Minutes[*]

Senate Research Committee
Monday, April 30, 2012
2:15 - 4:00
238A Morrill Hall

Present: Linda Bearinger (chair), Melissa Anderson, Arlene Carney, Margaret Catambay, Anna
                 Clark, Paul Cleary, Jerry Cohen, Marc Dunham, Maria Gini, Greg Haugstad, Seung-Ho
                 Joo, Frances Lawrenz, Jennifer Linde, Kola Okuyemi, LaDora Thompson, Thomas
                 Vaughan, Kyla Wahlstrom

Absent: Alvaro Alonso, Robin Dittman, Demoz Gebre, Tucker LeBien, Timothy Mulcahy,
                 Federico Ponce de Leon, Alexander Thorkelson, Karen Williams, Lynn Zentner

Guests: Professor Neil Olszewski (chair, Senate Library Committee)

Other: none

[In these minutes: (1) open-access publishing fund; (2) evaluation of scientific merit in research not
externally funded nor subject to peer review; (3) Research Secrecy Subcommittee: charge and
membership; (4) thanks]

1.   Open-Access Publishing Fund

        Professor Bearinger convened the meeting at 2:15 and welcomed Professor Olszewski to discuss
the proposal to establish an open-access (OA) publishing fund at the University.

        Professor Olszewski said that he would try to address questions that Committee members raised
at its last meeting (at which he was not present) when the proposal was discussed. [The proposal as
presented is appended to these minutes.] One question was about the size of the proposed fund, $20,000.
At the time the proposal was drafted, that amount seemed to be in line with what the University's peer
institutions were establishing. They see this as a pilot project and want to learn what the demand will be.
They have no data, only anecdotes, about journals moving to author-pay models. They are comfortable
with the amount proposed because they recommend review after two years—or if the funds are exhausted.

        Professor Olszewski recalled that Ms. Williams (from the libraries, unable to attend this meeting)
provided members of the Committee with statistics on open-access funds at other institutions; the most
money that was used was in the high teens ($17,000-$19,000). While author-pay charges can range from
$1500 to $4500, they do not know the number of hybrid journals that would be used, and the proposal
calls for paying half of the charges for those journals. There are two kinds of journals, pure OA or
hybrid; the latter carries subscriptions but will allow immediate open access for an additional fee.

Professor Okuyemi asked if there are such funds in place now. There are OA funds around the country, Professor Olszewski said. There is clearly a trend in author-pay journals and the Senate Library Committee wants to assess the need.

Professor Cohen said there are a number of low-quality/predatory journals around the world that use author fees as an illegitimate capitalist venture to raise money. The question is whether there is a mechanism to assess such journals, because some OA journals are better than others. Professor Olszewski said there is an OA directory, but the Senate Library Committee did not want to infringe on academic freedom so do not propose that faculty members be restricted in their choice of journals. The proposal only calls for determining whether a faculty author is eligible for the funds. He will, however, bring to the Senate Library Committee the issue of predatory journals and whether there is a way to identify them. But colleagues within a discipline should know, and graduate students should be mentored on their choice of journals.

Dr. Wahlstrom said she was concerned about quality. In education there are many commercial journals, some of which are peer-reviewed and some of which are simply on the take. There could be hundreds of the latter kind of journals in education alone and people receive notices all the time about OA journals that include author fees. She said she is concerned that the OA fund could be depleted quickly and that the money would not necessarily go to legitimate journals. But if a journal is predatory (and thus low-quality), what is the use of publishing in it, Professor Olszewski asked? Dr. Wahlstrom said she was concerned about the money; much of it could end up going to lousy journals. Professor Olszewski said he understood the point but reiterated the view that the Library Committee did not wish to infringe on academic freedom: The faculty should decide where they will publish. Dr. Wahlstrom said there needs to be a little more review of journals. The kind of appointment one has could reduce the incentive to publish in a low-quality journal, Professor Olszewski said. If one is a probationary faculty member who needs to achieve recognition, one cannot afford to publish very much in low-quality journals.

