

**CONSECUTIVE MEETINGS OF:**

**THE UNIVERSITY SENATE  
THE FACULTY SENATE**

**THURSDAY, SEPTEMBER 30, 2010**

**2:30 - 5:00 P.M.**

**25 Mondale Hall--Twin Cities Campus  
115 Kiehle Hall--Crookston Campus  
173 Kirby Plaza--Duluth Campus  
7 Humanities and Fine Arts Bldg--Morris Campus  
Room 397--Rochester Campus  
Southwest Research and Outreach Center**

This is a consecutive meeting of the University Senate and Faculty Senate. There are 245 voting members of the University Senate and 159 voting members of the Faculty Senate. A simple majority must be present for a quorum. Most actions require only a simple majority for approval. Actions requiring special majorities for approval are noted under each of those items.

**1. ADMINISTRATIVE RESPONSES TO SENATE ACTIONS  
Information**

**University Senate**

Amendment to the Procedure on Hiring Senior Administrators: Senate Committee Involvement (Twin Cities, Morris, Rochester)

Approved by the: University Senate March 4, 2010  
Approved by the: Administration July 30, 2010  
Approved by the: Board of Regents - no action required

Statement on Space Use and Cost

Approved by the: University Senate May 6, 2010  
Approved by the: Administration – See comment\*  
Approved by the: Board of Regents - no action required

\* I understand the committee has already shared its response to these questions with Vice President O'Brien and Associate Vice President Berthelsen, and I encourage the committee to continue to work with them to advance the agenda for more efficient and effective use of University space.

**Faculty Senate**

Presidential Faculty Compensation Proposal

Approved by the: Faculty Senate March 25, 2010  
Approved by the: Administration June 10, 2010  
Approved by the: Board of Regents June 22, 2010

Amendments to 2013-14 Morris Calendar and 2014-15 Morris and Twin Cities Calendars

Approved by the: Faculty Senate May 6, 2010  
Approved by the: Administration July 30, 2010  
Approved by the: Board of Regents - no action required

Amendment to the Faculty Compensation Policy  
Approved by the: Faculty Senate March 4, 2010  
Approved by the: Administration PENDING (forwarded to the President's Policy Committee)  
Approved by the: Board of Regents – no action required

Amendment to the Policy on Expected Student Academic Work per Credit: Twin Cities, Crookston, Morris, Rochester  
Approved by the: Faculty Senate March 4, 2010  
Approved by the: Administration PENDING (forwarded to the President's Policy Committee)  
Approved by the: Board of Regents – no action required

## **2. FINANCE AND PLANNING COMMITTEE** **Audit Proposal** **Information for the University Senate**

### **Presentations by University Administrative Units**

At its 4/20/10 meeting, the Senate Committee on Finance and Planning (SCFP) heard from three faculty members about their concerns regarding the size of University administration in these times of economic constraints. The Committee decided it would give their proposal serious consideration and respond to it. Although the message was sweeping, SCFP believes it contained elements that could lead to a more informed committee as well as to a more informed University community. SCFP often hears reports from various University units, largely in the context of activities or describing new programs. This proposal would require SCFP to embark on a more systematic and thorough review of the patterns of institutional spending for administrative functions, a review that SCFP hopes will receive the endorsement of the central officers.

The basic approach that would be implemented over the next year is outlined below. The primary goal would be to educate SCFP members so that they would be in a position, as a consultative body, to offer useful and informed advice to the administration and University community.

A brief outline:

#### 1. Presentations by administrative units

15-30 minutes presentation  
15-30+ minutes questions  
Slides or handouts as desired

#### 2. Format (type of information would vary by unit)

Mission/ Aims/Objectives  
Staffing plan and organizational chart and job descriptions  
The unit's compact plan including future  
Why an activity is centralized rather than decentralized to the academic units  
Description of current and projected funding sources.  
Accomplishments in past year five years .

The result of this effort will be a better informed SCFP and faculty as we consult with administration on emerging issues.

Adopted unanimously August 3, 2010

**RUSSELL LUEPKER, CHAIR  
FINANCE AND PLANNING COMMITTEE**

**3. EDUCATIONAL POLICY COMMITTEE  
Reducing the Number of Excess Credits Students Take  
Information for the Faculty Senate**

The Senate Committee on Educational Policy encourages the Vice Provost and Dean for Undergraduate Education to work with the colleges, departments, and the Council on Liberal Education to identify ways to reduce the number of excess credits students take to complete an undergraduate degree (that is, credits that exceed the University's stated requirement of 120 credits for a degree).

The Committee asks for a progress report at the end of fall semester, 2010.

Adopted unanimously 5/12/10

**THOMAS BROTHEN, CHAIR  
EDUCATIONAL POLICY COMMITTEE**

**4. SENATE CONSULTATIVE COMMITTEE  
Policy on Appointments of Academic Professional and  
Academic Administrative Employees for Financial Stringency  
Information for the University Senate**

**Modifying Appointments of Academic Professional and  
Academic Administrative Employees for Financial Stringency**

**POLICY STATEMENT**

The University reserves the right to modify the appointment terms of Academic Professional and Academic Administrative (P&A) employees throughout the University system in order to address financial stringency. Specifically, the University may: 1) reduce P&A salaries or percentages of appointment during the term of an employee's appointment; or 2) impose unpaid furloughs or other mandatory unpaid absences. All P&A appointments are made subject to this right regardless of funding sources and as permitted under federal regulations. This policy is effective as of June 1, 2010.

**Authority**

The President will determine whether a financial stringency exists. The authority to modify terms of appointment under this policy will reside with the Vice President for Human Resources.

**Implementation**

Any temporary modification of terms of appointment under this policy must:

- a. Address the Financial Stringency through a process that impacts all P&A appointments within the system, as opposed to those within an individual unit or college.
- b. Have a defined term, not to exceed two years.

- c. Be communicated to both CAPA, through consultation, and directly to affected employees in a timely fashion in advance of implementation.

## **REASON FOR POLICY**

This policy allows the University to take extraordinary action to reduce personnel costs in the face of unusual financial difficulties facing the institution. It complements policies and provision for other employee groups.

## **PROCEDURES**

There are no procedures associated with this policy.

## **FORMS/INSTRUCTIONS**

There are no forms associated with this policy.

## **DEFINITIONS**

### CAPA

Council of Academic Professionals and Administrators.

### Financial Stringency

Financial difficulties that are unusual in extent and require extraordinary rather than ordinary responses. Refer to the Board of Regents Policy: *Faculty Tenure*, Sections 4.5 and 11, and under Interpretations - 3. *Interpretation of Section 4.5 Financial Stringency*.

### Furlough

Mandatory time off of work, without pay. Furloughs allow the University to save on salary and benefit dollars to be used in meeting budget challenges under times of financial stringency.

## **RESPONSIBILITIES**

### Vice President for Human Resources

Authorizes actions taken under this policy in response to financial stringency; implements a communications plan to provide timely notice to affected employees.

### President

Determines whether a financial stringency exists.

## **APPENDICES**

There are no appendices associated with this policy.

## **FREQUENTLY ASKED QUESTIONS**

There are numerous questions that arise under circumstances of financial stringency and modifications to appointment terms mandated to address such situations. Questions and answers will be made available at those times that address the specific actions taken by the University.

## **RELATED INFORMATION**

Board of Regents Policy: *Faculty Tenure* - Sections 4, 5 and 11, and Interpretations (#3)  
Administrative Policy: *Compensation for Academic Professional and Administrative Employees*

## HISTORY

Effective: June 2010

### **5. SENATE CONSULTATIVE COMMITTEE Policy Consultation Matrix Information for the University Senate**

The consultation matrix, developed by subcommittees of the Faculty Consultative Committee and consulted with the leaders of the Student Senate, CAPA, and the Civil Service Committee, identifies which groups will consult on which policies when amendments or reviews of current policy are being considered. When a new policy is proposed, the Senate Consultative Committee decides what the consultation process should be.

The Policy Consultation Matrix is available at:

[http://policy.umn.edu/prod/groups/president/@pub/@policy/@op/documents/policy/upolicy\\_matrix.pdf](http://policy.umn.edu/prod/groups/president/@pub/@policy/@op/documents/policy/upolicy_matrix.pdf)

## **6. TRIBUTE TO DECEASED MEMBERS OF THE UNIVERSITY COMMUNITY**

### **FACULTY/ACADEMIC PROFESSIONALS/STAFF**

Judy E. Alberta  
Staff

University Libraries  
1943 – 2010

Brenda Bates  
Staff

AHC Clinical Research  
1955 – 2010

William J. Bemrick  
Professor  
Vet Pathobiology  
1927 – 2010

Laurie M. Brown  
Staff

Extension Communications/Technical Services  
1961 – 2010

Joseph P. Connolly  
Staff

Family Practice and Community Health  
1923 – 2010

Kelly Culhane  
Academic Professional  
College of Continuing Education Marketing and Promotions

1968 – 2010

Reynold P. Dahl  
Professor  
Agricultural and Applied Economics  
1924 – 2010

Lynn Dhital  
Staff  
Disability Services  
1944 – 2010

John W. Dickhaut  
Professor  
Carlson School of Management  
1942 – 2010

Charles L. Easterlin  
Staff  
Plant Services  
1936 – 2010

Lois M. Erickson  
Staff  
University Bookstore  
1931 – 2010

James Farrell  
Academic Professional  
Science and Math – University of Minnesota Morris  
1960 – 2010

Mark Feshbach  
Professor  
Mathematics  
1950 – 2010

Edwin G. Joselyn  
Staff  
Counseling and Consulting Services  
1929 – 2010

James L. Johnson  
Staff  
Food Service  
1926 – 2010

John T. Kern  
Staff  
Chemical Engineering/Material Science  
1956 – 2010

Eleanor S. Kureski  
Staff

Allied Clinical Health – University of Minnesota Duluth  
1928 – 2010

Robert P. Marvin  
Professor  
Agricultural Education  
1918 – 2010

Donald G. Marshall  
Professor  
Law School  
1931 – 2010

Roger P. Miller  
Professor  
Geography  
1951 – 2010

Florence Nehasil  
Staff  
Curriculum and Instruction  
1936 – 2010

Clodaugh Neiderheiser  
Professor  
University Libraries  
1917 – 2010

Glenn C. Nelson  
Professor  
Art – University of Minnesota Duluth  
1915 – 2010

Arden I. Ostergaard  
Staff  
Veterinary Teaching Hospitals  
1918 – 2010

Gerald Ownbey  
Professor  
Plant Biology  
1916 – 2010

Mattie Payne  
Staff  
Nutrition  
1930 – 2010

Marchet S. Reeve  
Staff  
Summer Session  
1929 – 2010

Gailon C. Roen

Professor  
Boynton Health Services  
1940 – 2009

Dorene L. Scott  
Staff  
Institute on Community Integration  
1943 – 2010

Lorraine B. Smith  
Staff  
Food Science and Nutrition  
1922 – 2010

James E. Stageberg  
Staff  
Architecture  
1925 – 2010

Deon D. Stuthman  
Professor  
Agronomy and Plant Genetics  
1940 – 2010

Danny Swenson  
Staff  
North Central Research and Outreach Center  
1959 – 2010

Lydia G. Thompson  
Staff  
Business and Economics – University of Minnesota Duluth  
1916 – 2010

Raymond M. Warner, Jr.  
Professor  
Electrical Engineering  
1922 – 2010

Karl F. Wikstrom  
Staff  
Hydraulic Lab  
1930 – 2010

Garland Williams  
Staff  
Facilities Management  
1946 - 2010

### **STUDENTS**

Benjamin F. Fouquette  
College of Liberal Arts



Sam Nahki  
College of Food, Agricultural, and Natural Resource Sciences

Aubrey A. Olson  
College of Liberal Arts

David M. Phillips  
College of Liberal Arts

Todd Radi  
University of Minnesota Crookston

Ashley M. Welch  
University of Minnesota Crookston

Kevin T. Wyum  
College of Biological Sciences

**7. SENATE CONSULTATIVE COMMITTEE REPORT  
(5 minutes)**

---

**MOTION A  
Consent Agenda  
Action by the University Senate  
(2 minutes)**

Agenda Items 8. and 9. are considered to be non-controversial or “housekeeping” in nature and are offered as a “Consent Agenda” to be taken up as a single item with one vote. Any item will be taken up separately at the request of a senator. A simple majority is required for approval.

**8. MINUTES FOR MAY 6, 2010**

**MOTION:**

To approve the University Senate and Faculty Senate minutes, which are available on the Web at the following URL.

<http://www1.umn.edu/usenate/usen/100506sen.html>

**STUART GOLDSTEIN, CLERK  
UNIVERSITY SENATE**

**9. COMMITTEE ON COMMITTEES  
2010-11 Committees of the University Senate**

**MOTION:**

To approve the University Senate committee memberships for 2010-11.

University Senate committee memberships for 2010-11:

**DISABILITIES ISSUES - Faculty:** Dale Branton (chair), Becca Gercken, Mary Kennedy, Joanna O'Connell, Julia Robinson, Susan Rose, Michael Silverman, Frank Symons, Carla Tabourne. **Academic Professionals:** Sherry Gray, Kimberly Simon. **Civil Service:** Mary Muwahid, Joanie Tool. **Students:** Miriam Krause, Amber Mayer, 2 to be named. **Ex Officio:** Donna Johnson, Peggy Mann Rinehart.

**EQUITY, ACCESS, AND DIVERSITY - Faculty:** Irene Duranczyk (chair), Michael Goh, Richard Graff, Michelle Page, Janet Thomas, Natalia Tretyakova, at least 1 to be named. **Academic Professionals:** MJ Gilbert, Gregory Sawyer. **Students:** Lauren Beach, Aisha El-Huni, 4 to be named. **Civil Service:** Susan Cable-Morrison, 1 to be named. **Ex Officio:** Kimberly Boyd, Peg Lonnquist, Anne Phibbs, Patrick Troup.

**FINANCE AND PLANNING - Faculty:** Russell Luepker (chair), Sara Chambers, V.V. Chair, Judith Martin, Fred Morrison, Terry Roe, Gwen Rudney, Sellmann Schultz, Karen Seashore, Aks Zaheer. **Academic Professionals:** Michael Rollefson, Lori-Anne Williams. **Civil Service:** Steen Erikson, Kara Kersteter. **Students:** Devin Driscoll, Shruti Patil, Mandy Stahre, John Worden. **Ex Officio:** Jonathan Binks, William Durfee, Lincoln Kallsen, Lyndel King, Kathleen O'Brien, Paul Olin, Richard Pfitzenreuter, Thomas Stinson, Jeremy Todd, Michael Volna.

**INFORMATION TECHNOLOGIES - Faculty:** Ted Higman (Chair), David Arendale, Aaron Doering, Brent Larson, Yuk Sham, Pamela Solvie, May Vavrus, Bonnie Westra. **Academic Professionals:** Allison Jacobsen, James McDonald, Sue Van Voorhis, 1 to be named. **Civil Service:** Paul Rubenis. **Students:** Judd Dudgeon, 2 to be named. **Ex Officio:** John Butler, Steve Cawley, Billie Wahlstrom, 1 to be named.

