

Summary of Proposed Action ND State Board of Higher Education Meeting – September 28, 2017

- 1. Issue:** Proposed SBHE Policy [611.2](#) – Employee Responsibility and Activities: Intellectual Property.
- 2. Proposed actions:** Approve/deny the proposed edit(s) to SBHE Policy 611.2 – Employee Responsibility and Activities: Intellectual Property.
- 3. Background information:** Policy 611.2 governs intellectual property created by faculty, staff and students. Currently creators are entitled to a minimum of 40 percent of net royalties. The revision would allow institutions to establish a sliding scale with a reducing percentage set by trigger. As net royalties increase over a certain amount or amounts, the percent of royalties going to the creator will be reduced. Each institution will set its own scale and triggers.
- 4. Financial implications:** The policy revision could increase revenue for the institutions.
- 5. Legal/policy issues:** None.
- 6. Academic issues:** At the September 6, 2017, Academic Affairs Council (AAC) meeting, the Council of College Faculty noted that they are concerned about the impact on recruiting and retaining faculty.
- 7. Coordination:** On September 6, 2017, the AAC voted unanimously to recommend approval for review by the Chancellor's Cabinet and advance to the SBHE for approval/denial.
- 8. Attachments:** The new policy is attached for review.
- 9. Contact information:** Richard M. Rothaus, Ph.D., Vice Chancellor for Academic and Student Affairs, NDUS. Ph: 701-328-4136/email: Richard.rothaus@ndus.edu.
- 10. Chancellor's recommendation:** Chancellor approved.