Professor Cleary asked where the money for the OA fund is likely to come. They are asking the Libraries and the Office of the Vice President for Research to provide it, Professor Olszewski said. They do not see the money coming out of indirect costs, he said in response to a further question, although the point is a good one. If author-pay publishing grows, the University may need to consider what to do. Professor Cleary said he could understand the problem for faculty members who do not have external funds that could pay OA fees, but he said he was also concerned about sending money to an outfit that simply makes a profit without peer review. It should be cheaper to publish now than it was 30 years ago, he commented, but it is not—it costs a great deal more.

Professor Gini said that apropos of quality, people in a discipline will know; would it be possible to ask the chair to support the application for funds for a journal? That would be more work, but she could not judge the quality of journals outside her field. That would raise the bar a little higher. What would be the logistics, Professor Thompson asked? The faculty member would submit an article, be notified of acceptance, and then obtain the support of the chair in seeking OA funds? Professor Olszewski said they have only developed a simple checklist to determine the eligibility of the individual for the funds so there could be rapid turnaround on requests. They have not talked about the quality of the journals.

The point is collaboration and communication, Professor Joo said. The journals should be in the libraries and researchers should have access to them, unless they are not good enough for the libraries.

They are not trying to support one publication model over another, Professor Olszewski said. They see OA publishing as a new economic model that creates a hardship for some faculty members. Big publishers are experimenting with author-pay models, the Public Library of Science has a number of such journals, and some professional societies are experimenting with them. A number of high-impact journals use an author-pay model, and the model reflects the nature of the publishing world at this point.

The publishing world is moving in the direction of the author-pay model, Professor Cohen agreed, so the proposal for an OA fund is not funding new journals. This is the research committee, this is an experiment, and the Committee is supposed to like experiments. OA/author-pay publishing could be a disaster but it is worth $20,000 to see if it works. The movement to OA is driven in part by the NIH requirement for open access.

Professor Clark said, in response to Professor Okuyemi that many small campuses cannot afford journal subscriptions and many journals in Europe are not available for subscription, so faculty members do not have access to them.

Professor Gini suggested it might be appropriate to limit the pool of applicants to the fund, such as assistant professors who are just starting their research; the funds might help launch their careers. It should not be available to full professors. The fund should be available to people who do not have grants, and considered as an experiment. Do some faculty members not publish in journals because of the cost? Professor Linde agreed that she can find money in grants to pay for publishing costs. Professor Olszewski noted that the fund is targeted to faculty members who are not funded; if someone has a grant, he or she should have budgeted for publishing costs. But if a grant has ended and one has a paper, there may not be funds to pay fees, Professor Gini pointed out. Professor Cohen said that those who submit grants to NSF should note that Program Directors may have rather poor access to many professional journals. PIs may want an article to be OA so that their Program Director can easily read it. Professor Okuyemi agreed with Professor Gini that priority should be given to junior faculty, who are less likely to have access to discretionary funds.

One problem is turnaround, Professor Olszewski said: A paper has been accepted and the faculty member has the bill in hand; what is he or she to do? The fund is proposed to be on a first-come, first-served basis. He said the committee they propose would not know how to establish priorities.

Professor Bearinger wondered about graduate-student eligibility. A paper could be their first publication, and any publication sounds good, so they might publish in journals they should not. Should they be eligible, given the small amount of money being proposed?

Professor Cleary asked if anyone has inquired if faculty members can get a discount if they cannot pay. Some journals waive the fee for those who cannot pay; some, if the libraries where the faculty member works have a subscription, will give a discount. Some journals waive fees for developing countries. It varies considerably, Professor Olszewski concluded. The $20,000 is money the libraries cannot use for subscriptions to important journals, Professor Cleary said. Have they thought about the libraries negotiating with departments?