**LIBRARY - Faculty/PA:** Neil Olszewski (chair), Jennifer Alexander, Michelle Englund, Elizabeth Fine, David Fox, Ronald Hadsall, J. Woods Halley, John Logie, James Orf, Danielle Tisinger, David Zopfi-Jordan, 1 to be named. **Students:** Monica Howell, 3 to be named. **Civil Service:** Shannon McCrindle. **Ex Officio:** Jonathan Binks, LeAnn Dean, Joan Howland, Wendy Lougee, Mary Beth Sancomb-Moran, Bill Sozansky, Owen Williams, 1 to be named.

**SOCIAL CONCERNS - Academic Professionals:** Timothy Sheldon (chair), David Golden, Joseph Marchesani. **Faculty:** John Broadhurst, Maria Hanratty, Ahmed Heikal, Robert Morrison, Kim Robien, Marynel Ryan Van Zee, Jodi Sandfort, Michael Sommers. **Civil Service:** Susan Cable-Morison, Rebecca von Dissen, 2 to be named. **Alumni:** Sandra Krebsbach, Lisa Pogoff, 1 to be named. **Students:** Austin Loeb, Elizabeth Shay, 5 to be named. **Ex Officio:** Kaari Nelson, Michael O'Day, Amelious Whyte.

**STUDENT ACADEMIC INTEGRITY - Faculty/PA:** Thomas Shield (chair), Sarah Angerman, Dana Davis, Patricia Fillipi, Jennifer Goodnough, Kendall King, Francisco Ocampo, Eric Watkins. **Students:** Arthur Carlson, Andrew Olson, 3 to be named. **Ex Officio:** Sharon Dzik, Laura Coffin Koch.

**STUDENT BEHAVIOR - Faculty/PA:** Jeanne Higbee (chair), Peter Haeg, Todd Helmer, Julia Johnsen, Susanne Jones, Barney Klamecki, Katie Koopmeiners, Christian Mohr, Pamela Nippolt, William Ostvig, Robert Seidel, Andrea Smith, Marshall Stern, Mary Tate, Becky Yust. **Students:** Aleesa Arends, Julie Collier, Rachael Latchana, Sarah Lechowich, Terrance Paape, at least 5 to be named. **Ex Officio:** Sharon Dzik.

#### **FOR INFORMATION:**

**ALL-UNIVERSITY HONORS - Faculty:** James Luby (chair), Carl Adams, Jane Davidson, Gerald Fry, Roland Guyotte, John Himes, Phyllis Moen, 1 to be named. **Academic Professionals:** Peyton Owens, Patrick Troup. **Alumni:** Nancy Devine, Julia Johnson, Stephen

Litton, Beth Pinkney, Todd Williams. **Civil Service:** Arlene Birnbaum, Amy L. Olson. **Students:** Sarah Hays, Matthew Venaas, 1 to be named. **Ex Officio:** Kristin Cleveland, Ruth Isaak, Lisa Meyer, Andrew Svec, William Wade, Billie Wahlstrom.

**SENATE COMMITTEE ON COMMITTEES - Faculty:** Joanna O'Connell (chair), Carl Adams, James Carey, William Durfee, Janet Ericksen, William Garrard, Lois Heller, Jeanne Higbee, Joan Howland, Roberta Humphreys, Leslie Sharkey, Nathan Springer, Steven Yussen. **Academic Professionals:** Elaine Challacombe, Stacy Doepner-Hove, Frank Douma, Mary Jetter. **Students:** Silvia Canelon, Danny Spors, Evan Symons, 4 to be named.

**SENATE CONSULTATIVE - Faculty:** Kathryn VandenBosch (chair), Peter Bitterman, Nancy Carpenter, Christopher Cramer, Shawn Curley, Nancy Ehlke, Michael Hancher, Jeffrey Kahn, Jan McCulloch, J. Michael Oakes. **Academic Professionals:** Steven Pearthree, Sarah Waldemar. **Civil Service:** Donald Cavalier, Francis Strahan. **Students:** Aaron Carlson, Bree Dalager, Thomas Haarstick, Jonathan Lundberg, Terrance Paape, Even Symons, 1 to be named. **Ex Officio:** Thomas Brothen, Carol Chomsky, Barbara Elliott, Marti Hope Gonzales, Russell Luepker.

**JOANNA O'CONNELL, CHAIR**  
**SENATE COMMITTEE ON COMMITTEES**

---

**END OF MOTION A**

**10. SENATE CONSULTATIVE COMMITTEE**  
**Senator Responsibilities**  
**Information for the University Senate**  
**(5 minutes)**

Responsibilities of Faculty Senators

In order to ensure that the faculty governance system operates effectively to represent faculty concerns and perspectives, individuals serving as Faculty Senators should:

1. Attend all University and Faculty Senate meetings or arrange for an alternate to attend
2. Review docket materials before Senate meetings and be prepared to discuss and vote on issues presented.
3. Share draft policies and policy amendments with colleagues for discussion before Senate action.
4. Distribute to colleagues in their college information on significant matters before the Senate and solicit faculty views on such issues.
5. Bring to the Senate, or one of its committees, issues of concern to their colleagues.
6. Communicate regularly with faculty governance bodies in their academic units.
7. Consider serving on one of the Senate committees.
8. Remember that, while they are elected as delegates from their academic units, "[e]ach member of the University Senate shall represent the University as a whole."

Adopted unanimously by the Faculty Consultative Committee 8/17/06.

Responsibilities of Student Senators

In order to ensure that the University governance system operates effectively to represent student concerns and perspectives, individuals serving as Student Senators should:

1. Attend all University and Student Senate meetings or arrange for an alternate to attend.
2. Review docket materials before Senate meetings and be prepared to discuss and vote on issues presented.
3. Share draft policies and policy amendments with constituents and relevant student organizations for discussion before Senate action.
4. Distribute to constituents and relevant student organizations information on significant matters before the Senate and solicit student views on such issues.
5. Bring to the Senate, or one of its committees, issues of concern to their constituents and relevant student organizations.
6. Communicate regularly with student governance bodies.
7. Consider serving on one of the Senate committees.
8. Remember that, while they are elected as delegates from their academic units, “[e]ach member of the University Senate shall represent the University as a whole.”

Adopted unanimously by the Student Senate Consultative Committee 9/14/06.

**11. SENATE CONSULTATIVE COMMITTEE**  
**Implications of National Health Care Reform Law for the University**  
**Discussion by the University Senate**  
**(30 minutes)**

**12. SENATE CONSULTATIVE COMMITTEE**  
**Conflict of Interest Administrative Policy**  
**Action by the University Senate**  
**(30 minutes)**

This policy will be a handout at the meeting due to the track changes. It is available prior to the meeting as a PDF on the Senate website at: [http://www1.umn.edu/usenate/usen/100930\\_coi.pdf](http://www1.umn.edu/usenate/usen/100930_coi.pdf)

**COMMENT:**

In November 2009, a draft policy was disseminated to all faculty, P&A staff, and graduate students. The policy was posted on the Policy Library website for six weeks. During the posting period, more than 150 comments were received. Each was reviewed and considered. In addition, Lynn Zentner received numerous additional comments via e-mail. Many comments voiced concern that the policy was too restrictive if it was to have University-wide application.

A consultation process was developed to obtain further feedback and recommendations. The policy was consulted with the President's Policy Committee (PPC), the Faculty Consultative Committee (FCC), the Senate Committee on Faculty Affairs (SCFA), the Senate Research Committee (SRC), the Twin Cities Deans Council, the Council of Research Associate Deans (CRAD), the chancellors, the International Programs Council, the Carlson School of Management Faculty Consultative Committee, the School of Public Health Leadership Group, the Council of Academic Professionals and Administrators (CAPA) Executive Committee, and the AHC Student Consultative Committee.

The University revised its approach and in April of 2010 completed a second draft that was risk-based in its approach. That draft was consulted with the following groups: the PPC, the Twin Cities Deans Council, SCFA, CRAD, SRC, CAPA Executive Committee, and FCC.

Very recently, during late summer and early fall of 2010, further consultation has taken place with the Twin Cities Deans Council, the FCC, the President's Policy Committee, and the SCC.

**KATHRYN VANDENBOSCH, CHAIR  
SENATE CONSULTATIVE COMMITTEE**

**13. PRESIDENT'S REPORT  
(10 minutes)**

**14. QUESTIONS TO THE PRESIDENT  
(10 minutes)**

Questions to the President should be submitted in writing to the University Senate office no later than Tuesday, September 28, 2010. The President may also choose to take questions from the floor.

**15. UNIVERSITY SENATE OLD BUSINESS**

**16. UNIVERSITY SENATE NEW BUSINESS**

**17. UNIVERSITY SENATE ADJOURNMENT**

---

**THIS CONCLUDES THE UNIVERSITY SENATE BUSINESS.  
THE SUBSEQUENT ITEMS ARE FACULTY SENATE BUSINESS ONLY.**

---

## MEETING OF THE FACULTY SENATE

### 18. FACULTY CONSULTATIVE COMMITTEE REPORT (5 minutes)

### 19. FACULTY LEGISLATIVE LIAISONS UPDATE (5 minutes)

### 20. FACULTY CONSULTATIVE COMMITTEE Regents Policy on Commercialization of Intellectual Property Rights Action by the Faculty Senate (10 minutes)

UNIVERSITY OF MINNESOTA  
BOARD OF REGENTS POLICY  
Adopted: December 14, 2007  
Discussion Draft May 18, 2010

## COMMERCIALIZATION OF INTELLECTUAL PROPERTY RIGHTS

### SECTION I. SCOPE.

This policy governs patents and the ownership, commercialization, and dissemination of intellectual property rights in technology created at the University of Minnesota (University).

### SECTION II. EXCLUSIONS.

**Subd. 1. Copyright.** With the exception of the commercialization of intellectual property rights in software owned by the University, this policy shall not apply to the ownership or use of copyrighted works that are governed by other Board of Regents (Board) or administrative policies.

**Subd. 2. Trademarks.** With the exception of intellectual property rights in University trademarks that identify University-owned plant varieties or that are commercialized in conjunction with other technology covered by this policy, this policy shall not apply to the use of University-owned or licensed names, trademarks, or service marks.

**Subd. 3. Equity Interests.** This policy shall not apply (a) to the University's acquisition of equity securities in a publicly held company or appointment of a voting member to the governing body of a publicly held company or (b) to the acquisition of equity securities of a publicly held company by a University employee.

### SECTION III. DEFINITIONS.

**Subd. 1. Inventor.** Inventor shall mean a University employee, student, or postdoctoral or other fellow who invents technology.

**Subd. 2. Technology.** Technology shall mean the following items and their related intellectual property rights:

- (a) a discovery or invention, patentable or not;
- (b) software owned by the University; and

(c) trademarks owned by the University that identify University-owned or University-licensed plant varieties or that are commercialized in conjunction with other technology covered by this policy.

**Subd. 3. University Official.** University official shall mean a person defined as a University official in Board of Regents Policy: Institutional Conflict of Interest and any person covered by administrative policies or procedures implementing that policy.

**Subd. 4. Controlling Equity Interest.** Controlling equity interest shall mean the University's ownership of equity securities of a licensee sufficient to grant the University the power to direct the licensee's management. The University shall be considered to have a controlling equity interest in a licensee under this policy if:

- (a) the University owns a majority of the voting equity interest in the licensee; or
- (b) the University has the power to appoint a majority of the voting members of the governing body of the licensee.

**Subd. 5. Licensee.** Licensee shall mean a for-profit, privately held company to which the University licenses or assigns intellectual property rights in University-owned technology.

**Subd. 6. Net Income.** Net income shall mean the gross monetary payments the University receives ~~as a result of transferring in consideration for granting rights in the~~ technology less (a) the University's out-of-pocket expenditures (including legal fees) directly attributable to protecting, developing, and transferring that technology and (b) a fifteen percent (15%) administrative fee to help defray the costs associated with operating the Office of Technology Commercialization. Net Income does not include fees, charges, and other monetary payments made to the University to compensate it for administering intellectual property agreements or seeking and maintaining intellectual property protection for technology.

#### **SECTION IV. GUIDING PRINCIPLES.**

The following principles shall guide the University in commercializing technology:

- (a) The primary mission of University research is the generation and dissemination of knowledge, and academic freedom requires that faculty, staff, and students be free to pursue areas of research and study without regard to the potential for the creation of inventions.
- (b) The development and dissemination of new knowledge, technology, or scientific procedures resulting in innovative products, practices, and ideas is a valued supplement to scholarly publications.
- (c) University commercialization activities shall not inhibit the ability of University researchers to pursue research of their choosing, to publish results of their work in a timely manner, and otherwise to exercise their rights of academic freedom.
- (d) Licensing University-owned technology to private companies promotes the University's interest in successful commercial development of University-owned intellectual property. In some circumstances, a non-commercial method of distribution, such as open source sharing of technology or licensing for humanitarian needs, may be the preferred method of providing public access to, and use of, University discoveries.
- (e) The University may own a controlling equity interest and assert control over the direction and management of a licensee only when doing so (1) enhances the potential for the licensee to successfully develop and make available to the public useful products and services and (2) increases the potential value of the University's investment.

#### **SECTION V. OWNERSHIP OF TECHNOLOGY.**

**Subd. 1. Ownership.** The University shall be the sole owner of all rights, titles, and interests (including intellectual property rights) in and to technology:

- (a) created by University employees in the course of their employment;
- (b) created by students or post-doctoral or other fellows in the course of their academic duties or appointments; or
- (c) created by individuals, including employees, students, or post-doctoral or other fellows, using substantial University resources.

**Subd. 2. Assignment of Intellectual Property Rights.** Inventors assign to the University all rights, titles, and interests, if any, in and to technology owned by the University.

**Subd. 3. Ownership Under Third Party Agreements.** Ownership of and rights in technology are subject to the terms of written agreements between the University and third parties under which the University, solely or in collaboration, conducts research or other activities. Under these agreements, the University may claim, disclaim, or otherwise grant or accept rights in technology as appropriate and desirable.

**Subd. 4. Waiver of University Rights.** Consistent with administrative policies and procedures, the president or delegate is authorized to waive or otherwise assign to an inventor all or part of the University's rights, titles, or interests in or to a technology created by the inventor.

**Subd. 5. Rights to Publish.** At the University's request, inventors shall delay the publication or public disclosure of any descriptions of technology for a brief period of time to permit the registration, application for, and protection of the intellectual property rights in the technology.

**Subd. 6. Rights to Third Parties.** The president or delegate may assign, license, or otherwise grant a third party the right to use technology royalty-free or in exchange for cash, stock or other securities, or other tangible or intangible property.

