the maximum term of the Obligations does not exceed five and a half years from the date of issue; and

(3) the true interest cost to the University for the Obligations of a series does not exceed 5.5%.

In determining the manner of sale, number of series, the taxable or tax-exempt status of each series, the series designation, the final principal amounts of the Obligations, date of the Obligations, interest rates, payment dates, redemption provisions, and maturity dates of such Obligations, the Designated University Representative, in consultation with University staff and the University's financial advisor, shall take into account those factors that, in his or her judgment, will result in the most favorable interest cost on the applicable series of the Obligations to their maturity, including, but not limited to current financial market conditions and current interest rates for obligations comparable in tenor and quality to the applicable series of the Obligations.

The Designated University Representative is hereby authorized to determine whether the Obligations shall be sold by Negotiated Sale or by a Competitive Sale. Upon the selection of one or more underwriters or financial institutions, the Designated University Representative shall negotiate the terms of sale for the Obligations, including the terms described in this section, in a contract of sale (a "Sale Contract"). If the Obligations, either in the form of notes or bonds, are sold by a public Competitive Sale, sealed bids will be received by the Designated University Representative or the Competitive Sale will be undertaken by electronic means, in the manner and on such date and time as the Designated University Representative hereafter shall determine, and the Designated University Representative will approve the bid offering to purchase the Obligations at the lowest true interest cost to the University at such price as shall be determined

at the time of sale by the Designated University Representative, plus accrued interest to the date of delivery, on all the terms and conditions set out in the applicable Official Notice of Sale.

All bids submitted for the purchase the Obligations shall be as set forth in the applicable Official Notice of Sale or otherwise as established by the Designated University Representative which will be furnished upon request made to the Designated University Representative. Such bids may be accompanied by surety bond or a cashier's or certified check, as a good faith deposit, made payable to the order of the University. The good faith deposit, if any, of the successful bidder shall be security for the performance of its bid and shall be held as liquidated damages in case the successful bidder fails to take up and pay for the applicable series of the Obligations.

Subject to the terms and conditions set forth in this Section 9, the Designated University Representative is hereby authorized to accept an Approved Bid in a Competitive Sale and/or execute the final form of a Sale Contract in a Negotiated Sale, upon his or her approval of the form of the Obligations, the number of series, the series designation, the final principal amounts of the obligations, date of the obligations, interest rates, payment dates, redemption provisions, and maturity dates of such obligations set forth therein. Following each sale of the Obligations, the Designated University Representative shall provide a report to the Board of Regents, describing the final terms of each series of the Obligations approved pursuant to the authority delegated in this section.

Upon the adoption of this resolution, the proper officials of the University including the Designated University Representative, are authorized and directed to undertake all other actions necessary for the prompt sale, execution and delivery of the Obligations and further to execute all closing certificates and documents required to effect the closing and delivery of the Obligations in accordance with the terms of the Sale Contract or Official Notice of Sale and Approved Bid. In furtherance of the foregoing, the Designated University Representative is authorized to approve and enter into agreements for the payment of costs of issuance, including Underwriter's discount, the fees and expenses specified in the Sale Contract, including fees and expenses of Underwriter and other retained services, including Bond Counsel, rating agencies, fiscal agent, and other expenses customarily incurred in connection with issuance and sale of obligations.

(b) *Official Statement.* The Designated University Representative is authorized to ratify and to approve for purposes of the Rule, if applicable, on behalf of the University, an Official Statement for each series (and any Preliminary Official Statement) and any supplement thereto relating to the issuance and sale of each series of the Obligations and the distribution of each series of the Obligations pursuant thereto with such changes, if any, as may be deemed by him/her to be appropriate.

(c) *Term of Authority.* The authority granted by this section shall remain in effect until withdrawn by the Board.

Section 10. Debt Service Fund. The University hereby establishes a separate special fund to be held separate and apart from all other funds and accounts of the University to be

designated as the “General Revenue Debt Redemption Fund, _____[year of issuance][series designation]” (the “Debt Service Fund”). The University covenants to deposit into the Debt Service Fund from General Revenues on or prior to each interest payment date, redemption date and maturity date an amount sufficient to pay the interest on the Obligations then coming due and the principal of the Obligations maturing or subject to redemption and redemption premium, if any. Such payments shall be made in sufficient time to enable the Registrar to pay interest on and/or principal of and redemption price of the Obligations to the Registered Owners, when due. Net income earned on investments in the Debt Service Fund, if any, shall be deposited in the Debt Service Fund.

Section 11. Project Fund; Application of Obligation Proceeds. The Designated University Representative is hereby authorized and directed to create a special fund of the University for the deposit of Obligation proceeds (the “Project Fund”). The following amounts shall be deposited to the Project Fund:

(1) The proceeds of the Obligations received on the date of issuance shall be deposited into the Project Fund as shall be determined by the Designated University Representative; and

(2) All interest earnings and receipts from investments of money held in the Project Fund.

Money on hand in the Project Fund shall be disbursed to pay costs of issuance of the Obligations, to pay and reimburse the University for costs of the Project, and to pay arbitrage rebate when due with respect to the Obligations. For purposes of accounting and compliance, the University shall segregate and separately account for the deposit and expenditure of Obligation proceeds and interest earnings thereon.

The Designated University Representative shall determine the application of available Obligation funds and other moneys in the Project Fund as between the various components of the Project so as to accomplish, as nearly as may be, all of the projects described or provided for in this resolution. The Designated University Representative shall determine the exact extent and specification for acquisition, equipping, installation or other improvements.

If the Designated University Representative shall determine that it has become impractical to accomplish any components of the Project or portions thereof by reason of State or local circumstances, including changed conditions or costs substantially in excess of those estimated, the University shall not be required to accomplish such components of the Project and may apply the Obligation proceeds or any portion thereof to other portions of the Project, or to other capital projects approved by the Board or to payment of debt service on the Obligations.

Section 12. Source of Repayment and Security for Obligations.

(a) *Special Fund Obligations.* The Obligations shall be special fund obligations of the University, payable solely from General Revenues and the money and investments deposited into the Debt Service Fund. The Obligations shall not constitute an obligation, either general, special or moral, of the State, nor a general or moral obligation of the University. The

Registered Owners of the Obligations shall have no right to require the State, nor has the State any obligation or legal authorization, to levy any taxes or appropriate or expend any of its funds for the payment of the principal thereof or the interest or any premium thereon. The University has no taxing power.

(b) *All Obligations Have Equal Claim on General Revenues.* The Obligations shall be equally and ratably payable, without preference, priority or distinction because of date of issue or otherwise from General Revenues.

(c) *Additions to General Revenues.* The University reserves the right to include in General Revenues, at its sole option, in the future, other sources of revenue or income.

(d) *Deletions from General Revenues.* The University reserves the right to remove, at its sole option, in the future, any revenues from General Revenues; provided that the revenues to be deleted shall not be greater than five percent (5%) of the previous Fiscal Year's General Revenues. The removal of General Revenues in compliance with this provision shall be evidenced by a certificate executed by the Vice President for Finance and Administration (or the successor to the functions of the Vice President for Finance and Administration) identifying the items to be deleted.

(e) *No Issuance of Obligations of Auxiliary Systems.* The University covenants not to issue obligations or obligations in the future that are solely payable from and secured by the revenues of the System. It is the intention of this Board that future obligations issued by the University for the benefit of the System be issued as Additional Obligations that are payable from General Revenues.