Dr. Wahlstrom suggested that the Senate Library Committee collect data on how the $20,000 is spent to learn if the journals were worth the money. Professor Olszewski said he was comfortable with adding that element to the proposal.

      With the addition of Dr. Wahlstrom's proviso, the Committee voted unanimously to support the proposal. It was agreed that the Committee wished to have an update on the use of the fund, if it is established, next year.

      Professor Bearinger thanked Professor Olszewski for bringing the proposal to the Committee.

2.   Evaluation of Scientific Merit in Research not Externally Funded nor Subject to Peer Review

      Professor Bearinger turned next to Professors Clark, Cohen, and Thompson, who had agreed to serve as a small ad hoc subcommittee to draft a statement about review of research proposals when they are not externally funded (and thus may have some kind of peer review) nor subject to peer review. The draft statement follows: (between the * * *):

* * *

Review of scientific merit prior to the IRB review process is important. Most research has received review of scientific merit when funded by government or other university sources. In cases where research:

1) has not received prior scientific review AND
2) involves research on human subjects that might affect mental or physical health it is important that scientific merit review of research be carried out prior to formal IRB review.

In these cases, the following three steps occur:

1. PI self-selects the research as not previously subjected to peer review (or peer-reviewed, but declined for funding).
2. The PI identifies potential, appropriate reviewers within the University * but outside the PI's Department or immediate peer group (3 scientists).
3. A committee (one ad hoc member of the IRB and 2 appropriate ad hoc reviewers selected by the IRB, either from those nominated by the PI or those otherwise identified by the IRB within the University) reviews the research and states YES or NO to the question: Does the research have significant scientific merit to warrant the use of human subjects as proposed?

    *In exceptional cases, where expertise is limited within the University, appropriate peers at other Universities may be suggested.

Notation 1: Should all cases be required to indicate on the IRB application what peer review they have received?

Notation 2: The subcommittee of the SRC addressing this matter did not think that peer review was necessary for social science/behavioral research prior to IRB review if it would not affect physical and mental health. The IRB review would address the necessary questions about the validity and risks of research in these cases.

* * *

Professor Clark reported that the three of them met and developed the statement on how to evaluate scientific merit, if the potential payoff would justify the risk to human subjects. She drew attention to Notation 2. The PI would have to indicate that the proposal had not had peer review and would be obligated to identify possible peer reviewers, and the IRB could select reviewers. The process is intended to be very simple but it would put a burden on the PI. And the IRB would have the authority to evaluate whether the suggested reviewers were reasonable.

When evaluating human subjects protection in research, Professor Bearinger said, one must evaluate the benefits versus the risks, which could be difficult for a committee to do. Such evaluation happens if the research is federally funded. This proposal provides a mechanism to conduct that evaluation when research is not federally funded. Professor Thompson said it was their understanding that departments are supposed to be evaluating research proposals when there is no other peer review, but the practice is inconsistent—and that inconsistency stimulated the draft statement. The goal is to develop a method that does not infringe on academic freedom, which is why it includes nominations for peer reviewers from the faculty member, Professor Cohen said.

Professor Clark said that when she served as a member of the social science IRB, typically IRB approval was required before one could submit an NIH grant proposal. Dr. Lawrenz said the approval has to occur before the funds will be provided. This proposal thus puts a larger burden on people who do not qualify for federal funding, Dr. Carney observed. Professor Cohen said the thought is that it is an unusual situation to propose human-subjects research and not receive federal or peer-reviewed funding. This proposal would not be operative in those cases. If a proposal were declined by NIH, it would kick in. They were also thinking about graduate students doing dissertation research without external funding, Professor Clark said, and in those cases the adviser must assist the student in obtaining approval if additional peer review is needed; it is not sufficient for the adviser to say that it is good research. And if the graduate student has non-sponsored funds, this process would come into play, Professor Cohen said, but not if the student had NIH funds. A large number of graduate students do human-subjects research without NIH funds, Dr. Carney said, so this process does put a greater burden on them. Professor Cohen said that they were told that there is an increasing number of cases before the IRB where the PI is proposing human-subjects research using funds that have not been awarded through the peer-review process. The IRB is not comfortable with evaluation of the scientific merit aspect of these proposals without additional expert input. They did not address a graduate student audience. There could be many questions about what process someone must go through to meet this requirement, Dr. Carney said, and many research projects have timelines; if a requirement is to be added, people must plan. So the plan is to shift the time required for review from the IRB to the PI and others, Professor Bearinger concluded.

