

MEMORANDUM OF UNDERSTANDING
between
THE ENVIRONMENTAL RESEARCH LABORATORIES
of the
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
and
THE UNIVERSITY OF WASHINGTON
concerning the establishment of the
JOINT INSTITUTE FOR STUDY OF THE ATMOSPHERE AND OCEAN AND
OTHER COLLABORATIVE EFFORTS

I. INTRODUCTION

This memorandum represents an agreement between the Environmental Research Laboratories (ERL) of the National Oceanic and Atmospheric Administration (NOAA) and the University of Washington for the establishment of a Joint Institute for Study of the Atmosphere and Ocean (JISAO) and for the conduct of other collaborative efforts between the ERL Pacific Marine Environmental Laboratory and the University.

The intent of this memorandum is to reaffirm the common interest in oceanographic and atmospheric sciences of the University and NOAA expressed in the existing Memorandum of Understanding which became effective on 12 January 1971. Further, in recognition of the demonstrated fact that mutual collaboration of the two organizations in these areas of research has proved both fruitful and stimulating, it is appropriate now to establish a basis for stronger cooperative research efforts. This agreement for the formal establishment of the Joint Institute is designed to facilitate in the most efficient way the continuation of cooperative efforts and upon becoming effective, will replace the existing Memorandum of Understanding.

II. PURPOSE AND SCOPE

A. Purpose

It is the purpose of JISAO:

1. To increase the effectiveness of oceanographic and atmospheric research of mutual interest to the ERL (in particular, but not limited to, Pacific Marine Environmental Laboratory) and the relevant units of the University by promoting close multidisciplinary collaboration among scientists associated with these two institutions and visiting scientists.
2. To provide a center at which scientists working on problems of mutual interest may come together.
3. To stimulate the training of scientists in the many disciplines involved in the oceanographic and atmospheric sciences.

B. Scope

The general areas of collaborative interest will include those aspects of oceanographic and atmospheric sciences which are of mutual interest to the ERL and the University. In view of the purpose of this memorandum, participation in this program need not be limited by organizational affiliation of individual scientists but will be determined by their ability to contribute to the mutual objectives of the participating organizations. Collaboration will provide a means

for identification and definition of new research projects and focus for a continuing program of research and education.

Participating members in the collaborative effort involve three primary groups.

1. Staff members of JISAO, as defined in Section IV, below.
2. Other appropriate faculty and supporting staff from the University's Division of Marine Resources, the College of Fisheries, the Departments of Oceanography and Atmospheric Sciences, the Institute for Marine Studies, and other University departments who are interested in collaboration with the ERL.
3. Other appropriate staff members of the ERL who hold appointments in the University or who otherwise collaborate closely with University faculty or staff.

Although the areas of interest of the Joint Institute extend to the limits of the atmospheric and oceanic sciences, the research activities of the Institute will be focused on a few research themes or programs (one to four). The choice of research themes will be subject to approval by an Administrative Board which is to be appointed by the parent organization. New themes may be initiated internally or by request from either parent organization.

Initially, and for the immediately foreseeable future, two themes will be pursued: mechanisms of climate change and the multidisciplinary study of estuarine processes. Each of these efforts is of major scientific, economic, and social importance and each has readily identifiable participants from both parent institutions. These criteria are expected to be typical of the criteria for other themes which may be taken up at a later stage. The selection of research themes for JISAO should not limit the scope of other collaborative efforts between participants who are not formally Institute staff members. However proposals for projects to be undertaken jointly by such participants must be approved by the Council of JISAO or its designees.

III. RESPONSIBILITIES OF THE TWO SPONSORING INSTITUTIONS

A. Responsibilities shared by the NOAA Environmental Research Laboratories and the University

1. JISAO is a cooperative enterprise entered into jointly by the ERL and the University. Because its objectives are primarily scholarly and academic, JISAO is located on the University campus and operated in a manner appropriate to this location and function. Through the Administrative Board, the two parent organizations will jointly maintain control over policies and assure appropriate professional standards. Through the Council of JISAO, scientific content and selection of staff are determined.
2. JISAO has its own operating budget. Administrative costs of JISAO are minimal, but ERL and the University share these costs in a manner to be negotiated between the two parties. Either of these organizations may enter into an agreement with the other, subject to the regulations of each, for the supply of services, equipment, or temporary rental space. Such arrangements will be the subject of a separate agreement.
3. The University and ERL will collaborate in planning and expediting the provision of suitable housing and facilities for JISAO. It is the intent of the University and ERL that the Institute and other approved collaborative efforts

be housed near the departments concerned. The Environmental Research Laboratories agree to pay a fair portion of rent covering utilities and housekeeping services to be negotiated on a continuing basis and, within the limitations of the Economy Act of 1932, either amortization of a fair portion of the building space occupied by JISAO over a reasonable period, or upkeep on the building as appropriate.