## **SECTION VI. DISTRIBUTION OF INCOME FROM COMMERCIALIZATION OF TECHNOLOGY.**

The University shall share with inventors the net income from the commercialization of technology as follows:

- (a) thirty-three and one-third percent to the inventors;
- (b) twenty-five and one-third percent to the department, division, or center that supported the creation of the technology, to be spent in support of the inventor's research or directly related University work;
- (c) eight percent to the collegiate unit that supported the creation of the technology; and
- (d) thirty-three and one-third percent to the Office of the Vice President for Research, to be spent in support of the University's technology commercialization activities and to fund University research and scholarly activity.

The president or delegate may change the distribution to collegiate units or to departments, divisions, or centers if such amounts become disproportionate compared to their budgets or if there have been administrative organizational changes, including an inventor's movement among units or departments. The president or delegate also may distribute to inventors a portion of the net income from commercialization of technology in the form of a bonus or salary supplement.

## **SECTION VII. EQUITY, CONTROLLING INTERESTS, AND ASSISTANCE WITH COMMERCIALIZATION.**

**Subd. 1. Disposition of Equity Securities.** The University shall sell the equity securities acquired under this policy as soon as prudent and in strict compliance with all applicable federal and state laws. The cash proceeds derived from the sale of equity securities shall be distributed in the same proportions as income derived from technology.



**Subd. 2. Acquiring a Controlling Equity Interest in the Commercialization of Technology.** In acquiring, as part of a transaction to commercialize technology, a majority or other equity interest in a company that grants the University the power to direct the company's management or the power to appoint a majority of the voting members of the governing body of the company, the following prohibitions shall apply:

- (a) Except as permitted under other applicable Board policies, the University shall not make a cash investment in, lend money to, or guarantee the obligations of the company; and
- (b) University officials shall not purchase or invest, directly or indirectly, in the equity securities of a licensee as long as the licensee is privately held, except that University employees who are not University officials may purchase or invest, directly or indirectly, in such equity securities if permitted under Board of Regents Policy: Individual Business or Financial Conflict of Interest and other applicable Board policies.

**Subd. 3. Appointment of Voting Members to Governing Bodies as Part of the Commercialization of Technology.** The president shall appoint voting members to the governing bodies of privately held companies commercializing technology. A University-appointed member shall:

- (a) be a University employee with demonstrated experience and competence in technology commercialization and in the creation, management, and capitalization of privately held companies; and
- (b) be reasonably insured against liability arising from service on the governing bodies of such companies.

A University-appointed member:

- (a) shall not accept compensation for service as a member of the governing body of the company, but may accept reasonable reimbursement for service-related expenses;
- (b) shall comply with University policies and procedures;
- (c) shall discharge fiduciary and contractual responsibilities to the company, subject to the performance of University duties as provided in Board and other University policy and procedures; and
- (d) shall resign as a voting member of the governing body of the company prior to the company's becoming publicly held, unless the president or delegate approves an extension of the appointment.

**Subd.4. Use of Technology Commercialization Income to Assist Commercialization by Non-University Entities.** The president or delegate may authorize non-University entities to use income the University earns from technology commercialization to directly encourage, promote, or assist with the commercialization and development of University intellectual property. The commitment of financial support for particular projects shall not exceed \$250,000, consistent with Board of Regents Policy: Reservation and Delegation of Authority.

## **SECTION VIII. REPORTING.**

The president or delegate shall report annually to the Board on University activities under this policy.

## **SECTION IX. IMPLEMENTATION.**

The president or delegate shall implement this policy and maintain appropriate policies and procedures to administer it.

**SUPERSEDES:** Educational Materials dated April 14, 1967, Patent and Technology Transfer dated October 10, 1986, Intellectual Property adopted October 8, 1999, Use of Royalty Income

to Support Technology Commercialization adopted March 12, 2004, and Acquiring Controlling Equity Interests in Technology Licensees adopted December 8, 2006.

**COMMENT:**

This proposed policy change was reviewed and endorsed by the Faculty Consultative Committee (the minutes of the discussion can be viewed in the Digital Conservancy, here: <http://conservancy.umn.edu/bitstream/62233/1/10-04-22%20FCC.pdf>, item 3) and by the Senate Research Committee (<http://conservancy.umn.edu/bitstream/62239/1/10-04-19%20SRC.pdf>, item 1).

**KATHRYN VANDENBOSCH, CHAIR  
FACULTY CONSULTATIVE COMMITTEE**

**21. COMMITTEE ON COMMITTEES  
2010-11 Committees of the Faculty Senate  
Action by the Faculty Senate  
(2 minutes)**

**MOTION:**

To approve the Faculty Senate committee memberships for 2010-11. A simple majority is required for approval.

Faculty Senate committee memberships for 2010-11:

**ACADEMIC FREEDOM AND TENURE - Faculty:** Barbara Elliott and Karen Miksch (co-chairs), Yusuf Abul-Hajj, Tracey Anderson, Joseph Gaugler, Barbara Loken, Christine Marran, Linda McLoon, Paul Porter, Terrence Simon, Carol Wells. **Academic Professionals:** William Craig, Gary Peter. **Ex Officio:** Arlene Carney, Paula O'Loughlin.

**EDUCATIONAL POLICY - Faculty/PA:** Thomas Brothen (chair), Norman Chervany, Alon McCormick, Kristen Nelson, Peh Ng, Jane Phillips, Margaret Root Kustritz, Paul Siliciano, Donna Spannaus-Martin, Elaine Tarone, Michael Wade, Cathrine Wambach. **Students:** Cody Mikl, 5 to be named. **Ex Officio:** Barbara Brandt, Robert McMaster, Henning Schroeder.

**FACULTY AFFAIRS - Faculty:** George Sheets (chair), Ben Bornsztein, Marilyn Bruin, Vladimir Cherkassky, Richard Cline, Kathryn Hanna, Frank Kulacki, Jason Shaw, Geoffrey Sirc, Roderick Squires, James Wojtaszek. **Academic Professionals:** Randy Croce, Pamela Stenhjem. **Ex Officio:** Arlene Carney, Carol Carrier, Dann Chapman, Barbara Elliott, Theodor Litman, Karen Miksch. **Students:** Valerie Khominich, 1 to be named.

**JUDICIAL - Faculty:** Paula O'Loughlin (chair), David Andow, David Biesboer, Martha Bigelow, David Born, Sauman Chu, Amos Deinard, Satish Gupta, Kenneth Heller, Gordon Hirsch, Brian Horgan, Joan Howland, Kim Johnson, Thomas Larson, George Maldonado, Susan Noakes, Michael Sadowsky, Paul Shaw. **Legal Advisor:** Jan Halverson, Karen Schanfield.

**RESEARCH - Faculty:** Melissa Anderson (chair), Mustafa al'Absi, Anna Clark, Paul Cleary, Jerry Cohen, Donald Dengel, Demoz Gebre, Maria Gini, Tom Hays, Seung-Ho Joo, Jennifer Linde, Kola Okuyemi, LaDora Thompson, J.T. Vaughn, 1 to be named. **Academic Professionals:** Greg Haugstad, Toni Leeth. **Civil Service:** Margaret Catambay. **Students:** 3 to be named. **Ex Officio:** Arlene Carney, Robin Dittmann, Frances Lawrenz, Tucker LeBien, Timothy Mulcahy, Federico Ponce de Leon, Karen Williams, Lynn Zentner.

**FOR INFORMATION:**

**ACADEMIC HEALTH CENTER FACULTY CONSULTATIVE - Faculty:** Colin Campbell (chair), Susan Berry, Stephen Downing, Cynthia Gross, George Maldonado, Paul Olin, Ned Patterson, Cheryl Robertson. **Ex Officio:** Paul Olin.

**ADVISORY COMMITTEE ON ATHLETICS - Faculty/PA:** Virginia Zuiker (chair), Rayla Allison, Linda Brady, Douglas Hartmann, Ravi Janardan, Timothy Johnson, Perry Leo, Na'im Madyun, Jennifer Tigges. **Civil Service:** Patricia Roth. **Alumni:** Jean Freeman, Archie Givens. **Students:** Keanon Cooper, Brianna Haugen, Katherine Meyer, Robert Peters. **Ex Officio:** J.T. Bruett, Lynn Holleran, Joel Maturi.

**FACULTY ACADEMIC OVERSIGHT ON INTERCOLLEGIATE ATHLETICS - Faculty:** Timothy Johnson (chair), Linda Brady, Sean Garrick, Susan Meyer Goldstein, Murray Jensen, Perry Leo, Maureen Weiss, Virginia Zuiker, 1 to be named. **Ex Officio:** J.T. Bruett, Lynn Holleran, Sue Van Voorhis.

**FACULTY CONSULTATIVE - Faculty:** Kathryn VandenBosch (chair), Peter Bitterman, Nancy Carpenter, Christopher Cramer, Shawn Curley, Nancy Ehlke, Michael Hancher, Jeffrey Kahn, Jan McCulloch, J. Michael Oakes. **Ex Officio:** Melissa Anderson, Elizabeth Boyle, Thomas Brothen, Carol Chomsky, Colin Campbell, Barbara Elliott, Marti Hope Gonzales, Caroline Hayes, Russell Luepker, George Sheets.

**JOANNA O'CONNELL, CHAIR  
FACULTY COMMITTEE ON COMMITTEES**

**22. EDUCATIONAL POLICY COMMITTEE  
Amendment to the Policy on Makeup work for Legitimate Absences  
Action by the Faculty Senate  
(5 minutes)**

**MOTION:**

To amend the Policy on Makeup Work for Legitimate Absences as follows (language to be added is underlined; language to be deleted is ~~struck out~~):

1. Students will not be penalized for absence during the semester or finals week due to unavoidable or legitimate circumstances. Such circumstances include ~~verified illness of the student or his or her dependent~~, participation in intercollegiate athletic events (but see the policy Intercollegiate Athletic Events during Study Day and Finals Weeks: Twin Cities, which prohibits intercollegiate athletic competition during study day and finals week except under certain circumstances), subpoenas, jury duty, military service, bereavement, and religious observances. Such circumstances also include activities sponsored by the University if identified by the senior academic officer for the campus or his or her designee as the basis for excused absences. The instructor has the right to request verification for absences. Such circumstances do not include voting in local, state, or national elections.
2. It is the responsibility of students to plan their schedules to avoid excessive conflict with course requirements.
3. A student must notify instructors of circumstances identified in (1) as soon as possible and provide documentation requested by ~~to the instructor to verify the reason for the absence.~~ In the

event that the University declares a pandemic emergency (e.g., flu), the Senior Vice President for Academic Affairs and Provost or designee may waive the requirement that students are required to have documentation from a physician for illness.

4. If a student is absent due to circumstances identified in (1) and has complied with the notification requirement, the instructor may not penalize the student and must provide reasonable and timely accommodation or opportunity to make up exams or other course requirements that have an impact on the course grade.

5. ~~The authority to determine what constitutes an excusable bereavement absence and religious observance rests with the Senior Vice President for Academic Affairs and Provost. The instructor has primary responsibility to decide if an absence is due to unavoidable or legitimate circumstances. If a student believes he or she has been wrongly denied the opportunity to make up work due to disagreement with the instructor about the legitimacy or unavoidability of an absence, the student should pursue his or her complaint using the usual process for appeals of student grievances. Chairs and deans who have questions about what constitutes an excusable bereavement absence, religious observance, or eligible dependent illness should consult with the campus chief academic officer for resolution of the disagreement. Final authority for application of this policy rests with the Senior Vice President for Academic Affairs and Provost, who is responsible for establishing consistent practices across academic units.~~

6. Instructors are encouraged to accommodate students who wish to participate in party caucuses, pursuant to Board of Regents resolution [See <http://www1.umn.edu/regents/minutes/2005/december/board.pdf>, p. 147]

7. ~~This policy does not apply to final examinations.~~ applies to all course requirements, including any the final examination if it is part of the course requirements.

8. Colleges and academic units may establish specific criteria for notice and completion of work to implement this policy.

**COMMENT:**

When the educational policies were being reviewed in the last two years, the question arose why this policy did not apply to final examinations. The Committee on Educational Policy saw no reason that it should not, with a few amendments. This revision, approved in November, 2009, incorporates final examinations.

The University's policy library website will contain FAQs indicating that it is expected that makeup opportunities for final examinations will be offered no later than two weeks into the following semester and where a student would go if he or she had a disagreement with the instructor about the timing or arrangements for a makeup final.

The November 2009 amendments were not forwarded to the Faculty Senate for action. In May, the Committee on Educational Policy took up an additional amendment, forwarded by the Council of Graduate Students, asking that legitimate absences include caring for dependents (e.g., sick children). The Committee concurred with the recommendation, noting that any student may have dependents, and approved a further change to the policy, subject to the caveat that an instructor has the right to request verification of the reason for the absence.

The Faculty Consultative Committee reviewed the policy and suggested the amendment to #5, in order to provide a location for resolution of disputes, should they arise, and to avoid difficulties with the definition of "dependent."

**THOMAS BROTHEN, CHAIR  
EDUCATIONAL POLICY COMMITTEE**

**23. EDUCATIONAL POLICY COMMITTEE  
Amendment to the Policy on Grading and Transcripts  
Action by the Faculty Senate  
(5 minutes)**

**MOTION:**

To amend the Policy on Grading and Transcripts policy as follows (new language is underlined):

**E. Other Transcript Symbols**

1. **Transfer work.** There will be a symbol T, transfer, posted as a prefix to the original grade, to indicate credits transferred from another institution or from one college or campus to another within the University when reevaluation is required.
2. **Auditing a course.**
  - a. There will be a symbol V, visitor, indicating registration as an auditor or visitor, which will carry no credit and no grade.
  - b. Students auditing a course are required to pay full tuition but do not take exams and are not required to do homework. An auditor is entered on the class roster (grade report), is counted as filling a seat in a controlled entry course, and is counted in an instructor's student contact hours.
  - c. Students may not sit in on a course without registering for it.
  - d. A student will be allowed to take a previously audited class for a grade.
3. **Withdrawing from a course.**
  - a. There will be a symbol W, withdrawal, entered upon a student's record when the student officially withdraws from a course in accordance with procedures established by the student's college or campus. The W will be entered on the transcript irrespective of the student's academic standing in that course if the student withdraws from the course during the third through eighth week of class (Twin Cities) or the third through ninth week of class (Morris) or during the second or third weeks of summer sessions.
  - b. If a student officially withdraws from a course during the first two weeks of classes, there will be no record of that course registration entered on the student's transcript.
  - c. One-time late withdrawal: Each student may, once during his or her undergraduate enrollment, withdraw from a course without college approval, and receive the transcript symbol W, after the deadline for withdrawal and at any time up to and including the last day of instruction for that course. A student may not withdraw after completing the final examination or equivalent for a course.
  - d. Except as provided in the preceding section, withdrawal after the deadlines will require approval of the college and may not be granted solely because a student is failing the course; there must be extenuating non-academic circumstances justifying late withdrawal.
  - e. Section F(6)(a) of this policy prohibits students from repeating a course more than once without special permission. Taking a W in a course counts as one registration for a course that falls under the provision of Section F(6)(a).
4. **Continuation course.** There will be a symbol X, indicating a student may continue in a continuation course in which a grade cannot be determined until the full sequence of courses is completed. The instructor will submit a grade for each X when the student has completed the sequence.