The goal is to establish a mechanism to obtain peer review when the IRB is uncomfortable with a proposal, Professor Cohen said.

The problem is not with graduate students doing social science research as much as it is industry-sponsored research, Professor Clark said. In many fields, PIs would collect pilot data and might have some peer review, Dr. Carney said. She urged that the Committee not recommend a model that work in one field but not others. She said the proposal was fine and prevents a burden on the IRB, but she wants the Committee to be sure it is not imposing too large a burden on faculty and students trying to get things done.

Professor Okuyemi said he was confused by the conversation. This proposal does not change what happened before or after IRB review? In the Medical School, nothing goes to the IRB without peer review; does this deal with cases where the IRB has questions irrespective of what happened before the proposal came to the IRB?

Professor Cohen said their group was charged because the IRB leaders said they have a problem in that they are seeing an increasing number of applications that have not had peer review. The IRB asked the Senate Research Committee to develop a mechanism for the IRB to handle such cases. Some of the research is commercial, some is with non-sponsored funds. The University will not commit to research using human subjects that does not have redeeming value. The question is, is there a mechanism the IRB can use to be satisfied that a proposal is sound science? Their answer is that when cases come to the IRB that cause some discomfort, this is a mechanism they could use.

Professor Okuyemi said this would change the practices in the Medical School. In his department, they must check a box indicating there has been peer review, and if it not, the proposal is assigned for review in the department. That process has been in place for years. Professor Cohen said there is nothing in their proposal that would require that practice to change. This is a protocol: If the IRB receives something that makes it uncomfortable, they have a mechanism to review it. The recommendations might not be the same from different departments—some do conscientious reviews that the IRB would accept and others engage in pro forma approvals that it would not. Professor Okuyemi said the proposal was satisfactory as long as departmental peer review was acceptable. Professor Cohen said the IRB could determine if it was adequate, and if not, invoke this proposal.

Vice Provost Carney said this is a good mechanism if the IRB is concerned. What is really wanted is that every human-subjects proposal to the IRB must meet criteria, is appropriate, has scientific merit, and is subjected to a risk-benefit analysis. At times it may not be possible to determine whether adequate review has taken place; NIH review is clearly adequate, but his mechanism makes it sound like it must be used if there is no funding attached, but it could cause departments to address the problem because it wastes a lot of IRB time. She suggested that the proposal not require three reviewers from outside the PI's department because that would be a significant burden on faculty members. But if units have not taken their responsibilities seriously enough, or the IRB has questions, then this mechanism comes into play.

Professor Clark said that the proposal could be amended for graduate students to say that committee review would be acceptable.

It was suggested that the language of Notation 2 follow that used in the IRB review process. It was agreed that the ad hoc group would take the statement back under advisement in light of the discussion today, and would also consider whether to exclude from the review proposals that qualify for expedited IRB review. The group also agreed that it would consult with Professors Berry and Oakes and then circulate by email a revised statement for Committee review (and perhaps approval).

Professor Bearinger thanked Professors Clark, Cohen, and Thompson for their work.

3.   Research Secrecy Subcommittee: Charge and Membership

Professor Bearinger recalled that that just recently the Committee had to deal with a request for an exemption from the Regents' policy on openness in research, and had to pull together its standing research openness subcommittee quickly. When it did so, the Committee recognized that it needed to update the charge and revise the membership language. She, Mr. Bohnhorst, Dr. Haugstad, and Ms. Webb looked at the language and provided suggestions; the result is before the Committee for action.