Section 13. Investment of Funds. The University covenants to invest and reinvest money deposited in the Debt Service Fund and the Project Fund only in those investments in which agencies of the State are authorized to invest pursuant to State law.

Section 14. Establishment of Additional Accounts and Subaccounts. The University reserves the right, to be exercised in its sole discretion, to establish such additional accounts within the funds established pursuant to this resolution, and subaccounts within such accounts, as it deems necessary or useful for the purpose of identifying more precisely the sources of payments herein and disbursements therefrom; provided that the establishment of any such account or subaccount does not alter or modify any of the requirements of this resolution with respect to a deposit or use of money or result in commingling of funds not permitted hereunder.

Section 15. Additional Obligations. The University shall have the right to issue one or more series of Additional Obligations for University purposes as permitted under the Bond Act or otherwise under State law, and for the costs of issuing Additional Obligations, or to refund or advance refund any Obligations or Outstanding System Obligations.

Section 16. Covenants Regarding Tax Exemption. With respect to Obligations issued as Tax-Exempt Obligations, the University covenants and agrees that it will comply with the terms of the Federal Tax Certificate with respect to any series of Tax-Exempt Obligations. The

Designated University Representative is authorized to determine whether the series of the Obligations may be qualified under Section 265(b) of the Code and to designate the series of the Obligations as “qualified tax-exempt obligations” pursuant to Section 265(b) of the Code for investment by financial institutions.

Section 17. Lost, Stolen or Destroyed Obligations. In case any Bond or Obligations shall be lost, stolen or destroyed, the Registrar may execute and deliver a new Bond or Obligations of like date, series, number and tenor to the Registered Owner thereof upon the owner’s paying the expenses and charges of the Registrar and the University in connection therewith and upon his or her filing with the Registrar evidence satisfactory to the Registrar that such Bond was actually lost, stolen or destroyed and of his or her ownership thereof, and upon furnishing the Registrar and the University with indemnity satisfactory to the Registrar and the University.

Section 18. No Recourse Against Individuals. No Registered Owner shall have any recourse for the payment of any part of the principal or redemption price, if any, of or interest on the Obligations, or for the satisfaction of any liability arising from, founded upon, or existing by reason of, the issuance or ownership of such Obligations against the officers of the University or officers or members of the Board in their individual capacities.

Section 19. Defeasance. In the event that money and/or noncallable Government Obligations maturing or having guaranteed redemption prices at the option of the owner at such time or times and bearing interest to be earned thereon in amounts (together with such money, if any) sufficient to redeem and retire part or all of the Obligations in accordance with their terms, are hereafter irrevocably set aside in a special account and pledged to effect such redemption and retirement, and, if the Obligations are to be redeemed prior to maturity, irrevocable notice, or irrevocable instructions to give notice of such redemption has been delivered to the Registrar, then no further payments need be made into the Debt Service Fund or any account therein for the payment of the principal of, premium, if any, and interest on the Obligations so provided for. Such Obligations shall then cease to be entitled to any lien, benefit or security of this resolution, except the right to receive the funds so set aside and pledged. Such notices of redemption, if any, and such Obligations shall no longer be deemed to be Outstanding hereunder, under this resolution or under any resolution authorizing the issuance of obligations or other indebtedness of the University.

Within 20 days after any defeasance of Obligations, the University shall provide notice of defeasance of Obligations to Registered Owners of Obligations defeased and to each party entitled to receive notice under agreements for continuing disclosure entered into pursuant to Section 23.

Section 20. Supplemental Resolutions.

(a) *Without Consent of Owners.* The Board, from time to time and at any time, may adopt a resolution or resolutions supplemental to this resolution which supplemental resolution or resolutions thereafter shall become a part of this resolution, for any one or more or all of the following purposes:

(1) to add to the covenants and agreements of the University in this resolution other covenants and agreements thereafter to be observed, which shall not materially adversely affect the interests of the Registered Owners of any Outstanding Obligations affected by the supplemental resolution, or to surrender any right or power herein reserved to or conferred upon the University; or

(2) to make such provisions for the purpose of curing any ambiguities or of curing, correcting or modifying any provision contained in this resolution or any resolution authorizing Additional Obligations in regard to matters or questions arising under such resolutions as the Board may deem necessary or desirable and not inconsistent with such resolution and which shall not materially adversely affect the interest of the Registered Owners of Outstanding Obligations.

Any such supplemental resolution of the Board may be adopted without the consent of the Registered Owners of any Obligations at any time Outstanding, notwithstanding any of the provisions of subsection (b) of this section.

(b) *With Consent of Owners.* With the consent of the Registered Owners of not less than 51% in aggregate principal amount of all Outstanding Obligations of a series affected by a supplemental resolution, the Board may adopt a resolution or resolutions supplemental hereto for the purpose of adding any provisions to or changing in any manner or eliminating any of the provisions of this resolution or of any supplemental resolution provided, however, that no such supplemental resolution shall:

(1) extend the fixed maturity of any Outstanding Obligations, or reduce the rate of interest thereon, or extend the time of payment of interest from their due date, or reduce the amount of the principal thereof, or reduce any premium payable on the redemption thereof, without the consent of the Registered Owner of each Bond so affected; or

(2) reduce the aforesaid percentage of Registered Owners required to approve any such supplemental resolution, without the consent of the Registered Owners of all of the Outstanding Obligations affected by the reduction.

For purposes of granting any consent under this subsection, the issuer of any insurance policy or letter of credit guaranteeing the payment of any Obligations shall be deemed to be the Owner of those Obligations. It shall not be necessary for the consent of Registered Owners under this subsection (b) to approve the particular form of any proposed supplemental resolution, but it shall be sufficient if such consent shall approve the substance thereof.

Section 21. Concerning the Registered Owners.

(a) *Form of Consent of Registered Owners.* Any request, direction, consent or other written instrument required by this resolution to be signed or executed by the Registered Owners may be in any number of concurrent written instruments of similar tenor and may be signed or executed by such Registered Owners in person or by an agent or agents duly appointed by a written instrument. For purposes of compliance with this section, the issuer of an irrevocable

letter of credit securing the repayment of the Obligations or an issuer of a policy of municipal bond insurance insuring the payment of the Obligations shall be deemed to be the Registered Owner of the Obligations. Proof of the execution of any such written instrument and of the ownership of the Obligations shall be sufficient for any purpose of this resolution and shall be conclusive in favor of the University, and/or the Registered Owners with regard to any action taken under such instrument, if made in the following manner:

(1) the fact and date of the execution by any Registered Owner of any such instrument may be proved by the certificate of any officer in any jurisdiction who, by the laws thereof, has power to take acknowledgments of deeds to be recorded within such jurisdiction, to the effect that the Registered Owner signing such instrument acknowledged to him or her the execution thereof, or by an affidavit of a witness to such execution; and

(2) the ownership of Obligations shall be proved by the Debt Register maintained by the Registrar.

Nothing contained in this Section 21(a) shall be construed as limiting the University to the proof above specified, it being intended that the University may accept any other evidence of the matters herein stated to which it may seem sufficient.