5. **Course in progress.** There will be a symbol K, assigned by an instructor to indicate the course is still in progress and that a grade cannot be assigned at the present time.

#### **F. Other Provisions**

1. **Zero-credit courses.** Courses that carry zero credits do not count in either term or cumulative grade point averages. Such courses carry normal tuition and fee charges.
2. All grades for academic work are based on the quality of the work submitted, not on hours of effort. Instructors have the responsibility and authority to determine how final grades are assigned, including, in classes where they use numeric scores, the method that will be used to translate numeric scores into letter grades. (Examples: the instructor may decide that 90% equals an A, 80% a B, and so on, or the instructor may decide that the top 10% of the scores will receive an A, the next 20% a B, and so on.)
3. **Counting credits toward a University degree.**
  - a. A course that carries University credit toward a degree in one department or college must carry University credit in all other departments and colleges (except insofar as those credits exceed the limit on skills credits established in the policy Credit Requirements for an Undergraduate (baccalaureate) Degree.
  - b. A department or college has discretion to decide whether a course completed in another unit will count towards the specific college or department/program/major requirements.
4. When a student graduates, no further changes to his or her transcript will be made (to that portion of the transcript related to the program from which the student graduated) except as expressly allowed under the provisions of this policy.
5. **Releasing transcripts.** The University's official transcript, the chronological record of the student's enrollment and academic performance, will be released by the University only at the request of the student or in accord with state or federal statutes.
6. **Repeating courses.**
  - a. An undergraduate student may repeat a course only once (except as noted in section 6(c)). The college offering the course may grant an exception to this provision. [Morris only] Students who receive a grade of S or C or higher may repeat a course only if space permits. [Note Section E(3)(e): registering for a course and then taking a W in it counts as taking a course once.]
  - b. When a student repeats a course before receiving his/her degree, (a) both grades for the course will appear on the official transcript, (b) the course credits may not be counted more than once toward degree and program requirements, and (c) only the last enrollment for the course will count in the student's grade point average.
  - c. Provisions 6 (a) and (b) of this policy will not apply to courses (1) using the same number but where students study different content each term of enrollment and (2) to courses designated as "repetition allowed."
  - d. If an undergraduate student repeats a course after his/her degree has been awarded, the original course grade will not be excluded from the degree GPA nor will the new grade be included in the degree GPA.
  - e. Bracketing is the practice of not including a course in the calculation of a student's GPA and not counting the course as satisfying any degree requirements, including electives, because a student has repeated a course. When a student repeats a course, all prior attempts are bracketed and only the most recent attempt counts (except as provided in 6 (c)). No department or college may bracket the courses of another department or college for any reason other than course repetition. An F may not be bracketed with an N. A University of Minnesota course may not be bracketed with a course taken at another institution. The Graduate School does not bracket courses.
  - f. When a student enrolled in the Graduate School repeats a course, provisions 6(a) and (b) apply, but all grades for the course will be counted in the student's grade point average.

**COMMENT:**

The Senate Committee on Educational Policy (SCEP) has been made aware that there are a small number of students who get around the limit on enrolling in a course no more than twice (without special permission) by taking a W in the course and then re-enrolling in a subsequent term. Although the numbers are small, these repeat registrations frequently occur in high-demand courses that are pre-requisites for several fields of study. When a student enrolls in a course and then takes a W later in the term, no other student can use the seat.

While the Committee understands that the PeopleSoft system cannot (at least not now) incorporate this provision so that the system automatically prevents a student from registering for a course a third or subsequent time, both Committee members and Vice Provost McMaster believe the policy should be on the books so that advisers and faculty members can rely on it when cases of abuse appear. The Registrar does have the ability, when requested to do so by a department or college, to de-register a student from a course, and there may be times when that is the appropriate step to take.

**THOMAS BROTHEN, CHAIR  
EDUCATIONAL POLICY COMMITTEE**

**24. ACADEMIC FREEDOM AND TENURE COMMITTEE  
Regents Policy on Academic Freedom and Responsibility  
Action by the Faculty Senate  
(2 minutes)**

**MOTION:**

To amend the Board of Regents policy Academic Freedom and Responsibility as follows (new language is underlined; language to be deleted is ~~struck out~~):

**ACADEMIC FREEDOM AND RESPONSIBILITY**

...

**SECTION II. ACADEMIC FREEDOM**

Academic freedom is the freedom without institutional discipline or restraint to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to speak or write ~~without institutional discipline or restraint~~ on matters of public concern as well as on matters related to professional duties and the functioning of the University.

...

**COMMENT:**

Professors Carol Chomsky and Tom Clayton brought to the attention of the Committee on Academic Freedom and Tenure what is essentially a grammatical mistake that was inserted in the Academic Freedom and Responsibility policy when it was recently amended. As written, the phrase "without institutional discipline or restraint" syntactically applies only to "to speak or write...on matters of public concern as well as on matters related to professional duties and the functioning of the University." What inadvertently happened was that the text was disambiguated in the wrong direction, and this mistake slipped by even though dozens of people reviewed the proposed amendment (including people in the national office of the AAUP).

The Committee thus recommends moving the phrase so that it clearly covers all of the listed activities.

**BARBARA ELLIOTT, CO-CHAIR  
ACADEMIC FREEDOM AND TENURE COMMITTEE**

**KAREN MIKSCH, CO-CHAIR  
ACADEMIC FREEDOM AND TENURE COMMITTEE**

**25. FACULTY SENATE OLD BUSINESS**

**26. FACULTY SENATE NEW BUSINESS**

**27. FACULTY SENATE ADJOURNMENT**



**Administrative Policies by Category**  
**Senate Consultation Matrix as of 5/5/2010**

These are pages one and two of the 12 page policy matrix. They are an example of the full policy matrix.

**Committee Acronyms**

- University Senate
- Faculty Senate
- Faculty Consultative Committee
- Senate Consultative Committee
- Senate Committee on Educational Policy
- Senate Research Committee
- Senate Committee on Finance and Planning
- Senate Committee on Faculty Affairs
- Senate Judicial Committee
- Senate Committee on Information Technology
- Senate Library Committee
- Council of Academic Professionals and Administrators
- Civil Service Committee

- U Senate
- F Senate
- FCC
- SCC
- SCEP
- SRC
- SCFP
- SCFA
- SJC
- SCIT
- SLC
- CAPA
- CSC

Please contact Gary Engstrand at 612-626-0884 to be scheduled with one of the referenced Senate Committees.

Column1	Column2	Column3	Column4	Column5
Academic Calendars	Policy	Education	SCEP	F Senate
Academic Probation and Suspension	Policy	Education	SCEP	F Senate
Academic Programs, Review of Proposals for New and Changed	Policy	Colleges, Programs, Centers	SCEP, FCC, CAPA	F Senate (action)
Academic Unit Authority over the Curriculum and Major	Policy	Education	SCEP	F Senate
Administering University Endowed Chairs	Policy	Colleges, Programs, Centers	SCFA	None
Admissions for Undergraduates	Policy	Education	SCEP	F Senate
Appropriate Student Use of Class Notes and Course Materials	Policy	Education	SCEP	F Senate
Campus Specific Credit Requirements for an Undergraduate	Policy	Education	SCEP	F Senate
Class Scheduling for Undergraduate and Graduate Classes	Policy	Education	SCEP	F Senate
Classroom Management	Policy	Education	SCEP	F Senate
Course Enrollment Limits and Cancellation	Policy	Education	SCEP	F Senate
Course Numbering	Policy	Education	SCEP	F Senate

Credit and Grade Point Requirements for an Undergraduate (Baccalaureate) Degree	Policy	Education	SCEP	F Senate
Declaring a Major	Policy	Education	SCEP	F Senate
Degrees with Distinction and Degrees with Honors	Policy	Education	SCEP	F Senate
Degrees Awarding Posthumous	Policy	Education	SCEP	None
Directed Student, Directed Readings, and Directed Research Courses	Policy	Education	SCEP	F Senate
Education Abroad Opportunities Addressing Health and Safety Risks	Policy	Student Life	SCEP, SCSA	None
Educational Materials Conflict of Interest	Policy	Education	SCEP	F Senate
Endowed Chairs, Administering University	Policy	Colleges, Programs, Centers	SCFA	None
Endowed Chairs - 1 - Requesting Approval for PUF Chairs	Procedure	Colleges, Programs, Centers	SCFA	None
Endowed Chairs - 2 - Establishing Permanent University Fund Endowments	Procedure	Colleges, Programs, Centers	None	None
Endowed Chairs - 3- Planning to Select and Appoint the Chairholder	Procedure	Colleges, Programs, Centers	None	None
Endowed Chairs - 4 - Calculating and Planning the Distribution of Endowment Income	Procedure	Colleges, Programs, Centers	SCFP	None
Endowed Chairs - 5 - Managing and Reporting Endowment Activity	Procedure	Colleges, Programs, Centers	SCFP	None
Enrolling in Overlapping or Back-to-back Classes	Policy	Education	SCEP	F Senate
Establishing, Enforcing, and Waiving Prerequisites	Policy	Education	SCEP	F Senate
Evaluation of Teaching	Policy	Education	SCEP	F Senate
Expected Student Academic Work per Credit	Policy	Education	SCEP	F Senate
Faculty Responsibility in Undergraduate Advising on the Curriculum	Policy	Education	SCEP	F Senate
Grade Accountability	Policy	Education	SCEP	F Senate
Grading and Transcripts	Policy	Education	SCEP	F Senate

Information for Item 12, Conflict of Interest Administrative Policy, on the September 30 University Senate agenda

9/28/10

## Individual Conflicts of Interest Policy Revisions to the Version Posted on the Senate Website

\*Changes to the prior language are underlined.

Location	Prior Language	Current Language
Policy Statement (first paragraph on page two)	<i>See, for example, the appendix which governs individuals involved in clinical health care.</i>	<i>See, for example, the appendix which governs individuals involved in clinical health care <u>in the Academic Health Center.</u></i>
Section I - Introduction (page two)	<i>(Applies to all covered individuals, Group A. More restrictive standards apply to covered individuals involved in clinical health care)</i>	<i>(Applies to all covered individuals, Group A.)</i>
Section III – A:4 (page eight)	<i><b>In the context of clinical health care. Additional disclosure requirements apply to covered individuals involved in the clinical care of patients (see appendix).</b></i>	<i><b>In the context of clinical health care. <u>Covered individuals must disclose in writing relevant business or significant financial interests in a business entity to patients for whom the individual prescribes a branded product of that business entity.</u> Additional disclosure requirements apply to covered individuals involved in clinical health care <u>in the Academic Health Center.</u></b></i>
Quick Reference Guide – introductory paragraph	<i>Individuals engaged in clinical health care must follow a separate appendix.</i>	<i><u>Additional requirements apply to covered individuals involved in clinical health care in the Academic Health Center.</u></i>
Implementation Timeline	<i>For existing engagements, no more than one year from the effective date of this appendix or the end of the consulting arrangement, whichever occurs first.</i>	<i>For existing engagements, no more than one year from the effective date of this <u>policy</u> or the end of the consulting arrangement, whichever occurs first.</i>



# Individual Conflicts of Interest

## Policy Contents

- Policy Statement
- Reason for Policy
- Procedures
- Forms/Instructions
- Additional Contacts
- Definitions
- Responsibilities
- Appendices
- FAQ
- Related Information

**Effective Date:** January 1998  
**Last Updated:**

**Responsible University Officer:**  
*President*

**Policy Owner:**  
*Director, Office of Institutional Compliance*

**Policy Contact:**  
*Lynn Zentner*

---

## POLICY STATEMENT

This policy governs all faculty and staff; all individuals with responsibility for the design, conduct, or reporting of University research; and other individuals authorized to act on behalf of the University to fulfill or support its research and discovery, teaching and learning, and outreach and public service mission.

All covered individuals will be held to a shared ethical standard of ensuring that their relationships with business entities are transparent, grounded in objectivity, and do not improperly influence their professional judgment, exercise of University responsibilities, or performance of University-related activities. Specific provisions in this policy apply to all covered individuals (Group A) or to covered individuals whose University expertise and responsibilities involve higher-risk activities (Group B):

Group B are individuals:

1. involved in human subjects research subject to review by the Institutional Review Board (IRB) where the IRB has determined that research conducted by the covered individual involves "more than minimal" risk to subjects;
2. involved in clinical health care;
3. involved in technology commercialization;
4. in a position to exert control over the content of University curriculum that could benefit the commercial interests of a business entity and, at the same time, create opportunity for or further an existing financial relationship between the covered individual and that business entity; or
5. in a position to take any other action on behalf of the University that could benefit the commercial interests of a business entity and, at the same time, create opportunity for or

further an existing financial relationship between the covered individual and that business entity.

Colleges and administrative units may adopt standards that are more, but not less, restrictive than those set forth in this policy. See, for example, the appendix which governs individuals involved in clinical health care.

**SECTION I. REPORTING & MANAGING RELATIONSHIPS WITH BUSINESS ENTITIES** (Applies to all covered individuals, Group A. More restrictive standards apply to covered individuals involved in clinical health care)

**A. Annual Reporting.** Annually, covered individuals, including those who are temporarily away from campus (e.g., leave, sabbatical), must complete a Report of External Professional Activities (REPA) to report significant financial interests and business interests, with respect to themselves and their family members, that are related to the covered individual's University expertise or responsibilities. Significant financial interests are:

1. **Remuneration.** The value of any remuneration, in specified ranges, received from a business entity in the calendar year preceding the REPA reporting or anticipated during the calendar year following the REPA reporting that, when aggregated, annually equals or exceeds \$10,000.\* Remuneration includes salary and payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, and paid authorship.);
2. **Equity Interests.** The value of any equity interest (e.g., stock, stock options, or other ownership interest) in a business entity as of the date of REPA reporting that, when aggregated, equals or exceeds \$10,000 or represents an interest of 5% or more (regardless of worth), as determined through reference to public prices or other reasonable measures of fair market value; and
3. **Royalties Paid in Connection with Intellectual Property Rights.** The value of any royalties paid in connection with intellectual property rights, e.g., patents and copyrights, and any agreements to share in royalties related to such rights when the annual aggregated dollar amount equals or exceeds, or is anticipated to equal or exceed, \$10,000.

**Business interests** include holding any executive position in a business or membership on a board of a business entity, whether or not such activities are compensated.

**Conflict of Commitment Review.** The Conflict of Interest Program will forward all REPAs reflecting income amounts exceeding \$100,000 to the covered individual's unit head for a conflict of commitment review in accordance with the administrative policy: *Outside Consulting and Other Commitments* and related procedures.