CHARGE

The Research Openness Subcommittee shall be a standing subcommittee of the Senate Research Committee. The Subcommittee shall:

--   maintain and develop expertise on the national and University policies and the national funding environment that are relevant to the review of requests for accepting research grants and contracts that (i) limit the public dissemination of the results of research; (ii) impose retroactive classification of research; or (iii) restrict participation in research (primarily for reasons related to export controls);

--   consistent with administrative policy, review requests for exemptions from Regents Policy, Openness in Research, and forward recommendations to the Senate Research Committee; and,

--   as requested, or on its own initiative, consult with the Chair of the Senate Research Committee and the Vice President for Research regarding changes in administrative policy and guidelines relating to review of requests.

MEMBERSHIP

The Subcommittee shall consist of 5 faculty members, 1 P&A staff member involved in research, and 1 student. Members of the Subcommittee shall serve five-year terms and may be reappointed once; none of the members of the Subcommittee will be current members of the Senate Research Committee. The members of the Subcommittee will be appointed by the chair of the Senate Research Committee in consultation with the members of the Senate Research Committee. The student member may serve on the Subcommittee for as long as he or she remains a student in good standing at the University.) The chair shall be a faculty member designated by the chair of the Senate Research Committee. Ex officio members shall include representatives from the Office of the General Counsel and from the Office of the Vice President for Research.

Mr. Bohnhorst explained that the revisions suggested were intended to simplify the charge, originally written in 2002, because much of the language in the charge has since been incorporated in University policy documents.

The Committee agreed that the chair should appoint the members of the subcommittee, subject to approval of the Committee, and that members of this Committee should not serve on the subcommittee (because individuals who served on both would in essence be making recommendations to themselves).

The Committee unanimously approved the revised charge.

The Committee next turned to the membership, and approved the following individuals for the terms noted (all four faculty members have been serving on the subcommittee since its inception, so it

was agreed they would be phased out in order that there be an orderly rotation of members, and all four have accepted these appointments).

Chris Cramer appointed to a one-year term ending on June 30, 2013
Gary Balas appointed to a two-year term ending June 30, 2014
Gary Muehlbauer appointed to a three-year term ending June 30, 2015
Ginger Seybold appointed to a four-year term ending June 30, 2016

Professor Bearinger asked Committee members for nominations for the fifth faculty member, the P&A member, and a student member.

4.   Thanks

Professor Bearinger thanked Professor Linde for her six years of service on the Committee. Committee members also congratulated Mr. Dunham, who is graduating with a master's degree in Mechanical Engineering and received a fellowship to complete his Ph.D. at Stanford.

Professor Bearinger adjourned the meeting at 3:40.

-- Gary Engstrand

University of Minnesota

Establishing an Open-Access Publishing Fund at the University of Minnesota

Scholarly publishing has long served to facilitate communication and collaboration among researchers and to disseminate ideas and knowledge. Providing open access to published research greatly increases the speed and efficiency of communication among researchers, and disseminates ideas far more widely than ever before – but embracing the advantages of new technologies also requires developing new approaches to key issues such as management of intellectual property rights and sustainable models.

Open Access Options

Researchers who wish to make their works openly accessible have an array of options. Some closely resemble long-established journal publishing processes; others are more innovative. Common open access options include:

- Authors retaining the right to distribute copies of their works online, via personal websites, institutional repositories, and/or subject-related repositories.
- Authors choosing to publish only in fully open access publications, in which all contents are freely publicly available.
- Authors publishing in a "closed-access" journal that allows individual articles to be made openly available (so-called "hybrid" open access).

Fully open access publications and hybrid publications are often supported through institutional funds via grants, hosting or service provision, membership fees, or subscriptions. But authors also often have to pay significant fees to make their works openly accessible in these venues. Individual authors' access to funds that can be leveraged for open access fees varies widely, imposing unequal burdens on authors.