(b) *Waiver of Form.* Except as otherwise provided herein, any notice or other communication required by this resolution to be given by delivery, publication or otherwise to the Registered Owners or any one or more thereof may be waived, at any time before such notice or communication is so required to be given, by written waivers mailed or delivered to the University by the Registered Owners of all Obligations of a series entitled to such notice or communication.

(c) *Revocation; Conclusive Action.* At any time prior to (but not after) the evidencing to the University of the taking of any action by the Registered Owners of the percentage in aggregate principal amount of Outstanding Obligations of a series specified in this resolution in connection with such action, any Registered Owner may, by filing written notice with the University, revoke any consent given by such Registered Owner or the predecessor Registered Owner of such Bond. Except as aforesaid, any such consent given by the Registered Owner of any Bond shall be conclusive and binding upon such Registered Owner and upon all future Registered Owners of such Bond and of any Bond issued in exchange therefor or in lieu thereof, irrespective of whether or not any notation in regard thereto is made upon such Bond. Any action taken by the Registered Owners of the percentage in aggregate principal amount of a series of Outstanding Obligations specified in this resolution in connection with such action shall be conclusively binding upon the University and the Registered Owners of all Outstanding Obligations.

Section 22. Determination of Registered Owners' Concurrence. In determining whether the Registered Owners of the requisite aggregate principal amount of Outstanding Obligations have concurred in any demand, request, direction, consent or waiver under this resolution, Obligations which are owned by or held in the name of the University shall be disregarded and deemed not to be Outstanding for the purpose of any such determination.

Obligations so owned which have been pledged in good faith may be regarded as Outstanding for the purposes of this Section 22 if the pledgee shall establish to the satisfaction of the University the pledgee's right to vote such Obligations and that the pledgee is not the University.

Section 23. Undertaking to Provide Ongoing Disclosure. If determined to be applicable, the Designated University Representative is authorized to, in his or her discretion, execute and deliver a certificate regarding continuing disclosure with respect to each series of Obligations in order to assist the Underwriter in complying with Section (b)(5) of the Rule.

Section 24. Resolution a Contract with Owners. This resolution is adopted under the authority of and in full compliance with the Constitution and laws of the State of Washington. In consideration of the purchase and acceptance of the Obligations by those who shall hold the same from time to time, the provisions of this resolution shall constitute a contract with the owner or owners of each Obligation and the coupons, if any, appurtenant thereto, and the obligations of the University and its Board under said laws and under this resolution shall be enforceable by any court of competent jurisdiction; and the covenants and agreements herein set forth to be performed on behalf of the University shall be for the equal benefit, protection and security of the owners of any and all of the Obligations and the coupons, if any, appurtenant thereto.

Section 25. Contract-Savings Clause. The covenants contained in this resolution, the Obligations and the provisions of the Bond Act shall constitute a contract between the University and the Registered Owners of the Obligations and shall be construed in accordance with and controlled by the laws of the State. If any one or more of the covenants or agreements provided in this resolution to be performed on the part of the University shall be declared by any court of competent jurisdiction and final appeal, if any appeal be taken, to be contrary to law, then such covenant or covenants, agreement or agreements shall be null and void and shall be deemed separable from the remaining covenants and agreements in this resolution and shall in no way affect the validity of the other provisions of this resolution or of the Obligations.

Section 26. No Benefits to Outside Parties. Nothing in this resolution, express or implied, is intended or shall be construed to confer upon or to give to any person, other than the University, the Registrar, and the Registered Owners of Obligations, any right, remedy or claim under or by reason of this resolution; and the covenants, stipulations and agreements in this resolution are and shall be for sole and exclusive benefit of the University, the Registrar, and the Registered Owners of Obligations, their successors and assigns.

Section 27. Immediate Effect. This resolution shall take effect immediately upon its adoption.

ADOPTED AND APPROVED by the Board of Regents of Washington State University,
by a regular meeting of the Board held this 25th day of January, 2019.

WASHINGTON STATE UNIVERSITY

Chair, Board of Regents

ATTEST:

Secretary, Board of Regents

CERTIFICATE

I, the undersigned, Secretary of the Board of Regents (“Board”) of Washington State University (the “University”), DO HEREBY CERTIFY:

1. That the attached Resolution (the “Resolution”) is a true and correct copy of a resolution of the University, as finally adopted at a regular meeting of the Board of Regents held on the 25th day of January, 2019, and duly recorded in my office.

2. That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a quorum of the Board was present throughout the meeting and a legally sufficient number of members of the Board voted in the proper manner for the adoption of said Resolution; that all other requirements and proceedings incident to the proper adoption of said Resolution have been duly fulfilled, carried out and otherwise observed, and that I am authorized to execute this certificate.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of January, 2019.

Secretary

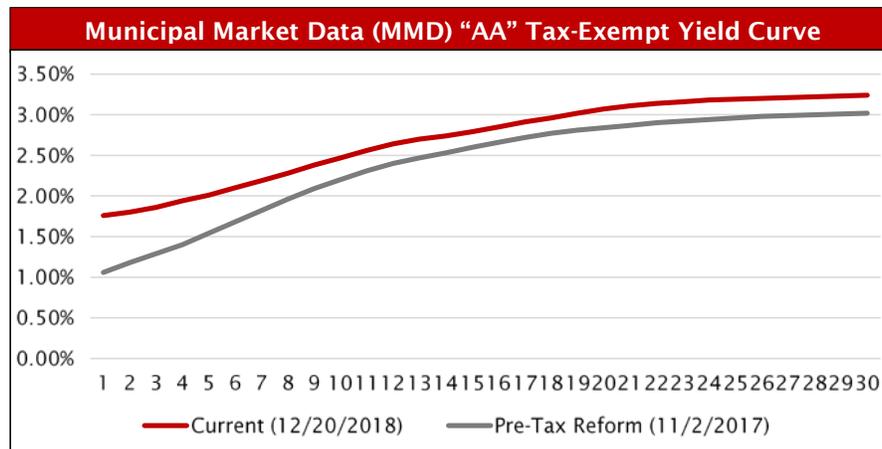
ATTACHMENT C: Market Commentary December 2018 provided by PFM

U.S. economic conditions are characterized by:

- Strong growth fueled by tax cuts and increased federal government spending
- Consumer confidence remaining near an 18-year high
- Solid job growth, a low unemployment rate of 3.7%, and a pickup in wage growth to 3.1%
- Potential headwinds in the form of tariffs, slower housing market momentum and rising interest rates

U.S. Treasury yields have risen sharply in 2018, with short-term rates outpacing long-term yields. By early December, however, yields have come off their recent highs and the intermediate-term range of the yield curve from 2 to 5 years has inverted. This has stoked some concerns, as yield curve inversions have historically preceded recessions. At their December meeting, the Federal Reserve raised interest rates by 0.25%, as expected, increasing the fed funds target rate range to 2.25% - 2.50%. Central bankers reduced their 2019 growth and core inflation forecasts to 2.3% and 2%, respectively. The Fed signaled a milder approach toward raising rates next year, implying two hikes in 2019. The long-term estimate of the neutral rate was revised lower to 2.75%, indicating the Fed is nearing a pause in its tightening campaign. The Fed's assessment of domestic economic activity remains upbeat, indicating expectations of steady growth going forward, with risks roughly balanced.