**B. Reporting Not Required.** Covered individuals are *not* required to report the following:

1. Salaries, royalties, or other remuneration paid by the University to the covered individual;
2. Salaries, royalties, or other remuneration paid to adjunct faculty by their primary employer;
3. Income from seminars, lectures, or teaching engagements sponsored by governmental agencies or by non-profit entities organized solely for educational, religious, philanthropic, or research purposes (with the exception of non-profit entities created by for-profit corporations);
4. Income when serving as a special reviewer or review panelist for a public (governmental) or nonprofit entity;
5. Income from services provided to professional organizations;

6. Income from a private practice plan or private professional practice plan pursuant to Board of Regents policy;
7. Royalties received under Board of Regents Policy: *Commercialization of Intellectual Property Rights*, where the covered individual who received the royalties does not have any other relationship with the business entity paying the royalties that could result in a conflict of interest.

**C. Periodic Reporting.** In addition to the annual reporting requirements, all covered individuals must complete a new REPA within 30 days of a substantial change in a business interest or with respect to a financial interest (remuneration, equity, or royalties) that relates to their University expertise or responsibilities, or a change in their University responsibilities that relates to an existing business or financial interest.

**D. Reporting Exclusions/Adjunct Faculty.** Adjunct faculty, whether compensated or uncompensated, are exempt from these reporting requirements, unless, as part of their University activities, they are engaged in one or more of the higher-risk activities. A chancellor, dean, or administrative unit head, may, however, in the exercise of discretion, determine that the nature of an adjunct faculty member's relationship with one or more business entities is such that it should be reported.

**E. REPA Review.** Covered individuals have responsibility for the accuracy and completeness of the information reported on the REPA. Chancellors, deans, and administrative unit heads are responsible for reviewing that information and following up with the covered individual if they have questions or if they have reason to believe that the information reported may not be accurate or complete. All potential conflict of interest matters will be reviewed and managed centrally.

**F. Conflict of Interest Determinations and Management**

1. **Determinations.** University conflict review committees are authorized to determine whether an individual conflict of interest exists. Before a determination is made that a conflict of interest exists, conflict review committees or their corresponding executive committees will confer with the covered individual. Conflict review committees will determine whether a conflict exists by considering the nature of the University activity, the nature of the financial interest or business interest, and how closely the interest is related to the covered individual's University expertise and responsibilities.
2. **Management.** When a conflict review committee determines that an individual conflict of interest exists, it will determine whether the conflict must be eliminated or reduced or whether it can be effectively managed. A conflict management plan will be developed, in consultation with the covered individual and, in appropriate circumstances, with the covered individual's chancellor, dean, or administrative unit head. Additional restrictions may be imposed and additional obligations required when the conflict involves human subjects research. Covered individuals must fully comply with all management elements set forth in their conflict management plan and must confirm their compliance in writing at least annually. When required by the terms of a conflict management plan, covered individuals must also provide documentation demonstrating compliance.

Covered individuals may not engage in University activities in which there is an identified conflict of interest except in accordance with the terms of their conflict management plan.

## SECTION II. STANDARDS GOVERNING RELATIONSHIPS WITH BUSINESS ENTITIES

### A. **Consulting with Business Entities** (Applies to all covered individuals, Group A. More restrictive standards apply to covered individuals in Group B.)

1. **Written Agreement.** Covered individuals in Group B who provide compensated consulting services relating to their University expertise or responsibilities must enter into a signed, written agreement with the business entity prior to providing the consulting service. The written agreement must state the need for the services, describe the services and any deliverables to be provided, state the compensation to be paid and the timeframe covered by the agreement, and make clear that the covered individual is acting solely in his or her individual capacity and is not speaking for or acting on behalf of the University. All other covered individuals are encouraged to enter into such agreements, but are not required to do so, unless directed by a chancellor, dean, or administrative unit head. A copy of any written agreement may be requested for review as part of a conflict of interest review or other oversight process.
2. **Fair Market Value.** Professional fees paid for the consulting services provided should fall within reasonable parameters of the fair market value of the services provided. In addition to professional fees, covered individuals may also accept a business entity's payment of or reimbursement for reasonable and actual expenses incurred for travel, meals, and lodging.
3. **Travel Expenses.** Payment for or reimbursement by the business entity for travel, food, and lodging should be consistent with the standards set forth in administrative policy: *Traveling on University Business*, unless a chancellor, dean, or administrative unit head approves a different standard.
4. **Documentation Required.** Covered individuals who enter into a consulting relationship with a business entity must maintain documentation reflecting (a) the remuneration received from, and any travel expenses paid for or reimbursed by, the business entity and (b) the services provided, including estimates of the time and effort committed to providing the services. This documentation must be retained for the duration of the consulting relationship plus two years and must be available on request.
5. **Additional Compliance Obligations.** Covered individuals must also comply with the requirements of Board of Regents Policy: *Outside Consulting and Other Commitments*, the administrative policy: *Outside Consulting and Other Commitments*, and the related administrative procedures.

### B. **Using Products Developed and Provided by Business Entities** (Applies to all covered individuals, Group A)

1. **Educational Materials.** In connection with their University responsibilities, covered individuals may use educational materials developed or provided by business entities, but may not disseminate to students or require students to use educational materials that advertise or otherwise promote a product or service of a business. When using educational materials

developed by a business entity that do not reflect the name of the business entity that developed them, covered individuals must disclose the name of the business entity, if known.

- 2. Samples and Demonstration Items.** Units must centrally receive, document and disseminate free or discounted samples and demonstration items provided by a business entity. If such items are offered to a covered individual, he or she must refer the individual offering the items to a central location as designated by the particular campus, college or administrative unit. This requirement does not apply to (a) textbooks, software and related educational items that are provided in limited quantity to covered individuals to review for potential course adoption, or (b) laboratory supplies, reagents or pharmaceutical products and medical devices, provided in limited quantity for evaluation purposes.

In limited circumstances, chancellors, deans, and administrative unit heads may exempt certain arrangements from the requirements of this provision, taking into consideration whether the receipt of the free sample or demonstration item could influence any action a covered individual may take that could benefit the commercial interests of the business entity offering the free or discounted item.

In the clinical context, for demonstration and educational purposes, covered individuals are permitted to use a product or product insert information branded with the name of a particular business with a patient for whom the product has been prescribed.

**C. Attending or Participating in Events Sponsored by Business Entities** (Applies to all covered individuals, Group A)

- 1. Education and Training Events.** Covered individuals may attend on-site and off-site education and training events sponsored by business entities but may or may not be reimbursed for the expenses associated with attendance at such events. Chancellors, deans, and administrative unit heads will determine whether it is appropriate for the University or for the sponsoring business entity to cover such expenses or whether the covered individual must pay for them, taking into consideration the educational value of the event and whether the commercial interests of the company served by the participation of the covered individual outweigh the educational benefit to be derived by the covered individual from attendance at the event. Factors to consider include the frequency of the same or similar sponsored training, the venue, and the substance of the agenda.

Covered individuals may accept the payment or reimbursement for attendance at or participation in education and training events sponsored by business entities where the training is mandated by law.

Covered individuals may not accept compensation (e.g., an honorarium or consulting fees), simply for attending an education or training event sponsored by a business entity, listening to an audio presentation developed by or for a business entity, or reviewing web based training developed by a business entity unless the activity is conducted in the context of a written consulting agreement which meets the requirements of Section II.A of this policy and the activity has been approved by the covered individual's chancellor, dean, or administrative unit head.



2. **Business Funding for Continuing Education Events.** Business funding for continuing education events held at the University must be in the form of a grant made to a central or collegiate administrative unit. Although the business entity may have input with respect to the content or format of activities for which the grant may be used, the University co-sponsor will retain ultimate control with respect to the content or format of activities.

These educational events must meet applicable professional continuing education requirements. Chancellors, deans, and administrative unit heads may develop guidance to govern these circumstances.

3. **Sales and Marketing Events.** Covered individuals may give presentations at sales or marketing events sponsored by business entities when the subject matter of the event relates to their University expertise or responsibilities, if the information presented is evidence-based, and the lecture materials fairly reflect their independent views.

In these circumstances, covered individuals must disclose their financial or business relationship with the business entity, if any; and must state that the covered individual is speaking and acting solely in his or her individual capacity and not on behalf of the University.

#### **D. Presence of Business Entity Representatives on Campus (Applies to All Covered Individuals, Group A)**

Representatives of business entities are not permitted in any AHC research, clinical or teaching areas unless invited by faculty or staff, or unless the University has a contract with a business entity permitting it to use University resources. Chancellors, deans, and administrative unit heads in other colleges and administrative units are responsible for creating local policies to ensure that the presence of representatives of business entities on campus supports the educational, research, and outreach missions of the University.

#### **E. Gifts, Meals, & Entertainment** (Applies to all covered individuals, Group A. More restrictive standards apply to covered individuals in Group B.)

##### **1. Gifts.**

Covered individuals:

- may accept gifts that do not exceed the nominal value of \$25.00, but may not accept gifts if the total aggregate value from one business entity exceeds \$50 annually.
- may accept gifts of a value greater than the specified limits if they do so on behalf of the University or if a chancellor, dean, or administrative unit head determines that the acceptance of gifts is appropriate in an international context.
- may accept gifts provided by a business entity at off-site educational events if acceptance is optional and the gift is offered to all attendees (e.g., tote bags and door prizes at conferences).

The term "gift" does not include an award given for merit, excellence in a certain field of expertise, or a particular accomplishment.

Covered individuals who have purchasing authority on behalf of the University must ensure that their acceptance of gifts meets the standards for “nominal gift” set forth in administrative policy: *Purchasing Goods and Services*.

The President or delegate may grant a categorical exception, in writing, where the recipients of the gifts are not in a position to take action on behalf of the University that could benefit the commercial interests of the business entity offering the gifts.

## 2. **Meals and Entertainment.**

Covered individuals in Group B, unless authorized by a departmental approver in advance, may not accept meals, entertainment, or similar benefits from a business entity either on-site or off-site, with the exception of modest meals offered to all attendees at educational events.

For all other covered individuals, chancellors, deans, and administrative unit heads must ensure that business entities that provide meals, entertainment, or similar benefits to covered individuals do so to support the education, research, and outreach missions of the University.

The restrictions of this provision do not apply to events sponsored by business entities to benefit students (e.g., recruiting events).

## **F. Sponsored Research Involving Sub-Grantees, Contractors, or Collaborators** (Applies to all covered individuals, Group A)

When individuals outside the University participate as a sub-grantee, contractor, or collaborator in sponsored research with covered individuals the University, at least to the extent required by the research sponsor, will take reasonable steps to ensure that sub-grantees, contractors, or collaborators are adequately informed of their obligation to comply with all applicable conflict of interest reporting, review, and disclosure requirements as required by federal and state law, as well as all conflict of interest policies of research sponsors. This requirement is satisfied if the University’s contract or other agreement with the sub-grantee, contractor, or collaborator includes a provision setting forth these obligations.

## **G. Prohibited External Relationships or Activities** (Applies to all covered individuals, Group A)

Covered individuals may not:

1. **Accept Payment for Promotion of Products or Services.** Covered individuals may not accept payment for promoting the products or services or other commercial interests of a business entity. In a clinical setting, the incentive for making these payments may be to improperly induce patient referrals or influence the recipient’s prescribing practices or medical decision-making.

This prohibition also applies to “switching arrangements” in which a covered individual is influenced by financial gain to change the selection and/or use of an item used in University activities or in clinical practice from a competing product to the product of a particular business entity.

This does not prevent a covered individual, with the approval of a chancellor, dean, or administrative unit head, from selecting a product that the covered individual developed for educational, research, or outreach purposes.

2. **Receive Personal Gain Resulting from the Use of Instructional Materials They Developed.** Covered individuals may not personally profit from the assignment of materials, or the assignment of the venue for the purchase of materials, to students in classes, or any other instructional setting at the University without proper administrative approval by their department.
3. **Engage in Ghostwriting.** Covered individuals may not have their names and University affiliation associated with a publication or other article that was created by a business entity where the covered individual had no meaningful authorship in the publication or article. Authorship must be restricted to those individuals who made a significant intellectual contribution to the work including: conception, design, and performance; analysis and interpretation; and manuscript preparation and critical editing for intellectual content.
4. **Make Endorsements.** Covered individuals may not endorse a product or service developed or sold by a particular business unless a contract entered into by the University permits the endorsement. This provision applies to both written and oral endorsements when the product or service relates to the covered individual's University-related expertise or University responsibilities, whether or not the covered individual uses his or her University title in making the endorsement. This provision does not restrict (1) classroom discussions and other educational activities that involve comparative analysis, or (2) the covered individual from providing an opinion based on scholarly activity and research.

### SECTION III. DISCLOSING BUSINESS AND SIGNIFICANT FINANCIAL INTERESTS

- A. **Whether or not required by the terms of a conflict management plan, covered individuals must make the following disclosures:**
  1. **To research sponsors.** Covered individuals must disclose relevant business or significant financial interests to sponsors of research as required by the sponsor.
  2. **To professional journals and other publications.** When submitting a paper for publication, a covered individual must disclose to the editor any business or significant financial interest that may be affected by publication. This provision also applies to release of information to news media.
  3. **In the context of a public appearance.** Covered individuals must disclose relevant business or significant financial interests when they make an appearance, either in person or by way of a written communication, before any public body, commission, group, or individual, to present facts or to give an opinion respecting any issue or matter up for consideration, discussion, or action.
  4. **In the context of clinical health care.** Additional disclosure requirements apply to covered individuals involved in the clinical care of patients (see appendix).

**B. When required by the terms of a conflict management plan:**

1. Covered individuals must disclose relevant business or significant financial interests (e.g., to students, colleagues, and patients.)

**C. Retaining Documentation of Disclosures Made.** Covered individuals must retain documentation of the disclosures made for the period of time that the plan is in effect.

**SECTION IV: COMPLIANCE** (Applies to all covered individuals, Group A)

All covered individuals must comply with Board of Regents Policy: *Individual Conflicts of Interest*, this administrative policy and any other University policy or procedure related to conflicts of interest, and applicable federal and state law. Non-compliance may result in disciplinary action, up to and including termination of employment, as well as ineligibility of covered individuals to submit grant applications, seek approval from the Human Research Protection Program, or supervise graduate students.

**SECTION V. EDUCATIONAL REQUIREMENTS** (Applies to all covered individuals, Group A)

All covered individuals who are required to report business and financial interests on a REPA will be required to complete training on University policies and procedures on individual conflicts of interest and any applicable state and federal laws at least once every three years.

**SECTION VI. REVIEW**

The policy owner is responsible for reviewing and updating this policy as appropriate on a regular basis.