4. University facilities temporarily leased by ERL will be the subject of separate agreements as required. It is understood that the research activities conducted with the use of University facilities by the ERL will be compatible with University purposes and, in furtherance of this objective, ERL agrees that none of the space in the building will be used to house other Major Line Components of NOAA, or other agencies, without University approval.

B. Responsibilities borne separately by the NOAA Environmental Research Laboratories and the University.

1. Each sponsoring organization takes full operational responsibilities for its own employees physically located in and holding positions in JISAO, and agrees to promptly consider and adjudicate any and all damage claims which may arise directly or indirectly from the operation of the JISAO. Such consideration and adjudication against the NOAA Environmental Research Laboratories may be made under the Federal Tort Claims Act, 28 USC, Section 2671, et seq.; the Federal Employees' Compensation Act, 5 USC, Section 8101, et seq.; or under other authority as may be available.
2. The University administers the Visiting Senior Fellow, Institute Scientist and Postdoctoral Fellow programs of JISAO with the advice of the Council of JISAO. Funds provided by ERL for this purpose will be used for these programs although outside funds may be sought also.
3. The Director of JISAO shall be a University faculty member. The University will provide the Director with Clerical and administrative assistance, including accounting services.
4. The Director, ERL, will appoint a NOAA/JISAO Liaison Officer who shall be the principal point of contact within ERL on administrative matters associated with JISAO. The Dean of the Graduate School shall be the principal point of contact within the University on administrative matters associated with JISAO.
5. The University will use its good offices to locate space near the present marine sciences complex which JISAO will be expected to rent until a permanent facility can be occupied.

IV. STAFF OF JISAO

1. Senior Fellows are scientists of established national or international standing who hold faculty appointments in the University or who are staff members of NOAA who hold University appointments. Their assignment to JISAO requires the concurrence of both parent organizations. In making new assignments, the Provost of the University and the Director of ERL will take the advice of the Council and the recommendation of the Director of JISAO into account. Senior Fellows normally hold appointments for three years. Appointments may be made for a shorter period of time or on a part-time basis with the concurrence of

the appointee and the JISAO Council. Appointment as Senior Fellow in JISAO in no way affects the status of the persons concerned as faculty members (tenured or not) or Civil Servants.

2. Visiting Senior Fellows are appointed by the University with a University title after approval by the Council and recommendation the Director of JISAO. Their selection is based on JISAO program needs and upon scholarly criteria. Appointments as Visiting Senior Fellows need not be on a full-time basis; however, they will be expected to spend a significant period of time in residence at Seattle during their appointment. Visiting Senior Fellows are normally given appointments for one year.
3. Institute Research Scientists are appointed by the University upon the recommendation of the Director of JISAO and the Director, ERL. They should hold appointments either as University research faculty or as senior exempt staff. Although Institute Scientists are part of the JISAO scientific staff during the period of their appointments, research is normally carried out in laboratory facilities provided by ERL or by other University departments, with funds provided by special arrangement for this purpose. Institute Scientists will normally receive one-year appointments.
4. Research Associates (Postdoctoral Fellows) and Research Assistants (Graduate Students) will join JISAO to gain research experience and to provide research assistance to the Senior Fellows. They will be appointed on advice of the Council by the Director of JISAO in conformance with University regulations.

V. ADMINISTRATIVE STRUCTURE OF JISAO

A. The Director

1. The Director shall be a Senior Fellow of JISAO who is not an employee or officer of the Federal Government. The Director shall be appointed by the University upon the concurrence of the Dean of the Graduate School and the Director of ERL. In making the appointment, consideration will be given to the views of the Council and the recommendations of the Administrative Board. The term for the Director shall normally be five years and is renewable. The appointment as Director may be terminated early by the appointive authority upon recommendation of the Administrative Board.
2. The Director is responsible to the Administrative Board for the following:
 - a. Scientific Leadership. The Director is expected to contribute actively to the development of research programs, and to involve local and visiting scientists in JISAO activities.
 - b. Review and assessment of all research proposals sent to outside agencies.
 - c. Preparation of an annual report of research results to sponsoring agencies.
 - d. Service as a member of the Council and as an ex officio member of the Administrative Board.
 - e. Routine administration.
 - f. Accountability for all funds supplied to JISAO.

B. The Council

The Council shall consist of seven Senior Fellows representing the major research fields of the Institute program. Excepting the Director, three of the members should be

faculty of the University holding regular academic appointments and three should be ERL staff members.