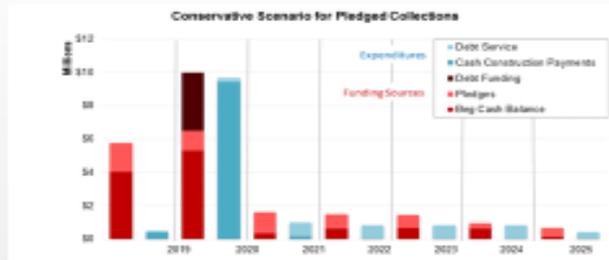
The housing market remains a soft spot for the U.S. economy. Sales and building activity are slowing, as higher mortgage rates and rising prices hurt affordability. The graph below shows taxable interest rates prior to the tax-reform in November 2017 compared to current rate levels. Short-term interest rates increased rapidly in 2018, but their pace is expected to slow in 2019.



Financial Overview

	(millions)
Donated Cash on Hand (as of 9/2018)	\$4.0
Pledges Receivable (10/2018-9/2019)	\$2.5
Debt Financing	\$3.5
Total	\$10.0

Note: The WSU Office of Finance and Administration has established a project checkpoint for August 1, 2019 to measure progress in collected pledged donations. WSU will not proceed with construction of the design until 65% (\$6.5 million) of the Project cost is collected in cash.



Due Diligence

- Confirmed cash in hand balance of \$4.0M
- Confirmed that the cash is not committed to other projects
- Reviewed each gift pledge agreement to confirm the total pledge amount and payment schedule from FY2019 - FY2025
- Reviewed pledges for collectability with athletics development staff, and included a reasonable allowance for uncollectable pledges in the financial pro-forma
- Added a checkpoint at the completion of project design to confirm that expected pledges are received and total cash in hand is \$6.5M prior to issuance of debt and full construction

ACTION ITEM #3

Increasing Market Demand for Cosmic Crisp® (Stacy Pearson/ Dr. André-Denis Wright)

January 25, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Use of Royalty Revenues to Increase Market Demand for WSU Apple Cosmic Crisp®.

PROPOSED: It is proposed that the Board of Regents authorize and delegate authority to the President or his designee to enter into a contract to support marketing of the WSU Apple Cosmic Crisp®, with a four year term, and not to exceed value of \$10,100,000.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration
Dr. André-Denis Wright, Dean of the College of Agricultural, Human and Natural Resource Sciences

SUPPORTING INFORMATION:

WSU is the owner of intellectual property rights to the patented apple cultivar, WA 38, and the trademark rights to Cosmic Crisp®. WSU has licensed the intellectual property rights to bring the apple to the marketplace. WSU will receive a share of royalty payments from each tree sold, as well as per box of Cosmic Crisp® apples sold.

The patented apple cultivar has been broadly adopted through close collaboration with Washington growers. Washington growers planted approximately 6.7 million trees in calendar years 2017 and 2018 with projections for an additional 5 million trees in calendar year 2019. It will take approximately 2 to 3 years from the initial planting for the trees to bear commercial grade fruit.

As a result of the large uptake by Washington growers, projected yield data suggests that there will be a high supply of Cosmic Crisp® fruit in the marketplace for 2019 and beyond. For example, current estimates provide that there will be approximately 175,000 40-pound cases of apples in 2019, rising to approximately 5,000,000 cases by 2021.

With such a large supply of Cosmic Crisp® apples expected in the market, it is in the best interest of Washington growers and WSU to ensure that there is an appropriate, corresponding level of customer

demand. In addition, with 37 competing apple varieties in the current market, competition for shelf space and “share of consumer wallet” is fierce and underscores the need to market the new variety. A consumer marketing campaign is critical to generating brand awareness, enticing consumers to taste the apple, and moving the fruit off retail shelves. Consumer demand will make it easier for Washington growers to place the new variety with large grocery stores and distribution chains. Since WSU will receive a fruit royalty if the apples sell for a price in excess of \$20.00 per 40-pound box wholesale (FOB) price, it is highly advantageous to the University to assist in increasing customer awareness and demand.

As discussed with the Board of Regents in the September meeting, WSU negotiated a short-term contract with Proprietary Variety Management, LLC (PVM) in the amount of \$614,635 to start the initial marketing activities in calendar year 2018.

WSU is currently negotiating with PVM to manage a multi-year marketing campaign directed at consumers for the apple. It is expected that this contract will cover the next four calendar years from 2019-2022, with the ability to cancel for convenience with 30 day notice. Within the contractual cost, PVM will receive a 3.3% administrative fee. The total, not to exceed value of the new four-year contract is \$10,100,000. The cost of this contract will be paid using royalty revenue received from licensing WSU’s intellectual property rights to the patented apple cultivar, WA 38, and the trademark rights to Cosmic Crisp®. Prior to finalizing the contract, WSU Office of Finance and Administration will review the royalty revenue projections to ensure that they are sufficient to cover the cost of the contract. These projections will continue to be monitored over the life of the contract.

It is proposed that the Board of Regents authorize and delegate authority to the President or his designee to enter into a contract to support marketing of the WSU Apple Cosmic Crisp® with a four year contract, not to exceed is \$10,100,000.

BOARD OF REGENTS

Increasing Market Demand for Cosmic Crisp®

Resolution #190125-596

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents authorize and delegate authority to the President or his designee to enter into a contract to support marketing of the WSU Apple Cosmic Crisp®, with a four year term, and not to exceed value of \$10,100,000.

Dated this 25th day of January, 2019.

Chair, Board of Regents

Secretary, Board of Regents

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Foundation Regents Report

SUBMITTED BY: Lisa Calvert, Vice President for Advancement
CEO, Washington State University Foundation

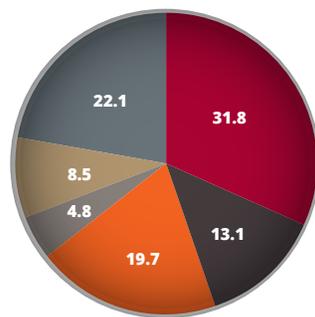
The Washington State University Foundation is pleased to report the following:

- To date during Fiscal Year 2019 (July 1, 2018—June 30, 2019) the WSU Foundation received \$81,453,069 in total fundraising commitments as of January 31, 2019. FY2019 activity is tracking about 5.0% (\$3.9 million) ahead of the same timeframe in FY2018.
- As of December 31, 2018, the endowment market value was \$481,957,932. More information can be found on the Year-to-Date Progress Report that accompanies this report.
- Senior Advancement Leadership met with WSU Foundation Board of Directors in a retreat in Palm Desert, California, February 21-22. A survey of volunteers was completed prior to the retreat, assessing perceptions of fundraising and priority setting while helping inform discussions. During the retreat, conversation was focused on WSU Advancement's continued alignment of best-in-industry organizational structure, systems, processes, staffing, and resources as we continue to position WSU to optimize its fundraising operation for sustainable philanthropic growth.
- The WSU Foundation is attracting some of the most experienced and respected professionals in higher education advancement to key leadership positions. Industry leader Jo Ann Grainger accepted the position of Associate Vice President for Campaign Operations. Beginning April 1, Jo Ann will provide leadership, implementation and administration of comprehensive fundraising campaign(s) for WSU. The Foundation will also announce the hires of two additional senior leadership positions—Senior Associate Vice President of Advancement, Constituent Development Units; and Senior Associate Vice President of Advancement, Finance, Operations, and Advancement Services—this spring.
- More than 65 advancement staff continue to actively participate in six strategic task forces—Inclusion and Empowerment; Portfolio Optimization; Benchmarking and Forecasting; Principal Gifts; Operations; and Bold, Fundable Ideas—each created to tackle specific objectives aimed at improving WSU's fundraising operation.
- The next meetings of the WSU Foundation Trustees will be May 16-17, 2019, in Blaine, Washington. The next meeting of the WSU Foundation Board of Directors will be May 17, 2019, in Blaine, Washington.