---

**REASON FOR POLICY**

To implement Board of Regents Policy: *Individual Conflicts of Interest* and to comply with federal and state law. This policy is intended to ensure that covered individuals report and fully disclose financial and business interests that relate to their University expertise and responsibilities so that potential conflicts of interest can be reviewed and, where conflicts of interest are found to exist, eliminated, reduced, or effectively managed. To gain and maintain the public's trust, the University must demonstrate that the work that is conducted here is free from improper influence and bias that might otherwise result from external interests and relationships.

---

**PROCEDURES**

- Reporting External Relationships and Business and Financial Interests-
- Evaluating Reports of Business and Financial Interests
- Avoiding Conflicts of Interest in Special Situations

---

**FORMS/INSTRUCTIONS**

- REPA: Annual Report of External Professional Activities

---

**ADDITIONAL CONTACTS**

Subject	Contact	Phone	Fax/Email
Primary Contact(s)	Lynn Zentner	612-626-7852	lzentner@umn.edu
Technical problems	EGMS helpline	612-624-1600	<a href="mailto:repa@egms.umn.edu">repa@egms.umn.edu</a>
Policy questions	Policy helpline	612-626-1462	REPAmail@umn.edu

---

**DEFINITIONS****Academic Employees**

Appointment categories which include Faculty (regular, term and adjunct; probationary and tenure track; temporary and visiting), and Academic Professional and Administrative (P&A) Staff.

**Associated Entity**

Any trust, organization, or enterprise over which the covered individual, alone or together with an immediate family member, exercises a controlling interest.

**Business Entity**

Any corporation, partnership, sole proprietorship, firm, franchise, association, organization, holding company, joint stock company, receivership, business or real estate trust, or any other nongovernmental legal entity organized for profit, nonprofit, or charitable purposes. With the exception of nonprofit entities created by for profit entities, this definition does not include organizations and entities that are organized solely for religious, philanthropic, educational, or research purposes.

**Business Interest**

Holding any executive position (e.g., Chief Executive Officer, Chief Operating Officer, Chief Scientific, or Technical Officer) in a business or membership on a board of a business entity, whether or not such activities are compensated. The term "board of directors" refers to the board of any business including boards of trustees, scientific advisory boards, medical advisory boards, and boards of professional societies.

**Clinical Health Care**

The provision of medical, nursing, or other health-related care to humans or animals for the treatment of disease or injury. In the context of animals, this definition includes those owned by the University and those brought to the University by their owners specifically for the purpose of health care.

**Conflict of Interest (Individual)**

A relationship between a covered individual's private business or financial interests, or those of the covered individual's family members, and the covered individual's expertise and responsibilities such that an independent observer might reasonably question whether the individual's objectivity in the performance of University responsibilities could be compromised by considerations of personal gain.

In the context of research, a *financial conflict of interest* means a significant financial interest that could directly and significantly affect the design, conduct, or reporting of the research.

### **Conflict Management Plan**

A formal document approved by the applicable conflict review committee that directs the covered individual's management of the conflict of interest.

### **Conflict Review Committee (CRC)**

University committees responsible for determining whether a given situation involves a conflict of interest and, if it does, also determining whether the conflict must be eliminated or, alternatively, identifying mechanisms to effectively manage the conflict. Each committee will consist of both voting and nonvoting members. Voting members consist of faculty and professional academic and administrative staff and community members whose appointments to the committee have been approved by the University's senior vice presidents. Nonvoting members may include representatives from the Office of Institutional Compliance, Office of Technology Commercialization, Sponsored Projects Administration, Human Research Protection Program, Office of Research Integrity and Oversight Programs, and Office of the General Counsel.

### **Consulting**

A commitment outside the University engaged in by a covered individual that is related to that individual's University-related expertise or which overlaps with the covered individual's University responsibilities. The outside commitment involves the provision of paid professional services intended to further the interests of an outside party, irrespective of whether such services are provided as an employee of the outside party, an independent contractor, a business owner, or as a director or manager. An outside consulting activity involves the provision of services that are outside the scope of the covered individual's University responsibilities. "Consulting" for the purposes of this policy, includes, but is not limited to, the provision of services in the following contexts: product/service development and evaluation, teaching, demonstrating particular techniques or technologies, speaking engagements, scientific, technical or other professional advisory board membership, position paper preparation, or serving as an expert witness in legal proceedings. Activities that are excluded from this definition are set forth in administrative procedure: *Outside Consulting and Other Commitments by Faculty and Academic Professional and Administrative (P&A) Staff*.

### **Covered Individual**

The following: (a) faculty and staff; (b) individuals with responsibility for the design, conduct, or reporting of University research; and (c) other individuals authorized to act on behalf of the University to fulfill to support its research and discovery, teaching and learning, and outreach and public service mission.

### **Departmental Approver**

The immediate administrator; typically the department head, department chair, or department/division director.

### **Electronic Grants Management System (EGMS)**

The electronic system used by covered individuals to complete the Report of External Professional Activities (REPA) (<http://egms.umn.edu>).

**Endorsement**

A promotional statement made to further the commercial interests of a business entity.

**Equity Interest**

Any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value.

**Fair Market Value**

The rate of compensation paid under a consulting agreement to a covered individual that meets the following criteria:

- a. Reflects the expertise and credentials of the covered individual;
- b. Is comparable to the compensation paid to the covered individual's peers;
- c. Is reasonable in the context of the services provided;
- d. Does not include an enhancement in exchange for an agreement to improperly:
  - i. Make or induce others to make referrals to a business entity;
  - ii. Make or induce others to endorse the products or services of a business entity; or
  - iii. Influence research results to benefit the interests of a business entity.

**Family Member**

The covered individual's spouse or domestic partner, dependent children, and any other family member whom the covered individual reasonably knows may benefit personally from actions taken by the covered individual on behalf of the University.

**Financial Interest and Significant Financial Interest****Financial Interest:**

Anything of monetary value, including, but not limited to:

- a. An interest in a business consisting of any stock, stock option, or similar equity interest (excluding any interest arising solely because the investment is in a pension, mutual fund, or other institutional investment fund over which the employee does not exercise control); or
- b. The receipt of or the right or expectation to receive any income, such as a consulting fee, honoraria, salary, allowance, royalty, or any other form of compensation from a business entity.

**Significant Financial Interest:**

Anything of monetary value where the value equals or exceeds:

- a. An aggregated equity interest in a business representing ownership of 5% (regardless of worth) or a value of \$10,000 as determined through reference to public prices or other reasonable measures of fair market value;
- b. An aggregated annual income of all types from a business of \$10,000; or
- c. A commitment for future royalties from a business entity beyond the next 12 months that are expected to be \$10,000 in aggregated annual income.

**Non-compliance**

Non-compliance with the provisions of this policy includes, but is not limited to, intentionally filing an incomplete, erroneous, or misleading report of external activities, failing to provide additional information as required by the approving authority, or failing to follow an approved plan for managing, reducing or eliminating a potential conflict.

### **Outside Associates**

Researchers working for sub-grantees, contractors, or collaborators outside the University who participate in research for which the University has primary responsibility.

### **Participate**

To be part of a University activity in any capacity, including, but not limited to, serving as the principal investigator, co-investigator, research collaborator, or provider of direct services or patient care. The term also applies to teaching, engaging in outreach activities, and/or providing administrative services. The term does not apply to individuals who provide primarily technical or advisory support and have no direct access to the data or control over its collection or analysis. The term also does not apply to the study participants, unless they are in a position to influence the study's results or have privileged information as to the outcome.

### **REPA (Report of External Professional Activities)**

The form in the Electronic Grants Management System (EGMS) used by covered individuals to report external professional activities at least annually.

### **Reporting Obligations**

A requirement to report means that, at least annually, covered individuals must provide information regarding external financial and business relationships that relate to their University responsibilities using an established reporting process internal to the University. Covered individuals must also report substantial changes in financial or business interests within 30 days of the time that the change occurs. A "substantial change" includes, but is not limited to, an increase in the value of an existing financial interest to a value that qualifies it as a significant financial interest. A "substantial change" also includes a covered individual's acquisition of a new significant financial interest (e.g., through purchase, marriage, or inheritance).

### **Remuneration**

Includes salary and any payment of services not otherwise identified as salary (e.g., consulting fees, honoraria, and paid authorship).

### **Sales and Marketing Event**

An event sponsored by a business entity primarily for the purpose of promoting its commercial interests.

### **Sponsored Project**

Research, training, and instructional projects involving funds, materials, or other compensation from outside sources under agreements that contain any of the following: The agreement binds the University or an affiliated institution to a line of scholarly or scientific inquiry specified to a substantial level of detail; a line-item budget is involved; financial reports are required; the award is subject to external audit; unexpended funds must be returned to the sponsor at the conclusion of the project; or the agreement provides for the disposition of either tangible or intangible properties that may result from the activity.

### **Technology Commercialization**



When the University either licenses technology developed by a University inventor to a third party or provides notice to the inventor that it is waiving or otherwise assigning to an inventor all or part of the University's rights, titles, or interests in or to a technology created by the inventor.

**Travel Expenses**

Include costs of transportation, lodging, and meals.

**Unit Head**

The department, unit or division head, as appropriate.

**University Activities**

Teaching, research, outreach, public service, and administrative activities. These activities also include clinical activities engaged in by faculty covered under private practice plans.

**RESPONSIBILITIES**

**Collegiate Approver**

Reviews REPA. Follows up with the covered individual if there are questions regarding the information reported. Approves REPAs where the covered individual answers "no" to all questions in Part 1 (General Questions). Refers the disclosure for review by the Conflict of Interest Program if any questions in Part 1 are answered "yes". The collegiate approver is the senior administrative officer for the college or administrative unit (typically a dean or vice president) or that officer's designee.

**Conflict Review Committee (CRC)**

Reviews REPAs and other related information to determine if a conflict of interest exists, and, if a conflict of interest exists, takes action to manage, reduce, or eliminate the conflict and defines the elements of a conflict management plan.

**Covered Individual**

Reports external professional activities at least annually and, where a conflict management plan has been issued to the individual by a CRC, complies with management mechanisms specified in the plan and, at least annually, confirms his or her compliance with the plan.

**Department Approver**

Reviews REPA forms completed by covered individuals in the approver's college, unit, or department. Addresses any identified discrepancies with the covered individual or the collegiate approver.

**Executive Conflict Review Committee**

A subgroup of a Conflict Review Committee that gathers information to evaluate conflict of interest risk, in appropriate situations determines whether a conflict of interest exists, and prepares potential conflict of interest matters for presentation to the appropriate CRC. Members include the chair of the associated CRC, representatives from the Office of Institutional Compliance, and a representative from the Office of the General Counsel.

**Office of Institutional Compliance**

Administers the conflict review and oversight process, convenes the CRCs, and directs the Conflict of Interest Program.

## Unit Approver

Responsible for reviewing the REPA and following up with the covered individual if they have questions or if they have reason to believe that the information reported may not be accurate or complete.

---

## APPENDICES

- Individual Conflicts of Interest: Clinical Care – Patient Contact in Health Sciences
- Quick Reference Guide

---

## FAQ

- TBD

---

## RELATED INFORMATION

### Board of Regents Policies:

- *Code of Conduct*
- *Individual Business or Financial Conflict of Interest*
- *Institutional Conflict of Interest*
- *Purchasing*

### Administrative Policies:

- *Managing Potential Institutional Conflicts of Interest*
- *Outside Consulting and Other Commitments*
- *Purchasing Goods and Services*
- *Purchasing a Professional Service*
- *Traveling on University Business*
- *Educational Materials Conflict of Interest: Twin Cities, Crookston, Morris, Rochester*

### Other Related Information:

- OMB Circular A-110, "Uniform Administrative Requirements for Grants and Agreements"
- OMB Circular A-21, "Cost Principles for Educational Institutions"
- Minnesota Statute, Section 15.43, "Acceptance of advantage by state employee; penalty"
- Minnesota Statute 179A.01 and 179A.11, "External Subcontracting"
- Federal Acquisition Regulations

## HISTORY

### Effective:

### Supersedes:

Implementing the Individual Business or Financial Conflict of Interest Board of Regents Policy, updated May 2007.



# Conflicts of Interest Quick Reference Guide

**Related Policy:** Individual Conflicts of Interest

This Quick Reference Guide provides key points from the administrative policy: *Individual Conflicts of Interest* for all covered individuals (Group A). For more comprehensive information on any topic highlighted below, refer to the governing policy. In some areas, more restrictive standards apply to individuals involved in higher-risk activities (SubGroup B), which includes: (a) human subjects research with more than minimal risk to subjects; (b) clinical health care; (c) technology commercialization; (d) influencing the content of health education; and (e) being in a position to take action on behalf of the University that could benefit the commercial interests of a business and further a personal financial relationship. *Individuals engaged in clinical health care must follow a separate appendix.*

## Governing Relationships with Business Entities

	All Covered Individuals (Group A)	
	Group B (Higher Risk Activities)	All other covered individuals (Non High Risk Activities)
<b>Consulting - Written Agreement</b>	Required prior to providing consulting services. (See policy for specifics)	Not required, but encouraged
<b>Consulting - Fair Market Value</b>	Consulting rates must fall within reasonable parameters of the fair market value of the services provided.	
<b>Consulting - Travel Expenses</b>	Reimbursement for travel expenses should follow the University's administrative policy: <i>Traveling on University Business</i> .	
<b>Consulting - Documentation</b>	Must maintain consulting documentation of remuneration and services for the duration of the consulting relationship plus two years.	
<b>Educational Materials</b>	May use educational materials ONLY if they do not advertise or promote a product or service of a business or if they are not disseminated to students. When teaching, must disclose the name of the entity that developed the materials to the students, where known.	
<b>Samples and Demonstration Items (from business entities)</b>	May accept samples and demonstration items BUT must receive centrally in the unit. Doesn't apply to textbooks, software, and related educational items, laboratory supplies or reagents, or pharmaceutical products and medical devices (in limited quantities).	
<b>Education and Training Events</b>	May attend both on-site and off-site events sponsored by business entities. Payment/reimbursement is allowed for attendance at or participation in the events ONLY where training is mandated by law. May not accept compensation (e.g., honorarium) simply for attending an event, listening to an audio presentation, or reviewing training unless the activity is conducted in the context of a written consulting agreement.	
<b>Business Funding for Continuing Education Events</b>	Allowable, if made in the form of a grant to a collegiate or equivalent unit; meets applicable professional continuing education requirements; and University retains ultimate control.	
<b>Sales and Marketing</b>	Allowed when the subject matter relates to their University expertise or responsibilities, based on evidence, and matters reflect their independent views.	
<b>Presence of Business Representative on Campus</b>	Not allowed in any AHC research, clinical or teaching areas except by invitation or when AHC has a contract for services in place. Allowed for all other units, unless prohibited by local policies.	
<b>Gifts</b>	Allowed up to \$25.00, with an annual aggregate maximum of \$50. Allowed at off-site educational events (e.g., tote bags).	