Open Access Funds at Other Institutions

Many leading institutions have addressed these challenges by creating funds to help authors meet the new costs of open access publishing. The sixteen signatories of the Compact for Open Access Publishing Equity (COPE), for example, have established "durable mechanisms for underwriting reasonable publication charges for articles written by [their] faculty." Other institutions have developed their own policies and procedures.
Most institutional open access funds include principles and criteria related to:

- Eligible Submissions– which types of publications are eligible (hybrid/full OA; articles/monographs/data/proceedings)
- **Author eligibility** – which individuals are eligible to apply for funds
- **Effects of external fund availability (grants, etc.)**
- **Appropriate and sustainable administration of the open access fund**

Proposal

The Senate Library Committee proposes that University of Minnesota establish an institutional fund to underwrite University of Minnesota authors' costs in making their published works openly accessible. The fund would be supported by both the Office of the Vice President for Research and the University Libraries, and would be overseen by a review panel comprised of sponsors and faculty, with a role of reviewing eligibility (not content). The fund would cover all scholars on all campuses.

We recommend the following standards and principles.

- Eligible submissions
  - Funds are available for peer-reviewed journal articles, scholarly monographs, conference proceedings, and data sets.
  - Funds may be used only to cover open access publication and submission fees.
  - Author fees for open access journals (as determined by listing in the Directory of Open Access Journals,[1] membership in the Open Access Scholarly Publishers Association, or adherence to Open Access Scholarly Publishers Association Code of Conduct)[2] will be covered in full. Author fees for "hybrid" journals will be covered up to 50%.
  - Funds may not be used for publications that do not make works fully openly available immediately upon publication.
- Author eligibility
  - All scholars (faculty, researchers, post-docs, graduate students, and staff) at the University of Minnesota may apply for funds for their publications that otherwise qualify.

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[1] Directory of Open Access Journals http://www.doaj.org/
[2] Open Access Scholarly Publishers Association and Code of Conduct: http://www.oaspa.org/

- o Authors receiving funds must deposit a copy of the publication in an approved open access repository, such as the University Digital Conservancy (the University of Minnesota's institutional repository.)
- o In the case of joint authorship, support for author fees will be pro-rated based on the proportional contribution of the University of Minnesota author.
- o Authors may receive up to $3,000 in institutional open access support annually.
- Effects of external fund availability (grants, etc.)
  - o Authors with no external funding will be given priority, but authors who have external funding that cannot be used to underwrite open access fees will also be eligible.
  - o Fees occurring after the closure of a grant are eligible.
  - o Authors who *could have* applied for grant coverage of open access fees but failed to do so will not usually be eligible for institutional open access support, unless their grant application was made before the institutional open access fund existed.

We recommend that the fund be piloted with no less than $20,000 per year of available support to authors, and that funds be distributed on a rolling basis. The program's support levels and effectiveness should be evaluated as funds are exhausted or at the end of two years, whichever occurs sooner. OVPR and the University Libraries will partner to raise awareness of this new support for the wide dissemination of the research of University of Minnesota scholars.

Appendix: Further information

Article Processing Fees (from SPARC) http://www.arl.org/sparc/publisher/incomemodels/guide2-1.shtml
This explains the different variations of article processing fees, the rationales for the fees and the transition for some publishers to the hybrid model.
Campus-based Open Access Publishing Funds (from SPARC)
http://www.arl.org/sparc/openaccess/funds/
This page includes the pdf of the guide "Campus-based Open Access Publishing Funds: A practical guide to design and implementation" by Greg Tananbaum (Feb 2010), as well as templates for FAQ and fund applications.
Compact for Open Access Publishing Equity (COPE)
Overview: http://www.oacompact.org/
List of signatories: http://www.oacompact.org/signatories/
OA Journal Funds (in the Open Access Directory)
http://oad.simmons.edu/oadwiki/OA_journal_funds
More comprehensive than the SPARC list, includes European and Canadian institutions and links to the web-sites for the funds.