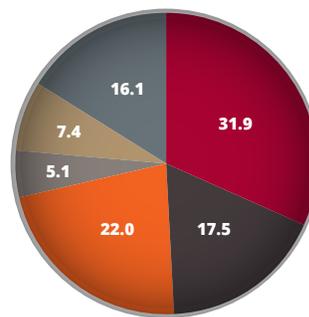
WASHINGTON STATE UNIVERSITY FOUNDATION
YEAR-TO-DATE PROGRESS REPORT
 July 1, 2018 - January 31, 2019

Fiscal Year-to-Date	1/31/2019	1/31/2018
Gift Totals	\$36,749,750	\$37,486,975
Private Grants	\$17,937,372	\$12,450,019
Sub Total, Gifts & Grants	\$54,687,121	\$49,936,993
Pledge Balance	\$10,802,360	\$7,413,230
Sub Total Gifts, Grants & Pledges	\$65,489,482	\$57,350,224
Revocable Gifts	\$10,228,830	\$10,908,002
Annual Fundraising Totals	\$75,718,312	\$68,258,226
Other Contributions	\$5,734,758	\$9,303,462
Annual Total	\$81,453,069	\$77,561,688

Note: These figures are unaudited



JANUARY 2019



JANUARY 2018

FISCAL YEAR CONTRIBUTIONS BY SOURCE
 (AS A PERCENTAGE)



Month Ending	1/31/2019	1/31/2018
Gift Totals	\$7,552,264	\$12,100,487
Private Grants	\$3,813,498	\$2,753,672
Sub Total, Gifts & Grants	\$11,365,762	\$14,854,158
Pledge Balance	\$2,405,821	-\$2,126,369
Sub Total Gifts, Grants & Pledges	\$13,771,583	\$12,727,789
Revocable Gifts	\$2,668,392	\$1,615,000
Other Contributions	\$0	\$0
Monthly Total	\$16,439,975	\$14,342,789

Endowment Summary	6 Months Ended 12/31/2018	6 Months Ended 12/31/2017
Endowment, Beginning 6/30	\$502,262,759	\$466,147,989
Gifts and Other Additions	9,225,496	8,668,499
Investment Gains (Losses)	-16,634,511	24,805,603
Distributions to WSU and Endowment Advc. Assessment	-12,895,812	-6,022,976
Endowment, Ending	\$481,957,932	\$493,599,115
Investment Return FY-To-Date (July 1-June 30)	-3.30%	7.00%
1-year Return	-2.40%	15.70%
3-year Return	6.00%	7.00%
5-year Return	4.80%	8.00%
10-year Return	7.10%	4.60%

KEY STATISTICS	1/31/2019	1/31/2018
Alumni of Record Available for solicitation	191,439	185,674
Alumni Participation Rate	6.8%	7.3%
Total Number of FY Donors	32,715	33,042
Total FY Gifts, Grants, Pledges, Revocable Commitments	60,920	60,374

February 22, 2019

To: Members of the Board of Regents

Subject: Faculty Senate Report

Submitted by: Jeannette Mageo, Chair of the Faculty Senate

1. Faculty Senate Executive members traveled to the annual PAC 12 Academic Leadership Coalition conference held on the USC campus this January. We met with ALC member shared governance leaders to discuss current topics and best practices. Among the topics discussed at length were campus safety, incentivizing, evaluating, and rewarding teaching excellence, and how to recruit and retain diverse faculty. Officer elections were held, and Judi McDonald was elected president-elect for the upcoming 2019/2020 term. Amy Nielsen continues to serve as Executive Director of the organization.
2. The Centers Institutes and Laboratories Taskforce recommendations passed the Senate on February 7th. This will streamline the approval of CILs and provide a pathway for interim CIL status.
3. The Campus and Community Health Taskforce has been convened with the charge of “identifying barriers to expanding community health care in the Washington State University and the Pullman communities.” Whereas immediate needs may focus on expanding mental health care services, the task force’s larger charge is to consider comprehensive health care needs of the campus and community. The task force will establish WSU and community partnerships to develop solutions to overcome barriers to health care, including provisions of support at various levels (universal preventions, targeted prevention, and intervention). The task force will also regularly assess and modify goals as health care needs evolve and will make ongoing recommendations toward a sustainable plan.
4. Course Materials Value and Effectiveness Committee (CMVEC) is a partnership between Faculty Senate and the Provost’s Office to investigate issues concerning the increasing cost of course materials to WSU students. As the costs of course materials are increasing beyond the financial means of an increasing number of students, it is incumbent on the WSU academic community to find alternatives for course materials that are of good value for students while not sacrificing effectiveness. The committee has constituted three working groups, one devoted to Open Educational Resources (OERs), the second centering on programs such as First Day, and the third focused on the relationship between WSU’s academic community and the Student Book Corporation (SBC).
 - a. OERs are no- or low-cost alternatives to traditionally published course materials. Current estimates of adopting OERs (from a sample of 16 courses) include total savings to students of approximately \$600,000.00 per term.
 - b. The First Day program is intended to grant students immediate access to electronic course materials on the first day of class. Estimated total savings to students over three terms is nearly \$500,000.00 in the initial pilot program.
 - c. The unusual relationship between WSU and the SBC—few universities do not directly own or run their associated bookstores—brings unique challenges to the table. Fostering communication among the stakeholders in this partnership is in the best interest of all. The CMVEC is exploring ways to improve the lines of communication, beginning with increased SBC outreach to faculty organizations such as Faculty Senate. A review of SBC website textbook offerings, including estimated overall costs of course materials, is under way.

March 8th, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: The Associated Students of Washington State University Washington Everett's '18-'19 Report

SUBMITTED BY: Andrew Bragg – ASWSU Everett President

The 2018-2019 academic year has been a wonderful year for ASWSU Everett. We have made exceptional progress as a leadership team and have affected great unity as a student body.

ASWSU Everett collaborated with each other ASWSU organization to organize Cougar Day at the Capitol 2019! A handful of Everett Cougs, and 80+ Cougs from all other WSU campuses, were sent to lobby directly with Washington State legislators for bills affecting Washington State University, its students, & higher education Statewide. These students lobbied for: an expansion of the State Need Grant, greater mental health care resources for students, tuition wavers for honorably discharged veterans, Title IX guidelines, expediting construction on more passing lanes on State Route 26, and more!

Our goal this year was to develop a more collective campus culture and create a space that helped fight the commuter stigma our campus has been fighting since its founding four years ago. We worked to improve this culture by implementing more frequent and low cost student appreciation events such as Cougsgiving (A Cougar potluck around Thanksgiving time), as well as dead week breakfasts, & movie nights. We also have worked to gain more continuity between all student clubs so that all are aware of what each other are planning and involved in to better serve our students.

