

Chapter 42

University of Regina – Protecting Interests in Research

1.0 MAIN POINTS

The University of Regina improved its processes to protect its interests (e.g., financial, reputational, ownership) as it fosters research and commercialization of research.

By January 2019, the University had implemented the three remaining recommendations from our 2013 audit. It had defined and consistently used its definitions for specialized resources (e.g., equipment purchased with research funds). Having clearly defined and consistently used definitions of specialized resources decreases the risk that the University does not have enforceable rights to share in the intellectual property (e.g., patents, trademarks) created by academic staff and in any potential profits from commercialization.

The University also had followed its processes to review its research institutes. Reviewing its research institutes allows the University to assess whether institutes contribute to the University's strategic research goals, and whether researchers' time is appropriately spent on the institute administration.

2.0 INTRODUCTION

Fostering and commercialization of research is one of the core functions of the University. Research plays a pivotal role in the University's ability to carry out its other core function of education. A strong research program helps attract qualified professors, which in turn attracts students.

In 2013, we assessed the University's processes to protect its interests in research. Our *2013 Report – Volume 1*, Chapter 15 concluded that as of March 31, 2013, while the University of Regina had many structures and processes in place for protecting its interests (e.g., financial, reputational, ownership) as it fostered research and commercialization of research, these structures and processes could be improved. We made 26 recommendations around oversight of research, policies and procedures guiding research, signing authorities, processes to protect legal rights, and monitoring of compliance with research policies and agreements. The University had implemented 23 of the 26 recommendations by March 2, 2017.¹

This chapter describes our third follow-up of the University's actions on recommendations we first made in 2013.

To conduct this audit engagement, we followed the standards for assurance engagements published in the *CPA Canada Handbook – Assurance* (CSAE 3001). To evaluate the University's progress towards meeting our recommendations, we used the relevant

¹ Previous follow-ups of the University's actions on recommendations were reported in Provincial Auditor Saskatchewan, *2017 Report – Volume 1*, Chapter 34 and *2015 Report – Volume 1*, Chapter 32.



criteria from the original audit. The University's management agreed with the criteria in the original audit.

To perform this follow-up audit, we examined the University's reviews of research institutes and centres, reviewed intellectual property definitions and disclosures, and examined relevant forms and policies. We also interviewed University management responsible for the reviews of research institutes and centres and the intellectual property disclosures.

3.0 STATUS OF RECOMMENDATIONS

This section sets out each recommendation including the date on which the Standing Committee on Public Accounts agreed to the recommendation, the status of the recommendation at January 29, 2019, and the University's actions up to that date.

3.1 Defined and Approved Specialized Resources

We recommended that the University of Regina define and the Board of Governors approve what constitutes specialized resources for the purposes of the University's Intellectual Property Policy in order to protect the University's rights to intellectual property. (2013 Report – Volume 1, p. 188; Recommendation 9; Public Accounts Committee agreement December 9, 2014)

Status – Implemented

We recommended that once the University of Regina defines and the Board of Governors approves what constitutes specialized resources, the University ensure that the definition is consistently used and applied. (2013 Report – Volume 1, p. 188, Recommendation 10; Public Accounts Committee agreement December 9, 2014)

Status – Implemented

Faculty deans defined and approved what constitutes specialized resources for each of the University's faculties. The University had processes to consistently use and apply the definitions.

The University has the right to share in commercialization of intellectual property with its academic staff if it was created by staff, in the course of carrying out their University duties, using the University's specialized resources. Specialized resources are resources owned or controlled by the University beyond the payment of a staff member's salary and the provision of a standard environment in which staff perform their normal duties.

In our 2017 follow-up, we found that all faculties had a definition of specialized resources except for one academic unit.² In October 2017, the remaining academic unit approved

² Provincial Auditor Saskatchewan, 2017 Report – Volume 1, Chapter 34, p. 289.

its definition of specialized resources for researchers. The University reported this definition to its Board of Governors in December 2017.

The University's process for intellectual property disclosures by academic staff includes identifying whether the development of intellectual property utilized specialized resources. We found that the University's website, as of January 2019, contained its processes and forms for disclosing intellectual property, and for applying the definition of specialized resources.

For the only intellectual property disclosure between March 2017 and January 2019, we reviewed evidence that the University had appropriately applied its definition of specialized resources.

Having clearly defined and consistently used definitions of specialized resources decreases the risk that the University does not have enforceable rights to share in the intellectual property created by academic staff and any potential profits from commercialization.

3.2 Process for Reviewing Institutes

We recommended that the University of Regina review the classification and operations of all of its research institutes, assess their contribution to the University's strategic research goals, and take any necessary actions identified by the reviews. (2013 Report – Volume 1, p. 193; Recommendation 22; Public Accounts Committee agreement December 9, 2014)

Status – Intent of Recommendation Implemented

The University has processes to review the classification and operations of all of its research institutes, assess their contribution to the University's strategic research goals, and take any necessary actions identified by the reviews.

The University's policy on research institutes and centres outlines the expectation for recognition and classification of research institutes.³ The University's process includes reviewing documentation about the institute's constitution, alignment with strategic plans, funding sources, the institute's annual report, and expectations for the institute's director. An institute director is responsible for the administration of the research institute, including preparing an annual report on the institute's activities. The process also includes a review committee interviewing the institute director prior to drafting a report with recommendations.⁴

By January 2019, the University had completed reviews on 3 of 18 University-based and Faculty-based research institutes. The University has a review schedule for the remaining research institutes and plans to complete its reviews by 2021.

³ A research institute or centre generates research and knowledge. It may also be responsible for teaching, training, dissemination of research, or public service. For example, the University has a Centre on Aging and Health, and a Humanities Research Institute.

⁴ The review committee is composed of the Associate Vice-President (Research), another institute's director, an Associate Dean (Research), two senior scholars from a related discipline, and the Research Compliance Officer.



We found, for each of the three completed reviews:

- The review assessed the institute's classification, operations, and contributions to the University's strategic research goals
- The University took steps to implement the actions identified by the reviews

Reviewing its research institutes allows the University to assess whether institutes contribute to the University's strategic research goals, and whether researchers' time is appropriately spent on the institute administration.