1. Membership of the Council consists of:
 - a) Two Senior Fellows designated by the Dean of the Graduate School.
 - b) Two Senior Fellows appointed by the Director of ERL.
 - c) Two Senior Fellows elected by the Senior Fellows.
2. The responsibilities of the Council include:
 - a) Establishing the broad scientific content of the Institute.
 - b) Promotion of cooperation between the sponsoring institutions.
 - c) Maintenance of the high scientific and professional standards.
 - d) Consideration of new Senior Fellows, visiting Senior Fellows, institute scientists, and postdoctoral Fellows for appointment.
 - e) Adoption of appropriate rules for the operation of JISAO.
 - f) Approval of proposals for cooperative projects between University and ERL staff members who are not on the JISAO staff.

C. The Administrative Board

1. Membership of the Administrative Board consists of:
 - a) Dean of the Graduate School as Chairman
 - b) Dean of College of Arts and Sciences
 - c) Chairman of Atmospheric Sciences
 - d) Chairman of Oceanography
 - e) Director of ERL
 - f) Director of PMEL
 - g) A NOAA representative at large
 - h) Director of JISAO, ex officio

The Board may elect to modify or enlarge its composition as appropriate to changing needs. The Dean of the Graduate School of the University and the Director of ERL may jointly invite a panel of distinguished scientists to serve as advisors to the Board. Those persons should be well qualified to evaluate the program of JISAO, to judge performance, and to make appropriate suggestions for change. They may be members of either US or foreign institutions. If requested, the Council of JISAO will submit a slate of names for this purpose.

The Board will meet normally once a year. Other meetings of the Board may be called by the Chairman or a majority of members.

2. The responsibilities of the Administrative Board include:
 - a) Recommendations for the Directorship.
 - b) Evaluation of JISAO and other collaborative programs and activities.
 - c) Annual brief report of the Board's evaluation of JISAO and other programs and activities.
 - d) Recommendations of new program directions.
 - e) Review of general policies of JISAO and initiation of appropriate recommendations.
 - f) Approval of JISAO budget.
 - g) Recommendations, if any, for changes in this Memorandum of Understanding.

VI. GENERAL POLICIES OF JISAO

- A. All Senior Fellows, Visiting Fellows, Institute Research Scientists, Staff and Research Associates, as well as Visitors shall have free access to all parts of JISAO.
- B. A primary purpose of this collaboration is the free interchange of scientific ideas and knowledge, therefore, no classified research will take place within the JISAO premises nor will classified material be stored there.
- C. The ultimate maximum size envisaged for JISAO is:
 - 1. NOAA/ER: staff: 10 Senior Fellows
 - 2. University staff: 10 Senior Fellows
 - 3. Visiting Fellows: 10
 - 4. Institute Research Scientists: 10
 - 5. Clerical and technical staff: 10
 - 6. Graduate Students and Postdoctoral Fellows: 30
- D. Scientific appointments in JISAO will be based on academic and research qualifications. Selections are not restricted to US citizens. All term appointments are renewable upon recommendation of the Council. All appointments may be terminated by the appointing authorities according to established procedures for cause or because of termination or contraction or change in direction of the relevant JISAO program.
- E. Contracts, grants, or other agreements entered into pursuant to this memorandum shall contain appropriate provisions relating to Equal Employment Opportunity, E.O. 11246, Non-Discrimination in Federally Assisted Programs, Title VI of the Civil Rights Act of 1964, Prohibition of Sex Discrimination, Title IX of the Education Amendment Act of 1972, and other appropriate acts as implemented by Department of Commerce regulations.

VII. ACADEMIC POLICY

- A. Formal education, including the selection of students, remains the responsibility of appropriate instructional departments of the University.
- B. Where appropriate, and subject to the approval of the Director of ERL and the Chairman of the appropriate University department, the University may appoint members of ERL to appropriate faculty⁷ positions so that they may offer courses, conduct seminars, and otherwise participate in University departmental affairs. ERL staff members appointed in this manner will be entitled to all faculty privilege appropriate to their rank and position. The rank and position will be determined by the University in accordance with its usual policies and procedures, but it is agreed that such appointments will be without tenure. The academic functions of ERL Fellows and other staff members holding University appointments are an essential part of their jobs, inseparable from research and planning activities.
- C. Financial assistance to students shall conform to the policy of the University and to the policy of the departments that may be involved in JISAO.
- D. In order to promote a sense of unity in JISAO, the University extends the amenities of the campus to all staff of JISAO.

VIII. FINANCIAL COMMITMENTS

Financial arrangements contemplated by this Agreement will be contingent upon the appropriation of necessary funds by the Congress of the United States and the Board of Regents of the University of Washington.

IX. TERM OF MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding is effective as of the date of signature by the Board of Regents, University of Washington, and the Administrator of NOAA, and will continue in force unless terminated. Termination can be by agreement or upon the failure of either party to observe the basic conditions contained in this Memorandum of Understanding. If termination is contemplated, the party initiating the action will give at least one year's notice to the other party. Proposals to modify the terms of this Memorandum of Understanding can be initiated by either the Director, ERL, or the Provost of the University.