Another goal was to create an inclusive environment that focused on student mental health and well-being. We brought in service dogs during the week before finals in order to share the importance of students taking time out to focus on their mental health and happiness during a well-known stressful time. This event allowed us to have a platform that let students know we care about their mental health and are open as a leadership team to meet with them about their concerns.

Other plans for this year included to make sure that we, as a branch campus, are still affording all of our students access to be successful in their studies, as well as take note of special concerns and programs our students may need to be successful that other campuses do not. We worked to send 128 of our students to Pullman for the Voiland hosted technical career fair in October. Many of our students were able to access interviews and connections from this trip. This trip also inspired many other club leaders to set the groundwork for more networking events and a push for a career fair hosted on our campus next fall.

Date: March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: GPSA Board of Regents Report

SUBMITTED BY: Amir Gilmore

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

Graduate Stipend Level: A major concern for graduate students at WSU is the current stipend level that they receive. As the standard of living continues to rise in Pullman, graduate students are struggling to provide for themselves and sometimes their families. GPSA had broad and initial discussions with Dean Gloss, VP Gonzales, and President Schulz about the graduate student stipend levels and its effects on student well-being and degree completion rates. In the spring, GPSA will be administering a census survey that will capture more data on stipend levels and financial difficulties. GPSA looks forward to sharing that information with WSU administrators to have deeper conversations about graduate student affordability. While it may not be feasible to have a higher minimum stipend level currently, it is our hope that GPSA can work with WSU administrators to make that a possibility in the future.

S.H.A.R.C.: SHARC stands for Scholars Harmonizing & Adapting Research within the Community. GPSA will be replacing our TEDx event with our event called SHARC. This first annual, three-session event, will equip graduate & professional researchers with the ability to leverage campus & community resources to adapt their research program, obtain research funding, and enrich their community through research-based collaboration. GPSA will be receiving support from the Graduate School Dean Gloss, Dean Jockers, Pullman 2040 and others. SHARC will take place March 29, 2019, from 12-3pm in the CUB Auditorium. It will coincide with the great research presentations of Academic Showcase and SURCA.

GPSA Research Expo: The Research Expo has been a staple event for graduate and professional students to present their research in a low-risk academic environment. The interest in the event is reflected in the abstract submissions. This year, GPSA nearly received 200 abstracts for the expo. Unfortunately, due to spacing, we can only accept 83. GPSA will be exploring alternative ways to increase graduate and professional student acceptance rates.

Advocacy: Graduate and professional student advocacy will always be a priority for GPSA. This year our Vice President of Legislative Affairs Joshua Munroe, brought 12 graduate students (2 from Research and Extension Centers) to raise awareness about graduate student issues to state legislators at Coug Day at the Capitol. In March, Josh will be bringing a team of 8 to Washington, D.C. to raise awareness at the Federal level. GPSA continues to have an active involvement in the National Association of Graduate-Professional Student (NAGPS) and the Washington Student Association (WSA).

March 8, 2019

TO: ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Administrative Professional Advisory Council Report

SUBMITTED BY: Stephanie Rink, Chair

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

1. The inaugural semester of the WSU Employee Presidential Scholarship had an outstanding 94 applicants – of which 89 were determined to be eligible (per [BPPM 60.70](#)). With support from Global Campus and the Office of the President, APAC was able to award twelve scholarships. Current financial support allows APAC to award six scholarships over the next two years. It is our hope that we can continue to grow support for this much-needed program and we are grateful that Global Campus has identified the Employee Presidential Scholarship as their WSU CougsGive campaign.
2. APAC continues to work on the Professional Development Initiative. We have rescheduled our fall 2018 speaker to May 22, Jake French, a motivational speaker who is the living example of what is possible when the right attitude, mindset, and strategies are in place. He will present in partnership with the Carson College of Business on *Leadership without Limits* and *Anyone can be a Leader; How to Gently Lead your Leadership*.
3. APAC hosted a Diversity Panel “Diversity: do we really need it in Washington’s higher education institutions?” on February 14, 2019 from 10am – 1pm, which included seven panelists from Washington State University, Gonzaga University, Eastern Washington University, Community Colleges of Spokane, and Whitworth University. The name of the panel was intended to be controversial to spark discussion on what is diversity, why do we need to know about diversity, and what can we do to be inclusive. Registrations from all campuses totaled 235. Due to the delayed start on the Pullman campus we fell short of the 189 total registered but still had 150 in attendance. The panel was also livestreamed and is on YouTube at <https://www.youtube.com/watch?v=KJNFJYiVQZk&feature=youtu.be>. This was an excellent first step towards the education of diversity and how to be inclusive to all. We will now focus on smaller sessions to allow even more open dialogue and active learning.
4. APAC hosted AP Forums on the Pullman, Vancouver, and Everett campuses in fall semester, APAC’s Executive Leadership and President Schulz accompany these. The Vancouver and Everett forums provided great conversations, which led to some difficult questions that were left unanswered at the time. However, the APAC executive leadership and President Schulz worked hard for a couple of months getting answers to these questions. We are pleased to report that our constituents from all campuses are able to read the full Q&A report on our website at <https://apac.wsu.edu/meetings-and-events/2018-fall-forum-qa/> and this was sent to all our Vancouver and Everett constituents via email. The forums on the Spokane campus is scheduled for April 18th and on the Tri-Cities campus on April 23rd. APAC will again provide an avenue for constituents at these campuses to send questions anonymously.
5. APAC continues monthly council meetings where all APs are encouraged to attend and VPs and upper administration are asked to present on initiatives and updates throughout the year. APAC Executive Leadership will continue to meet with President Schulz monthly.

March 8, 2019

TO: ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: WSU Alumni Association Progress Report

SUBMITTED BY: Ashley MacMillan, WSUAA President 2018-19

As we near the end of the first quarter of 2019, it's not too late to reflect on last fall's many achievements. The success of Cougar Football provided a fantastic spark for Cougs to enthusiastically celebrate their team and WSU. As a result, the sky-high Cougar Pride had a positive impact on all facets of the University system, including the WSUAA. Alumni and friends came out in droves to support the Alumni Association, sell out events, and join as members. Over 33,000 Cougs attended WSUAA events in the fall—a number greater than the entire capacity of Martin Stadium. Go Cougs!

Another Sell-Out Feast Dinner Series

The international gold award-winning *Feast of the Arts* dinner series kicked off on Friday, September 7. For the 11th consecutive year, all *Feast* dinners sold out (one dinner sold out 36 hours after it was announced!). Over 400 people attended *The Feast* during the season. In partnership with the Carson College of Business and School of Hospitality Business Management, Jordan Schnitzer Museum of Art WSU, School of Music and the Cougar Marching Band, and the WSUAA's Wine-By-Cougars Wine Club, the WSUAA presents a series of exquisite four-course dinners featuring WSU-sourced fare prepared and served by talented Hospitality Business Management students and paired with exceptional wines by Cougar-connected wineries. The featured wineries included REININGER Winery, Mercer Wine Estates, Gordon Estate, Clearwater Canyon Cellars, Northstar Winery and Chateau Ste. Michelle, and Basalt Cellars. *Feast* dates for 2019 have already been set: August 30, September 6, October 18, and November 15 & 22. Mark your calendars and make plans to attend.