	<b>All Covered Individuals (Group A)</b>	
	<b>Group B (Higher Risk Activities)</b>	<b>All other covered individuals (Non High Risk Activities)</b>
<b>Food and Entertainment (purchased by business)</b>	Not allowed, unless authorized in advance, except for modest meals at educational events.	Allowed, but must further education, research, teaching, and outreach missions.
<b>Sponsored Research Involving Sub-Grantees, Contractors, or Collaborators</b>	Must take reasonable steps to ensure that sub-grantees, contractors, or collaborators are informed of their conflict of interest obligations.	
<b>Prohibited External Relationships or Activities</b>	Relationships not allowed include those that: <ul style="list-style-type: none"> <li>• Provide payments for promoting or using the products, services, or other commercial interests of a business entity.</li> <li>• Creates personal profit when assigning materials to students without proper administrative approval</li> <li>• Constitutes ghost writing</li> <li>• Involve endorsement of a product or service unless there is a contract entered into by the University that permits endorsement.</li> </ul>	
<b>Disclosing Business and Significant Financial Interests</b>	Must make disclosures of business or significant financial interests: <ul style="list-style-type: none"> <li>• To research sponsors (as required by the sponsor)</li> <li>• To professional journals and other publications (including release of information to the news media)</li> <li>• In the context of a public appearance</li> <li>• When required by the terms of a conflict management plan</li> </ul>	
<b>Educational Requirements</b>	Required to complete related conflicts of interest training at least once every three years.	

### Reporting and Disclosure Requirements

	<b>All Covered Individuals</b>	
	<b>Group A</b>	<b>Group B (Higher Risk Activities)</b>
<b>Annual Reporting</b>	Required via a Report of External Professional Activities (REPA) to report: <ul style="list-style-type: none"> <li>• significant financial or business interests (greater than \$10,000);</li> <li>• equity interests in a publicly traded entity (aggregated amount exceeds \$10,000);</li> <li>• equity interests in a non-publicly traded entity (any amount);</li> <li>• intellectual property rights; and</li> <li>• any external executive position or membership in a business entity</li> </ul>	
<b>Reporting Not Required</b>	Reporting does not include: <ul style="list-style-type: none"> <li>• Payments from the University to the employee (e.g., salary)</li> <li>• Royalties received under Board of Regents policy, if the individual has no other relationship with the business entity paying the royalties;</li> <li>• Income from services provided to professional organizations</li> <li>• Income from activities sponsored by governmental agencies or non-profit entities organized solely for educational, religious, philanthropic or research purposes.</li> <li>• Income from private practice plans or private professional practice plans pursuant to Board of Regents policy</li> </ul>	
<b>Period Reporting</b>	Must complete a new REPA with 30-days of a substantial business or financial interest related to their University expertise and responsibilities.	
<b>Reporting Exclusions</b>	Adjunct faculty are excluded UNLESS engaged in human subjects research, clinical health care, technology commercialization, or medical education.	
<b>Disclosures</b>	Yes, if (a) required by a conflict management plan; (b) if engaged in clinical care of patients; or (c) on a public website where a conflict of interest exists and is related to research funded by Public Health Service (PHS).	



# Implementation Timeline: Individual Conflicts of Interest

**Related Policy:** Individual Conflicts of Interest

The table below provides the implementation dates for each of the subject area requirements in the Administrative Policy: Individual Conflicts of Interest.

Subject Area	Requirements	Effective Date
<b>I. Reporting Business and financial Relationships with Business Entities, and Identifying and Managing Conflicts of Interest</b>		
Reporting External Relationships	Annual REPA reporting	2/1/2011 (regularly scheduled date).
	Adjuncts	2/1/2011 for adjuncts not previously required to file a REPA
	Periodic reporting required when there are substantial changes	In effect – no change.
	Conflict of commitment review when outside income exceeds \$100,000	2/1/2011
<b>II. Standards Governing Relationships with Business Entities</b>		
Consulting with Business Entities	Written agreements for consulting arrangements ( <i>Group B only</i> )	As of policy implementation date for new engagements.  For existing engagements, no more than one year from the effective date of this appendix or the end of the consulting arrangement, <i>whichever occurs first</i> .
	Fair Market Value for consulting fees	As of policy implementation date for new engagements.  For existing engagements, no more than one year from the effective date of this appendix or the end of the consulting arrangement, <i>whichever occurs first</i> .
	Rates for travel expense reimbursements	As of policy implementation date for new engagements.  For existing engagements, no more than one year from the effective date of this appendix or the end of the consulting arrangement, <i>whichever occurs first</i> .
	Documentation related to consulting arrangements	As of policy implementation date.
	University's right to review agreements and related documentation	As of policy implementation date.

<b>II. Standards Governing Relationships with Business Entities</b>		
<b>Using Products Developed and Provided by Business Entities</b>	Using educational materials provided by business entities	As of policy implementation date for new materials.  1/1/2011 end date for using promotional materials already received for fall semester.
	Disclosing the name of the business entity that developed the educational materials	As of policy implementation date
	Samples and demonstration items – central receipt and dissemination in the unit	As of policy implementation date for new samples; 1/1/2011 for gathering and centralizing all existing samples
<b>Attending or Participating in Events Sponsored by Business Entities</b>	Permitting a business entity to pay for attendance at education and training events	As of policy implementation date for all events planned or scheduled after the effective date of the policy.
	Prohibiting compensation for attending a business sponsored event	As of policy implementation date.
	Business funding for continuing educational events held on campus	As of policy implementation date for all events planned or scheduled after the effective date of the policy.
	Sales and Marketing Events	As of policy implementation date.
<b>Presence of Business Entities</b>	Representatives of business entities are permitted in teaching, clinical and research areas of the AHC by invitation or contract only	As of policy implementation date.
<b>Gifts, Food, and Entertainment</b>	Accepting gifts	As of policy implementation date.
	Accepting meals and entertainment paid for by a business entity	As of policy implementation date.
<b>Prohibited External Relationships or Activities</b>	<ul style="list-style-type: none"> <li>• Accepting payment for promotion of products or services</li> <li>• Receiving personal gain resulting from using instructional materials the covered individual developed</li> <li>• Engaging in ghostwriting</li> <li>• Making endorsements</li> </ul>	As of policy implementation date.
<b>III. Disclosing Business Interests and Significant Financial Interests</b>		
<b>Generally</b>	Disclosures made: <ul style="list-style-type: none"> <li>• In the context of clinical health care</li> <li>• To research sponsors</li> <li>• To professional journals and other publications</li> <li>• In the context of a public appearance</li> </ul>	As of policy implementation date.
<b>When Required by a Conflict Management Plan</b>	Disclosures made: <ul style="list-style-type: none"> <li>• To the public</li> <li>• Others as specified in the conflict management plan</li> </ul>	To be determined. As of policy implementation date.
<b>IV. Educational Requirements</b>		
	Complete training on individual conflicts of interest	As of policy implementation date.

**12. SENATE CONSULTATIVE COMMITTEE**  
**Conflict of Interest Administrative Policy**  
**Action by the University Senate**  
**(30 minutes)**

**MOTION:**

The Faculty Consultative Committee moves Senate approval of this policy, recognizing that such approval does not encompass the so-called Appendix A that is currently in force as a unit-specific policy within only the Academic Health Center. The Senate urges the administration to continue its ongoing consultation process with respect to Appendix A, with the ultimate goal of revising it based on that consultative process and submitting to the Senate a proposed University-wide appendix designed to cover all researchers involved in clinical care activities.

**COMMENT:**

In November 2009, a draft policy was disseminated to all faculty, P&A staff, and graduate students. The policy was posted on the Policy Library website for six weeks. During the posting period, more than 150 comments were received. Each was reviewed and considered. In addition, Lynn Zentner received numerous additional comments via e-mail. Many comments voiced concern that the policy was too restrictive if it was to have University-wide application.

A consultation process was developed to obtain further feedback and recommendations. The policy was consulted with the President's Policy Committee (PPC), the Faculty Consultative Committee (FCC), the Senate Committee on Faculty Affairs (SCFA), the Senate Research Committee (SRC), the Twin Cities Deans Council, the Council of Research Associate Deans (CRAD), the chancellors, the International Programs Council, the Carlson School of Management Faculty Consultative Committee, the School of Public Health Leadership Group, the Council of Academic Professionals and Administrators (CAPA) Executive Committee, and the AHC Student Consultative Committee.

The University revised its approach and in April of 2010 completed a second draft that was risk-based in its approach. That draft was consulted with the following groups: the PPC, the Twin Cities Deans Council, SCFA, CRAD, SRC, CAPA Executive Committee, and FCC.

Very recently, during late summer and early fall of 2010, further consultation has taken place with the Twin Cities Deans Council, the FCC, the President's Policy Committee, and the SCC.

**KATHRYN VANDENBOSCH, CHAIR**  
**SENATE CONSULTATIVE COMMITTEE**

**MEETING OF THE STUDENT SENATE**

**THURSDAY, SEPTEMBER 30, 2010**

**11:30 A.M. - 1:30 P.M.**

**25 Mondale Hall--Twin Cities Campus  
116 Kiehle Hall--Crookston Campus  
173 Kirby Plaza--Duluth Campus  
7 Humanities and Fine Arts--Morris Campus  
Room 397—Rochester Campus**

This is a meeting of the Student Senate. There are 38 voting members of the Student Senate. A simple majority must be present for a quorum. Most actions require only a simple majority for approval. Actions requiring special majorities for approval are noted under each of those items.

**1. STUDENT SENATE NOMINATING SUBCOMMITTEE**

**Approval of Appointed Senators**

**Action**

**(2 minutes)**

**MOTION:**

That the Student Senate approve the appointment of the following Twin Cities student senators:  
List will be sent prior to the meeting.

**TERRANCE PAAPE, CHAIR  
STUDENT SENATE NOMINATING SUBCOMMITTEE**

**2. INTRODUCTIONS**

**(15 minutes)**

**3. STUDENT SENATE ORIENTATION**

**(45 minutes)**

**4. PRESIDENTIAL SEARCH PROCESS**

**Discussion**

**(15 minutes)**

**5. COUNCIL OF ACADEMIC PROFESSIONALS AND ADMINISTRATORS UPDATE**

**(5 minutes)**

**For Information:**

Council of Academic Professionals and Administrators (CAPA) represents the professional class of 5200 non-unionized employees at the University. This class was started in 1980 and CAPA was formed as an advisory committee to the President. Academic professionals (P&A) have skills between civil service employees and faculty in jobs such as teachers, researchers, advisors,



counselors, and extension service workers. Most people stay in this classification or move to a faculty position. P&A employees have some of the same benefits as faculty, but work on annually renewable contracts.

CAPA meets from 9:00-11:30 am the third Friday of each month and meetings are open to the public. CAPA consists of 40 representatives from campus units and colleges and has four committees: Benefits and Compensation, Representation and Governance, Professional Development and Recognition, and Communications.

**6. CIVIL SERVICE COMMITTEE UPDATE  
(5 minutes)**

**For Information:**

The Civil Service Committee (CSC) represents the approximately 5000 employees in this category which includes accountants, scientists, executive assistants, and administrators. The classification was started in 1945 with the passage of the civil service rules by the Regents. In 1984 PELRA was passed which allowed for the creation of a bargaining unit separate from civil service employees.

CSC is composed of fifteen members and several alternates. The committee elects a chair, vice chair, and treasurer each year, with the vice chair becoming next year's chair. Members are selected by a committee and appointed by the President to three-year terms. CSC meets the fourth Thursday of each month from 9:00 am-12:00 pm.

**7. STUDENT SENATE/ STUDENT SENATE  
CONSULTATIVE COMMITTEE CHAIR REPORT  
(5 minutes)**

**8. ASSEMBLY/ASSOCIATION UPDATES  
(5 minutes)**

**9. MINUTES FOR MAY 6, 2010  
Action  
(2 minutes)**

**MOTION:**

To approve the Student Senate minutes, which are available on the Web at the following URL:

<http://www1.umn.edu/usenate/ssen/100506stu.html>

**STUART GOLDSTEIN, CLERK  
UNIVERSITY SENATE**

**10. 2010-11 COMMITTEES OF THE STUDENT SENATE  
Action  
(2 minutes)**

Student Senate committee memberships for 2010-11:

**STUDENT AFFAIRS - Students:** Silvia Canelon (co-chair), Adam Arling, Thomas Rozeske, Elizabeth Vose, 5 to be named. **Faculty/PA:** Joyce Holl (co-chair), Anthony Albecker, Christiane Bartels, Elena Machkasova, Thomas Reynolds, Carlos Torelli. **Alumni:** Nathan Pelzer. **Civil Service:** Thomas Bilder. **Ex Officio:** Kendre Turonie, Amelious Whyte.

**FOR INFORMATION:**

**ACADEMIC HEALTH CENTER STUDENT CONSULTATIVE - Students:** To be named (chair), Samantha Berget, Brandon Burk, Sean Corvin, Mark DeRocher, Grant Hennington, Erin Kasper, Megan Meyer, Eden Sonn, Daniel Stein, 8 to be named.

**STUDENT COMMITTEE ON COMMITTEES - Students:** To be named (chair), Silvia Canelon, Terrance Paape, Danny Spors, Evan Symons, 3 to be named

**STUDENT SENATE CONSULTATIVE - Students:** Aaron Carlson (chair), Bree Dalager, Thomas Haarstick, Jonathan Lundberg, Terrance Paape, Mark Privratsky, Evan Symons, John Worden, 2 to be named.

**JOANNA O'CONNELL, CHAIR  
COMMITTEE ON COMMITTEES**

**11. 2010-11 SENATE AGENDA ITEMS**

**Discussion  
(10 minutes)**

**12. OLD BUSINESS**

**13. NEW BUSINESS**

**14. ADJOURNMENT**

**1. STUDENT SENATE NOMINATING SUBCOMMITTEE**  
**Approval of Appointed Senators**  
**Action**  
**(2 minutes)**

**MOTION:**

That the Student Senate approve the appointment of the following Twin Cities student senators:

Jade Beauclair – College of Education and Human Development  
Maud Boateng – College of Pharmacy  
Catherine Brumm – School of Dentistry  
Elizabeth Collins – College of Liberal Arts  
Tracy Dalluge – College of Design  
Max Davenport – Carlson School of Management  
Leah Dorschner – College of Liberal Arts  
Dasha Grayson – School of Nursing  
Takayuki Inukai – College of Liberal Arts  
Adam Matula – College of Science and Engineering  
Jessica Proskin – College of Liberal Arts  
Stephanie Ritenour, College of Continuing Education  
Phil Roban – Medical School  
Wesley Sellner – College of Science and Engineering  
Ashley Terrell – School of Public Health

**TERRANCE PAAPE, CHAIR**  
**STUDENT SENATE NOMINATING SUBCOMMITTEE**

**University of Minnesota  
Student Senate**

Student Senate Orientation  
September 30, 2010

---

---

---

---

---

---

---

---

**The Purpose Of Senate**

☞ According to the University Senate Constitution:

"In general, the responsibility of the Student Senate shall include but not be limited to matters in the area of student government, student organizations, and student publications. The Student Senate shall also exercise an advisory role on matters of student behavior and student academic integrity."