Plenty of PreGames

The WSUAA hosted five PreGame events in cooperation with Cougar Athletics, including September 1 vs. Wyoming, September 21 vs. USC, October 27 vs. Stanford, November 10 vs. Colorado, and December 28 at the Alamo Bowl. Four of these events sold out before the doors opened, with 3,125 total PreGame attendees. Over 1,800 Cougs attended Alamo Bowl events. The Alamo Bowl PreGame highlights included a sold-out event with beautiful indoor/outdoor seating held at a museum with a vast amount of Texan cultural history. The WSUAA's air and land packages to San Antonio also sold out quickly. Local WSUAA volunteers organized a pub crawl and a post-game 'Stache Bache After-Party to celebrate the victory.

Viewing Parties Connecting Cougs Nationwide

The WSUAA chapters hosted 630 football TV Viewing Parties across the country, an increase of 25% over the previous year. 28,000 WSU alumni and friends were in attendance. These events allow Cougs to watch the games together, network, socialize, and learn more about the Alumni Association and WSU.

A Great Cougar Homecoming

Nearly 900 Cougs participated in Homecoming events, kicked off with the WSUAA's *Student Alumni Ambassadors'* annual Bonfire and Pep Rally, followed by the WSUAA's exclusive Platinum Life and Life Member reception (which recorded double the number of attendees over the previous year). Also that weekend, the WSUAA hosted our Fall Leadership Conference, an opportunity for over 110 Chapter and Club presidents and volunteers from across the country to come to Pullman for a semi-annual training and networking conference.

The WSUAA – A Fall to Remember for WSU

ACTION ITEM #1

Bylaws Modification - Election of Officers – Board Chair Succession (Kirk Schulz)

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Election of Officers – Board Chair Succession

PROPOSED: That the Board of Regents modify its Bylaws to reflect the practice of the Vice Chair succeeding as Chair to provide for a more efficient process and seamless transition in Board leadership.

SUBMITTED BY: Kirk Schulz, President

SUPPORTING
INFORMATION: **Background**

At the May Board of Regents meeting each year, the Regents elect a Chair and Vice Chair.

Generally, the practice has been for the Vice Chair to succeed as Chair. However, succession does not automatically occur, because the Bylaws provide for a separate election of both the Chair and Vice Chair each year.

The Chair and Vice Chair hold their offices for a one-year term, commencing on July 1.

Potential Modification

The Regents may wish to modify its Bylaws to reflect the practice of the Vice Chair succeeding as Chair to provide for a more efficient process and seamless transition in Board leadership.

The process would be for the Board to elect a Regent to serve as Vice Chair each year. There would be no separate nomination and election of this individual again the following year, as the Vice Chair would

automatically succeed as Chair and therefore would essentially be the Chair-Elect for the following year.

Also, currently, there is no provision for removing an officer from the Chair and Vice Chair positions. This may be a suitable time to include such a provision, as *Robert's Rules of Order* recommends including this in the Bylaws.

Bylaws

Following is an excerpt from the Board of Regents Bylaws with draft modifications:

Article 1: Officers of the Board

1. Membership. The governance of Washington State University (University) shall be vested in a Board of Regents (Board) consisting of ten (10) members (Regents), one (1) of whom shall be a student.
2. Designation. The Officers of the Board shall consist of a President, who shall also be known as the Chair of the Board (Chair), and a Vice Chair, Secretary, and Treasurer.
3. Election and Appointment Process. At its regular meeting held after the first Wednesday in April of each year, the Board shall hold elections to fill the offices of Chair and Vice Chair. The Board shall elect by majority vote, as defined in Article II, Section 6 a Chair and a Vice Chair, as nominated by the Executive Committee, based upon the advice of the Board and in consultation with the President of the University. The Chair and Vice Chair shall hold office for a one-year (1-year) term, commencing on July 1. Except in the case of resignation or removal, or other exigent circumstances, the Vice Chair shall then automatically succeed as Chair of the Board the following year and shall hold the office of Chair for one-year (1-year), commencing on July 1.

The President of the University shall serve as Secretary of the Board as prescribed by RCW 28B.30.135. Secretary of the Board,

where used in these Bylaws hereinafter, shall refer to the President of the University.

The Treasurer of the Board shall be the Vice President for Finance and Administration of the University, unless the Board in its discretion appoints another individual to this office.

4. Chair. The Chair of the Board shall preside at all meetings of the Board and shall sign all written instruments on behalf of the Board that are necessary to implement programs and policies which have been approved by the Board. The Chair of the Board shall have the authority and responsibility to perform the duties customarily attached to the office and shall have such other authority and duties as prescribed by these Bylaws, Board of Regents Policies (Board Policies), and the Board.

5. Vice Chair. The Vice Chair of the Board shall have the authority to perform the duties of the Chair of the Board in the event of the Chair's absence or incapacity. The Vice Chair may have such other authority and duties as prescribed by these Bylaws, Board Policies, and the Board.

6. Secretary. The Secretary of the Board shall not have the right to vote. The Secretary: shall be responsible for giving notice of all meetings of the Board, and recording and keeping of the minutes of the proceedings of the Board; shall be the custodian of all official records of the Board; shall attest all instruments required to be signed by the Chair of the Board; and shall perform all the duties pertaining to the office and do all other things required by the Board.

7. Treasurer. The Treasurer shall not have the right to vote. The Treasurer shall be the financial officer of the Board and shall render a true and faithful account of all moneys received and paid out.

8. Vacancies in Office and Removal. In the event of ~~resignation, disability, or death~~ a vacancy in the office of Chair, the Vice Chair shall assume the office of the Chair, serving both the unexpired term of the Chair and the full term as Chair as

provided in Article 1, Section 3, of these Bylaws. In the event of a vacancy in the office of the Vice Chair, the ~~vacancy shall be filled by a majority vote of the Board in the same manner~~ Board shall elect a Vice Chair to complete the unexpired term of the Vice Chair. A new election is then required as provided in Article 1, Section 3.

The Chair and Vice Chair of the Board may be removed from their respective positions as an officer of the Board by a majority vote at a regular or special meeting of the Board. Removal under this paragraph shall not affect the officer's continued service as a Regent.

ACTION ITEM #1

Meyer's Point Conservation Easement (Stacy Pearson/Ryan Goodell)

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: Meyer's Point Conservation Easement with Capitol Land Trust, a Washington non-profit corporation

PROPOSED: That the Board of Regents approve the negotiation of a Conservation Easement in favor of the Capitol Land Trust, a Washington non-profit corporation ("CLT"), on a portion of the Meyer's Point property, and further delegate authority to the President or his designee to enter into a resulting Deed of Conservation Easement with CLT in order to complete such transaction.

SUBMITTED BY: Stacy Pearson, Vice President for Finance and Administration

BACKGROUND

INFORMATION: Dr. Edward Meyer gifted the 95-acre Meyer's Point property to Washington State University in 1990. In his bequest, he stated that the property should be used to promote environmental education, research and the arts. The Meyer's Point property has substantial natural resources, including extensive terrestrial, wetland and aquatic habitats. The property is utilized by diverse groups of people from within and outside of the University, which groups desire to expand their use of the property. As such, and pursuant to Dr. Meyer's bequest, the College of Arts and Sciences ("CAS") has developed a vision

to create an Environmental Field Station for teaching, outreach and research in the South Puget Sound. Development of the WSU Meyer's Point Environmental Field Station ("MPEFS") will allow the University to: enhance place-based environmental and cultural education through field studies; provide a facility for environmental research undertaken by WSU faculty, staff and students and others that address critical Puget Sound issues; provide programmatic outreach activities to the local communities; partner with K-12 schools and regional colleges and universities for better learning and stewardship of the environment; and elevate the University's profile and level of engagement with prospective students, alumni, donors and State legislators in the South Puget Sound area. An illustration of the Meyer's Point property is provided in Attachment "A".

In order to realize the potential of the MPEFS, additional infrastructure needs to be developed beyond the existing caretaker's house, garage, barn and office (storage) building. Some of these existing buildings can be upgraded to meet some of the infrastructure needs, although a new building is also necessary to provide laboratory space, classrooms and conference rooms, a lounge area, 2-4 small bedrooms and a communal kitchen. CAS has set aside approximately \$200,000 from its modest endowment for the maintenance of the property, which can be contributed to the cost of the new building, but the majority of the funding for the new building will have to come from other, external sources. CAS has recently established an External Advisory Board to advise and assist with fund-raising opportunities with private individuals, philanthropic foundations and state and federal agencies. Granting the Conservation Easement to CLT would likely also generate funding in excess of \$500,000, which would be paid by CLT to the University in exchange for the Conservation

Easement, and could be used toward the construction and/or maintenance of the new building.

Discussions with CLT have been ongoing since early 2018, and the terms of the Deed of Conservation Easement are currently being discussed and negotiated. Such terms include the amount of consideration to be paid by CLT, the size and location of the Conservation Easement on the property, the University's continued rights to access the property, its future development of the property and ongoing maintenance of the property. Of particular importance is the need for the University to retain the right to continue using the property for the following purposes:

1. Allow faculty, staff, students and partners to have access to the property to undertake research activities, teach classes and engage in outreach activities with the public.
2. Maintain and modernize the existing buildings on the property to support the research, teaching and outreach mission of MPEFS.
3. Retain the option to construct a new building on the property, mostly likely in the upland areas of the property, to serve the purposes identified above.
4. Construct a modest trail network to link the new building in the upland area to the lowland/wetlands to provide access to researchers and educators.
5. Use and steward the natural resources (trees, plants, animals, etc.) on the property in a manner consistent with WSU's mission.
6. Continue annual harvesting of the hayfield area.

As illustrated above, the proposed Conservation Easement will allow the University to elevate its promotion of environmental

education, research and the arts on the Meyer's Point property. The Conservation Easement will also ensure that the property, and the substantial natural resources that it boasts, will be preserved in perpetuity and in keeping with Dr. Meyer's bequest.

ATTACHMENT: Attachment A: Illustration of 95-Acre Meyer's Point Property

BOARD OF REGENTS

Meyer's Point Conservation Easement

Resolution #190308-598

WHEREAS, the Board of Regents of Washington State University by virtue of RCW 28B.10.528 has authority to delegate by resolution to the President of the University, or designee, powers and duties vested in or imposed upon the Board by law and to enable the President, or designee to act on behalf of the Board of Regents in matters relating to the administration and governance of the University.

RESOLVED: That the Board of Regents authorize the negotiation of a Conservation Easement in favor of the Capitol Land Trust, a Washington non-profit corporation ("CLT"), on the Meyer's Point property and delegate authority to the President or his designee to enter into a resulting Deed of Conservation Easement with CLT in order to complete such transaction.

Dated this 8th day of March, 2019.

Chair, Board of Regents

Secretary, Board of Regents

Meyers Point, Olympia



ACTION ITEM #2
FY2020 Housing and Dining Rates
(Mary Jo Gonzales/Terry Boston)

March 8, 2019

TO ALL MEMBERS OF THE BOARD OF REGENTS

SUBJECT: FY2020 Housing and Dining Rates

PROPOSED: That the Board of Regents approve an increase in the Housing and Dining Rates not to exceed the following percentage from the FY2019 Rates.

Residence Halls:

2.3% (\$259) of the total weighted average for room and board (weighted average of a double room and level 2 dining plan).

Apartments:

2.0% of the total weighted average for apartment rates.

SUBMITTED BY: Mary Jo Gonzales, Vice President for Student Affairs

SUPPORTING
INFORMATION:

The Housing and Dining System is a self-sustaining auxiliary unit that requires establishing room and board rates that are sufficient to meet bond covenants and support the University's strategic goals.

The Housing and Dining Advisory Board is comprised of student representatives from the Resident Hall Association (RHA), Associated Students of Washington State University (ASWSU), Graduate and Professional Students Association (GPSA), as well as representatives from the Budget Office, Finance & Administration, and Student Affairs.

The Housing and Dining Advisory Board met throughout the fall and part of spring semester to review current operations and discuss operational changes anticipated for next year. The Advisory Board toured various facilities within the system and provided notebooks containing detailed information with regard to budget, organizational charts, and system goals as they relate to the long-range housing plan. The rate

recommendations increases are based upon student input, economic projections and system demands. The recommended increases received unanimous support from the Advisory Board. Pending Regent's approval, the new rates will begin with the start of fall semester 2019.

The Advisory Board is comprised of seven student representatives* and six administrators as outlined below.

Representative:

Amir Gilmore *
Jessica Higginbotham*
Griffin Hogan*
Jenin Reyes*
Andrew Rink*
Savannah Rogers*
Marguerite Crokem*
Cyndi Arbour
Terry Boston
Sean Greene
Edwin Hamada
Mollie Holt
Kelly Westhoff

Area:

GPSA President
Apartment Coordinator
Assistant Hall Director
Resident Advisor
Resident Technology Advisor
ASWSU President
RHA Representative
Facilities Services
Administrative Services
Housing & Dining Services
Residence Life & Housing
AFO, Student Affairs
Budget Office

WSU Housing and Dining System

Resident Hall, Dining and Apartment Rate Proposal 2019-2020 Academic Year

Occupancy trends, Fall Census Day (10th day after classes start)

	<u>Residence Halls</u>	<u>Single Student Apartments</u>	<u>Family Apartments</u>
2015	5,400	829* 98%	875 97%
2016	5,191	829* 97%	867 97%
2017	5,372	891* 95%	865 97%
2018	5,818	914 97%	850 95%
2019 (projected)	5,789	914 97%	855 95%

*Chief Joseph units varied due to construction and renovation.

Revenue Assumptions

4,300 targeted freshmen class

Expense Assumptions

- 3.0% cost of living increase for employees per legislature approval
- 5.9% increase for temporary and student employees due to minimum wage increase
- 2.0% increase in food costs
- 2.0% net increase in employee benefits.
- 3.5% increase in utility costs
- 2.3% increase in perquisites
- 2.0% increase inflation on supplies and services

Target \$2.0 million for major repairs and equipment

Recommended Increases

Apartments

Single Student apartments	increase 2.0%
Family Housing	increase 2.0%

Residence Halls Room and Board

	<u>2018-19</u>	<u>2019-20</u>	<u>Increase</u>	<u>%Increase</u>
Weighted ave.				
residence hall double room	\$ 6,869	\$ 7,078	\$209	3.0%
Dining Plan, Level 2	4,248	4,298	50	1.2%
Total*	\$11,117	\$11,376	\$259	2.3%

*Total is the sum of weighted average double room and level 2 dining plan.