☞ As members of University Senate, we are to represent the University as a whole.

---

---

---

---

---

---

---

---

**The History of Senate**

☞ University Senate met for the first time on October 3, 1912

- ☞ Only faculty were members
- ☞ Representatives served instead of all faculty expected to attend

☞ 1969 - Students were added

☞ 1993 - Faculty-like academic professionals joined

☞ 2004 - Remaining academic professionals and civil service staff were added

☞ University of Minnesota is the only institution to have all employees and students allowed in its Senate

---

---

---

---

---

---

---

---

## The Consultative Process

- ☞ Early consultation
- ☞ Joint formulation of procedures
- ☞ Time to formulate responses
- ☞ Availability of information
- ☞ Adequate feedback
- ☞ Communication of the decision

---

---

---

---

---

---

---

---

## Committees, Positions & Roles

- ☞ Student Senate Consultative Committee
  - ☞ Representatives from each Campus
  - ☞ Sets the Agenda for Student Senate
  - ☞ Takes Action for the Student Senate when a decision is required prior to the next scheduled meeting
- ☞ Student Senate Chair & Vice Chair
- ☞ Senators
- ☞ Committee Members

---

---

---

---

---

---

---

---

## University of Minnesota Senate Committees

- ☞ 25 Committees
- ☞ Student Representation
- ☞ Types of Policies for Each Committee

---

---

---

---

---

---

---

---

## List of Senate Committees



- ☞ Academic Freedom and Tenure
- ☞ Advisory Committee on Athletics
- ☞ All-University Honors
- ☞ Committee on Committees
- ☞ Council on Liberal Education
- ☞ Disabilities Issues
- ☞ Educational Policy
- ☞ Equity, Access, and Diversity
- ☞ Faculty Academic Oversight of Intercollegiate Athletics
- ☞ Faculty Affairs
- ☞ Faculty Consultative
- ☞ Finance and Planning
- ☞ Information Technologies
- ☞ Judicial
- ☞ Library
- ☞ Research
- ☞ Social Concerns
- ☞ Senate Consultative
- ☞ Student Academic Integrity
- ☞ Student Affairs
- ☞ Student Behavior
- ☞ Student Senate Consultative

---

---

---

---

---

---

---

---

## What to expect at a Senate meeting



- ☞ Before the meeting starts
  - ☞ Meeting Dates and Locations
  - ☞ Read materials
  - ☞ Dress Code
- ☞ Upon arrival
  - ☞ Sign-in
  - ☞ Take voting card
  - ☞ Pick-up agendas and handouts
- ☞ During the meeting
  - ☞ Follow along on the agenda
  - ☞ Use Senate Etiquette
    - ☞ Stand and Move to microphones
    - ☞ Wait to be recognized before speaking
    - ☞ State name and affiliation before making comments

---

---

---

---

---

---

---

---

## Senate & Robert's Rules Guidelines



- ☞ Senate-specific
  - ☞ Membership eligibility
  - ☞ Ex Officio members
  - ☞ Attendance/removal
  - ☞ Proxies
  - ☞ Chair
  - ☞ Quorum
  - ☞ Speaking
- ☞ Robert's Rules
  - ☞ Constitution, Bylaws, Rules
  - ☞ Debate
  - ☞ Motions
  - ☞ Amending
  - ☞ Voting

---

---

---

---

---

---

---

---

### Senate Network: Who Are We Working With?

- ☐ Council of Academic Professionals (CAPA)
- ☐ Civil Service Committee (CSC)
- ☐ Student Associations/Assemblies
  - ☐ CSA - Crookston Student Association
  - ☐ UMDSA - University of Minnesota Duluth Student Association
  - ☐ MCSA - Morris Campus Student Association
  - ☐ MSA - Minnesota Student Association
  - ☐ GAPSA - Graduate and Professional Student Assembly
  - ☐ Rochester organization being considered
- ☐ Faculty Senate & Faculty Consultative Committee (FCC)

---

---

---

---

---

---

---

---

### 2009-2010 Student Senate Issues

- ☐ Internal
  - ☐ Increased communication with Senate committees
- ☐ Discussions
  - ☐ Coordination of Student Governance across the institution
  - ☐ University's Legislative Request and the State's Budget Forecast
  - ☐ Student Fee Increases
- ☐ Action Items
  - ☐ Student Release Questions
  - ☐ Rochester seat in Student Senate
  - ☐ Legitimate absences for:
    - ☐ Sickness of dependents
    - ☐ Student Senate service
    - ☐ Graduate and Professional School interviews

---

---

---

---

---

---

---

---

### Moving Forward

---

---

---

---

---

---

---

---

## Senate Priorities

- ☞ Communication
- ☞ Information
- ☞ University of Minnesota Budget
- ☞ Minnesota Legislature

---

---

---

---

---

---

---

## Student Senate Approach

- ☞ Regular Attendance of Senators at Student Senate and University Senate meetings
- ☞ Participation in other governance venues
- ☞ Coordination among student governance
- ☞ Spreading Awareness, Serving Students

---

---

---

---

---

---

---

## Questions and Comments

---

---

---

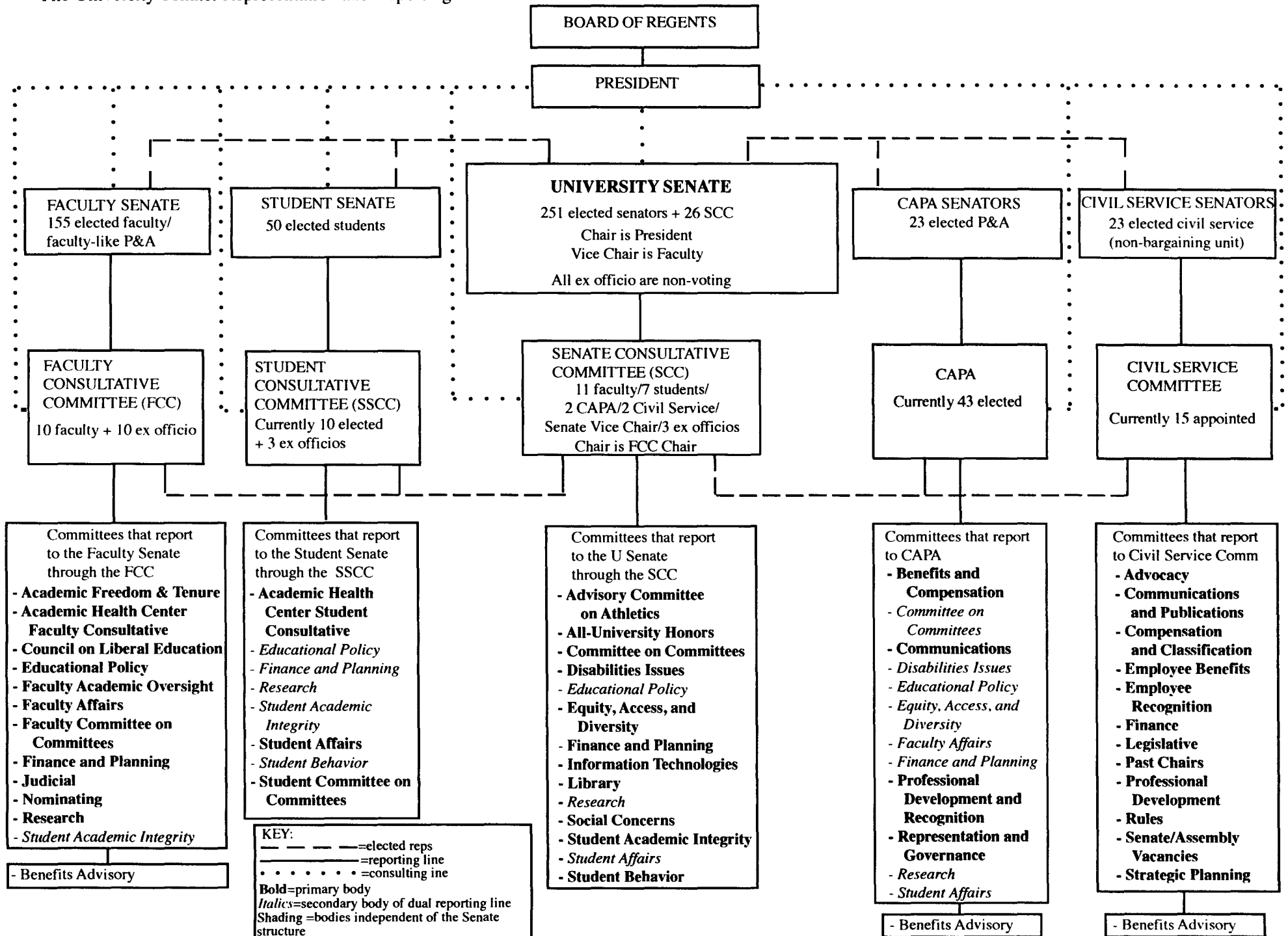
---

---

---

---





## **Senate and Robert's Rules Guidelines for Senators**

### **Senate-specific**

- **Membership Eligibility**
  - Faculty, faculty-like academic professionals, and students elected by college
  - Full-time faculty and faculty-like academic professionals
  - All registered students
  - All academic professionals and non-bargaining unit civil service
- **Ex officio members**
  - Non-voting
  - Appointed due to their position at the University (e.g. committee chairs, deans, vice presidents, chancellors)
- **Attendance/Removal**
  - Non-student members are removed after missing three consecutive meetings
  - Student members are removed after missing two meetings
  - Excused absences granted with advance notice
  - Senators secure own alternate
  - Attendance posted on the web
- **Proxies**
  - Allowed at Senate meetings, but not committee meetings
- **Officers**
  - Student Senate elects own chair from among members
  - President is Chair of University Senate and Faculty Senate
  - Clerk and Parliamentarian elected by Faculty Senate
- **Quorum**
  - 50 percent plus one
- **Speaking**
  - Only members can speak at meetings
  - Member can yield time to a nonmember to speak

### **General Robert's Rules**

- **Constitution, Bylaws, Rules**
  - Constitution requires two-thirds absolute majority and Regental approval
  - Bylaws require two-thirds majority
  - Rules require majority
  - Each Senate can amend its own section
- **Debate**
  - Hear all points without repetition
  - Alternate between pro and con viewpoints
- **Motions**
  - How action is taken by the Senate
- **Amending**
  - How a motion is changed
  - If lengthy, best to present in writing
- **Voting**
  - Majority vote
  - Votes can be taken by voice, by hand, by ballot, or electronically
  - Coordinate campus vote count reported by convener

**Administrative Policies by Category**  
**Senate Consultation Matrix as of 5/5/2010**

These are pages one and two of the 12 page policy matrix. They are an example of the full policy matrix.

**Committee Acronyms**

- University Senate
- Faculty Senate
- Faculty Consultative Committee
- Senate Consultative Committee
- Senate Committee on Educational Policy
- Senate Research Committee
- Senate Committee on Finance and Planning
- Senate Committee on Faculty Affairs
- Senate Judicial Committee
- Senate Committee on Information Technology
- Senate Library Committee
- Council of Academic Professionals and Administrators
- Civil Service Committee

- U Senate
- F Senate
- FCC
- SCC
- SCEP
- SRC
- SCFP
- SCFA
- SJC
- SCIT
- SLC
- CAPA
- CSC

Please contact Gary Engstrand at 612-626-0884 to be scheduled with one of the referenced Senate Committees.

Column1	Column2	Column3	Column4	Column5
Academic Calendars	Policy	Education	SCEP	F Senate
Academic Probation and Suspension	Policy	Education	SCEP	F Senate
Academic Programs, Review of Proposals for New and Changed	Policy	Colleges, Programs, Centers	SCEP, FCC, CAPA	F Senate (action)
Academic Unit Authority over the Curriculum and Major	Policy	Education	SCEP	F Senate
Administering University Endowed Chairs	Policy	Colleges, Programs, Centers	SCFA	None
Admissions for Undergraduates	Policy	Education	SCEP	F Senate
Appropriate Student Use of Class Notes and Course Materials	Policy	Education	SCEP	F Senate
Campus Specific Credit Requirements for an Undergraduate	Policy	Education	SCEP	F Senate
Class Scheduling for Undergraduate and Graduate Classes	Policy	Education	SCEP	F Senate
Classroom Management	Policy	Education	SCEP	F Senate
Course Enrollment Limits and Cancellation	Policy	Education	SCEP	F Senate
Course Numbering	Policy	Education	SCEP	F Senate

<b>Credit and Grade Point Requirements for an Undergraduate (Baccalaureate) Degree</b>	Policy	Education	SCEP	F Senate
<b>Declaring a Major</b>	Policy	Education	SCEP	F Senate
<b>Degrees with Distinction and Degrees with Honors</b>	Policy	Education	SCEP	F Senate
<b>Degrees, Awarding Posthumous</b>	Policy	Education	SCEP	None
<b>Directed Student, Directed Readings, and Directed Research Courses</b>	Policy	Education	SCEP	F Senate
<b>Education Abroad Opportunities Addressing Health and Safety Risks</b>	Policy	Student Life	SCEP, SCSA	None
<b>Educational Materials Conflict of Interest</b>	Policy	Education	SCEP	F Senate
<b>Endowed Chairs, Administering University</b>	Policy	Colleges, Programs, Centers	SCFA	None
<b>Endowed Chairs - 1 - Requesting Approval for PUF Chairs</b>	Procedure	Colleges, Programs, Centers	SCFA	None
<b>Endowed Chairs - 2 - Establishing Permanent University Fund Endowments</b>	Procedure	Colleges, Programs, Centers	None	None
<b>Endowed Chairs - 3- Planning to Select and Appoint the Chairholder</b>	Procedure	Colleges, Programs, Centers	None	None
<b>Endowed Chairs - 4- Calculating and Planning the Distribution of Endowment Income</b>	Procedure	Colleges, Programs, Centers	SCFP	None
<b>Endowed Chairs - 5 - Managing and Reporting Endowment Activity</b>	Procedure	Colleges, Programs, Centers	SCFP	None
<b>Enrolling in Overlapping or Back-to-back Classes</b>	Policy	Education	SCEP	F Senate
<b>Establishing, Enforcing, and Waiving Prerequisites</b>	Policy	Education	SCEP	F Senate
<b>Evaluation of Teaching</b>	Policy	Education	SCEP	F Senate
<b>Expected Student Academic Work per Credit</b>	Policy	Education	SCEP	F Senate
<b>Faculty Responsibility in Undergraduate Advising on the Curriculum</b>	Policy	Education	SCEP	F Senate
<b>Grade Accountability</b>	Policy	Education	SCEP	F Senate
<b>Grading and Transcripts</b>	Policy	Education	SCEP	F Senate